



## Notice of Meeting

**Notice** is hereby given that the **Ordinary Council Meeting** of the **Whitsunday Regional Council** will be held at the Council Chambers, 67 Herbert Street, Bowen on **Wednesday 25 September 2024**, commencing at **9:00 AM** and the Agenda is attached.

**Councillors:** Ry Collins (Mayor), Michelle Wright (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, and Gary Simpson



Warren Bunker

CHIEF EXECUTIVE OFFICER

**Agenda of the Ordinary Council Meeting** to be held at  
Council Chambers, 67 Herbert Street, Bowen on Wednesday 25 September 2024  
commencing at **9:00 AM**

*Council acknowledges and shows respect to the Traditional Custodian/owners in whose country we hold this meeting.*

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## **1 APOLOGIES/LEAVE OF ABSENCE**

This item on the agenda allows Council the opportunity to receive apologies/leave of absence from Councillors unable to attend the meeting.



## 2 CONDOLENCES

To acknowledge and observe a minute silence for the recently deceased throughout the Whitsunday Region.

### 3 CONFIRMATION OF MINUTES

### 3 CONFIRMATION OF MINUTES

#### 3.1 - Confirmation of Minutes

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Councillor Support Officer

**AUTHORISING OFFICER:** Director Corporate Services

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#### PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting held on 28 August 2024 are provided for Councils review and confirmation.

#### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 28 August 2024.

#### BACKGROUND

In accordance with s254F of the Local Government Regulation 2012, minutes were taken at Council's Ordinary Council Meeting held on 28 August 2024 under the supervision of the person presiding at the meeting. These unconfirmed minutes were reviewed and are available on Council's website for public inspection.

#### DISCUSSION/CURRENT ISSUE

Council's options are:

Confirm the Minutes of the Ordinary Council Meeting held on 28 August 2024.

If Council is satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 28 August 2024 and comply with legislative requirements outlined in this report, no further action is required other than to confirm the minutes as per the recommendation.

Confirm the Minutes of the Ordinary Council Meeting held on 28 August 2024 with amendments.

If Council is not satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 28 August 2024 and comply with legislative requirements outlined in this report, then they move a motion that they be confirmed but with a list of amendments to ensure they are correct and compliant.

#### FINANCIAL IMPLICATIONS

The price for a member of the public to purchase a copy of the minutes must not be more than the cost to the local government of having the copy printed and made available for purchase, and if the copy is supplied to the purchaser by post, the cost of the postage.

## CONSULTATION/ENGAGEMENT

Manager Governance & Administration

## STATUTORY/COMPLIANCE MATTERS

In accordance with the Act, Council must record specified information in the minutes of a meeting regarding any declared conflicts of interest. At the Ordinary Council Meeting held on 28 August 2024, the following conflicts of interests were declared and recorded in the minutes:

| Councillor/Officer     | Prescribed or Declarable | Report No. | Particulars of the interest                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------|--------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mayor Ry Collins       | Declarable               | 11.2       | <p>Mayor Collins declared a declarable conflict of interest in item 11.2 20240189- Development Application for Development Permit for Material Change of Use – Medium Impact Industry (Seafood Processing) – 28 Pearle Place, Bowen – 17 SP241781 – TB Rynn &amp; RL Muller C/- Wynne Planning &amp; Development as defined by section 150EN and 150EQ of the Local Government Act 2009. Mayor Collins has been associated with the applicant.</p> <p>The applicant hosted an election sign for Mayor Collins, and it is to be noted that Mayor Collins has never met the applicant in person.</p> <p>As a result of the conflict of interest, Mayor Collins advised he wished to remain in the meeting to make a decision in relation to this matter as he does not believe a reasonable person could have a perception of bias and requested the remainder of Councilors to decide whether he be allowed to remain in the meeting room.</p> <p>For transparency in chairing the meeting, the Mayor handed the chairing for this item to Deputy mayor Wright.</p> |
| Councillor John Finlay | Declarable               | 11.9       | <p>Cr John Finlay declared a prescribed conflict of interest in Item 11.9 – Wangaratta Bowls Club Lease Renewal as defined by section 150EI of the Local Government Act 2009. Applicant is a client of SBB Partners Company for which Cr Finaly is the Manager. Business relationship, close associate.</p> <p>As a result of this conflict of interest, Cr Finlay advised that he will leave the meeting and take no part in the discussion or decision making on this matter.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

### Local Government Regulation 2012

Section 254F of the Local Government Regulation stipulates that the Chief Executive Officer must ensure that minutes of each meeting of a local government are taken under the supervision of the person presiding at the meeting.

Minutes of each meeting must include the names of councillors present at the meeting and if a division is called on a motion, the names of all persons voting on the motion and how they voted.

At each meeting, the minutes of the previous meeting must be confirmed by the Councillors present and signed by the person presiding at the later meeting.

### RISK ASSESSMENT/DEADLINES

A copy of the minutes of each meeting must be available for inspection by the public, at a local government's public office and on its website, within 10 days after the end of the meeting. Once confirmed, the minutes must also be available for purchase at the local government's public office(s).

### TABLED MATTERS

| Unresolved Tabled Matters |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                       |                                                                                                          |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Date of Meeting           | Resolution Number                                                                                                                                                                                                                                                                               | Summary                                                                                                                                                                                               | Status                                                                                                   |
| 24 April 2024             | Notice of Motion – Dingo Beach Stinger Net OM2024/04/24.2                                                                                                                                                                                                                                       | -That the item regarding Dingo Beach Stinger Net be deferred pending further community consultation                                                                                                   | This matter is currently being actioned by officers and will be presented to a future meeting of Council |
| 28 August 2024            | PROCEDURAL MOTION – DEFERALL 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property (Staged) - 6 & Lot 15 Betzels Lane, Bowen - 1RP744806 & 15RP745336 - CHP Developments Pty Ltd C/- Veris OM2024/08/28.6 | Cr Finlay asked the meeting to consider deferring the discussion and consideration on this item to allow the applicant further time to evaluate options in relation to the sewer and onsite treatment | This matter is to be considered at the next Ordinary Meeting on the 25 September 2024                    |
| 28 August 2024            | PROCEDURAL MOTION – DEFERALL AICD Company Directors Course - Councillor Attendance OM2024/08/28.13                                                                                                                                                                                              | That Council defer the decision on this matter to allow for further discussion around Councillors professional development.                                                                           | Scheduled for discussion at the councillors briefing session.                                            |

### ATTACHMENTS

*Unconfirmed minutes are attached separately on Council's website.*

#### **4 BUSINESS ARISING**

This item on the agenda allows Councillors the opportunity to seek clarification or updates on business arising from the minutes of the previous meeting.

## **5 MAYORAL MINUTE**

This item on the agenda allows the Mayor to introduce, by a signed minute, a matter for consideration at the meeting. In accordance with Council's Standing Orders, such a matter takes precedence over all other matters for consideration at the meeting and may be adopted by a motion moved by the Mayor without the need for the motion to be seconded.

In accordance with Council's Standing Orders, Councillors may give notice of any business they wish to be discussed at an Ordinary Meeting by way of a Notice of Motion. This item on the agenda allows Councillors to introduce and move any motions they have submitted to the Chief Executive Officer for inclusion in the agenda.

## **7            DEPUTATIONS**

This item on the agenda allows persons to make a deputation to Council. Deputations are managed in accordance with Council's adopted Standing Orders.



This item on the agenda allows for the following two options:

1. Councillors to present a petition to the meeting in accordance with Council's Standing Orders, no debate on or in relation to the tabled petition shall be allowed and the only motion which may be moved is that the petition either be received, referred to a Committee or Council officer for consideration and report back to Council, or not be received because it is deemed invalid.
2. The inclusion of any responses prepared by officers in response to questions taken on notice at previous meetings of Council.

Excerpt from Council's Standing Orders:

1. In each Meeting, time shall be set aside to permit members of the public to address the Council on matters of public interest related to local government.
2. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting.
3. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting.
4. Any person addressing the Council shall stand, act and speak with decorum and frame any remarks in respectful and courteous language.

**10.1 - Audit & Risk Committee Meeting Minutes - 20 August 2024**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager - Governance and Administration Services

**AUTHORISING OFFICER:** Director Corporate Services

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**PURPOSE**

To confirm the Audit and Risk Committee Meeting Minutes held on 20 August 2024.

**EXECUTIVE SUMMARY**

The Audit and Risk Committee is an Advisory Committee of Council, and the minutes are presented to Council for endorsement. This meeting considered notable the Audited Financial Statements for 2023/24 and Queensland Audit Office Audit report.

**OFFICER'S RECOMMENDATION**

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 20 August 2024.

**BACKGROUND**

Whitsunday Regional Council's Audit & Risk Committee met on 20 August 2024 and minutes were recorded from this meeting and are provided to Council to consider and review the Committee's recommendations, in accordance with Section 211(1)(c) of the Local Government Regulation 2012.

The primary objective of the Audit & Risk Committee is to promote good corporate governance through the provision of independent assurance, oversight, and advice to Council on matters relating to:

- Internal Audit;
- External Audit;
- Financial Reporting;
- Risk Management;
- Internal Controls; and
- Legislative and Organisational Compliance.

**DISCUSSION/CURRENT ISSUE**

The following reports were presented at the meeting of the 20 August 2024 and voted in support by the Committee:

- 2023/24 Audited Financial Statements
- Cash Analysis Report
- Queensland Audit Office 2024 Audit Report

## **FINANCIAL IMPLICATIONS**

Financial Implications are managed within the existing budgets and delegations.

## **CONSULTATION/ENGAGEMENT**

Manager Governance & Administration  
Audit and Risk Committee Chairperson  
Chief Executive Officer

## **STATUTORY/COMPLIANCE MATTERS**

Audit and Risk Committee Charter  
Local Government Act 2009  
Local Government Regulation 2012

## **RISK ASSESSMENT/DEADLINES**

Council risks non-compliance with the Audit & Risk Committee Constitution if they do not consider and review the recommendations of the Committee.

Minutes are to be presented to the next available Council Meeting.

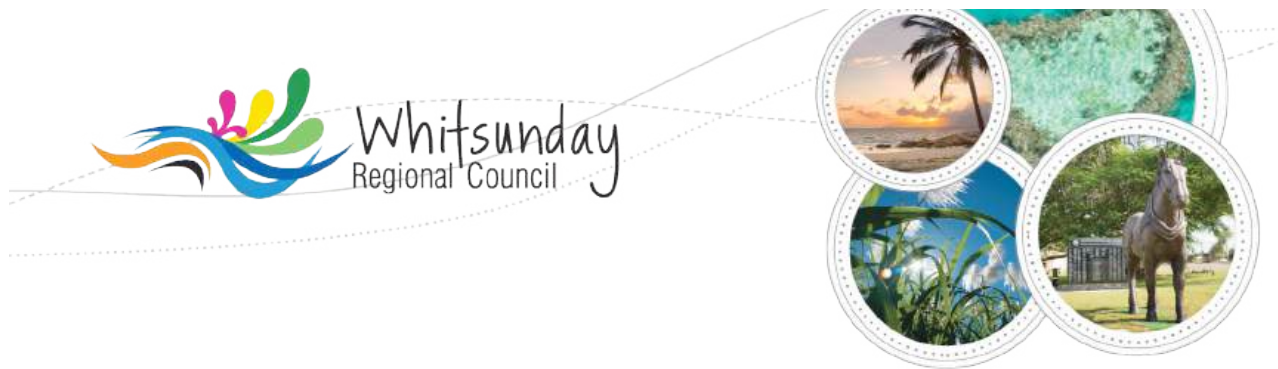
## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Lead and coordinate the organisation's corporate governance and risk management, in addition to the delivery of efficient and customer focused administration support for the organisation to ensure high levels of performance and compliance. Support the organisation in ensuring appropriate compliance with legislation and to support the elected council in its decision-making processes and obligations as a local government.

## **ATTACHMENTS**

1. 20 August 2024 - Unconfirmed Audit & Risk Committee Meeting Minutes [10.1.1 - 6 pages]



# Minutes of the Audit & Risk Committee Meeting held on Tuesday 20 August 2024 via Microsoft Teams

*Council acknowledges and shows respect to the Traditional Custodian/owners in whose country we hold this meeting.*

**Members Present via Microsoft Teams - Teleconference:**

Mr Graham Webb (Chair), Cr Ry Collins (Mayor), Peter Sheville, Mary Goodwin and Cr John Finlay (Councillor – Division 6); Michelle Wright (Councillor - Division 4) - as proxy/observer.

**Internals Present - Proserpine Council Chambers:**

Warren Bunker (Chief Executive Officer); Jan Clifford - Councillor Division 1 (Via Microsoft Teams as an observer); Jason Bradshaw (Director Corporate Services); Julie Wright (Director Community Services and Facilitation); Neil McGaffin (Director Regional Strategy and Planning); Gary Murphy (Director Infrastructure Services); James Ngoroyemoto (Manager Governance and Administration); Leah Bradley (Manager Financial Services); Edwina Pettiford (Management Accountant); Tailah Jensen - Secretary (Governance and Admin Officer)

**Externals Present via Microsoft Teams – Teleconference:**

Matthew Monaghan (William Buck); Sabrina Frank (Queensland Audit Office)

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Whitsunday Regional Council  
Minutes of the **Audit & Risk Committee Meeting** held at  
**Council Chambers, 83-85 Main Street, Proserpine** on  
**Tuesday 20 August 2024** commencing at **9:00 AM**

**1 APOLOGIES/LEAVE OF ABSENCE .....3**  
**2 DECLARATIONS OF INTEREST .....4**  
**3 AUDIT & RISK COMMITTEE REPORTS .....5**  
**3.1 Financial Reporting.....5**  
3.1.1 Audited Financial Statements - 2023/2024 .....5  
3.1.2 Cash Analysis Report.....6  
**3.2 External Audit.....7**  
3.2.1 QAO Audit Report .....7  
**4 GENERAL BUSINESS .....8**  
**5 CLOSURE OF MEETING .....9**

**1 APOLOGIES/LEAVE OF ABSENCE**

There were no apologies/leaves of absence requests for this meeting.

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**2 DECLARATIONS OF INTEREST**

No declarations were recorded for this meeting.

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*The Committee agreed to bring forward item 3.2.1 to be discussed first.*

**3.2 External Audit**

**3.2.1 - QAO Audit Report**

**EXECUTIVE SUMMARY**

This report presents the closing report on the financial statements and audit report for the 2023/24 financial year. It also provides the audit opinion and signoff by the Queensland Audit Office.

**RECOMMENDATION**

That the Audit and Risk Committee receive the 2024 Closing Audit Report from the Queensland Audit Office dated 16<sup>th</sup> August 2024.

**RESOLUTION AR2024/08/20.1**

**Moved By: CR J FINLAY**

**Seconded By: CR R COLLINS (MAYOR)**

**That the Audit and Risk Committee receive the 2024 Closing Audit Report from the Queensland Audit Office dated 16<sup>th</sup> August 2024.**

**MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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This is page 4 of the Minutes of Council's Audit & Risk Committee Meeting - 20 August 2024



### **3 AUDIT & RISK COMMITTEE REPORTS**

#### **3.1 Financial Reporting**

##### **3.1.1 - Audited Financial Statements - 2023/2024**

###### **EXECUTIVE SUMMARY**

Due to the completion of the External Audit of Councils 2023/24 Financial Statements, this report seeks endorsement from the Audit and Risk Committee of the Final Audited Financial Statements for signing by the Mayor and Chief Executive Officer.

###### **RECOMMENDATION**

That the Audit and Risk Committee endorse the signing of the Audited Financial Statements for the 2023/24 Financial Year by the Mayor and Chief Executive Officer.

###### **RESOLUTION AR2024/08/20.2**

**Moved By:** CR J FINLAY

**Seconded By:** MS M GOODWIN

**That the Audit and Risk Committee endorse the signing of the Audited Financial Statements for the 2023/24 Financial Year by the Mayor and Chief Executive Officer.**

###### **MEETING DETAILS**

Acknowledgement to those involved in finalising report and information.

The motion was Carried 5 / 0.

**CARRIED**

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This is page 5 of the Minutes of Council's Audit & Risk Committee Meeting - 20 August 2024

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### 3.1.2 - Cash Analysis Report

#### EXECUTIVE SUMMARY

This report provides supporting evidence to demonstrate the manner in which the cash and cash equivalent balances held by Council align with Councils reserves and working capital requirements. This highlight both externally restricted cash and internally restricted cash held at 30 June 2024.

#### RECOMMENDATION

That the Audit and Risk Committee receive the Cash Analysis Report as at 30 June 2024.

#### RESOLUTION AR2024/08/20.3

Moved By: MR G WEBB

Seconded By: MR P SHEVILLE

That the Audit and Risk Committee receive the Cash Analysis Report as presented, noting that a more detailed report will be provided at the 17 September Audit & Risk Committee Meeting.

#### MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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#### 4 GENERAL BUSINESS

No general business items for this meeting.

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#### 5 CLOSURE OF MEETING

The Meeting closed at 10.19am.

Confirmed as a true and correct recording this 17 September 2024.

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Graham Webb  
CHAIRPERSON

This is page 6 of the Minutes of Council's Audit & Risk Committee Meeting - 20 August 2024

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**11.1 - 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property (Staged) - 6 & Lot 15 Betzels Lane, Bowen - 1RP744806 & 15RP745336 - CHP Developments Pty Ltd C/- Veris**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager Development Assessment

**AUTHORISING OFFICER:** Director Regional Strategy and Planning

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## PURPOSE

To present a tabled report for Councils consideration.

## EXECUTIVE SUMMARY

At the 28 August 2024 Ordinary Meeting of Council, the following resolution was made:

‘That Council put a procedural motion to defer consideration of this matter to the next Ordinary Meeting on the 25th of September 2024’.

The letter from John’s Plumbing Service Pty Ltd provided to Council on 27 August 2024 has been reviewed and discussed amongst officers and Councillors. This matter was deferred and is now ready for discussion at this meeting. The tabled report from 28 August 2024 has not been changed and has been brought back as it was presented at the 28 August 2024 meeting for council consideration as **Attachment A**.

## OFFICER’S RECOMMENDATION

That Council takes off the table report 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property (Staged) - 6 & Lot 15 Betzels Lane, Bowen - 1RP744806 & 15RP745336 - CHP Developments Pty Ltd C/- Veris (**Attachment A**), tabled at Council Ordinary Meeting held 28 August 2024 for Council consideration.

## BACKGROUND

Refer to **Attachment A**.

## DISCUSSION/CURRENT ISSUE

Refer to **Attachment A**.

## FINANCIAL IMPLICATIONS

Refer to **Attachment A**.

## CONSULTATION/ENGAGEMENT

Refer to **Attachment A**.

## STATUTORY/COMPLIANCE MATTERS

Refer to **Attachment A**.

## **RISK ASSESSMENT/DEADLINES**

Refer to **Attachment A**.

## **STRATEGIC IMPACTS**

Refer to **Attachment A**.

## **ATTACHMENTS**

1. 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen [11.1.1 - 29 pages]

**11.3 - 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property (Staged) - 6 & Lot 15 Betzels Lane, Bowen - 1RP744806 & 15RP745336 - CHP Developments Pty Ltd C/- Veris**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 28 August 2024

**AUTHOR:** Planner

**AUTHORISING OFFICER:** Director Regional Strategy and Planning

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**PURPOSE**

To assess the development application for a six-lot medium impact industry subdivision and seek Council's determination.

**EXECUTIVE SUMMARY**

The application is for subdivision of two medium impact industry lots into six lots and a common property area. The properties are adjoining rural and rural residential properties. The lands are currently vacant and generally cleared of vegetation. The subdivision of the two properties will result in the following lot sizes:

- Proposed Lot 1 – 2875m<sup>2</sup>
- Proposed Lot 2 – 3291m<sup>2</sup>
- Proposed Lot 3 – 3094m<sup>2</sup>
- Proposed Lot 4 – 2105m<sup>2</sup>
- Proposed Lot 5 – 2041m<sup>2</sup>
- Proposed Lot 6 – 2043m<sup>2</sup>
- Common Property – 17,110m<sup>2</sup>

The proposed access is off Betzels Lane. The access, parking and turning area will be located within the common property where each lot will have access to the internal road and parking spaces. Preliminary engineering design drawings have been provided demonstrating the new access to Betzels Lane, the internal roadway and circulation areas can accommodate the turning movements of a 19 m Articulated Vehicle (AV).

The development application is code assessable given that all six allotments achieve the minimum lot size specified by the Planning Scheme.

The proposal can be provided with reticulated water, sewer, stormwater drainage, sealed roads, electricity and telecommunications. The applicant has requested Council permit the development to not connect to Council's reticulated sewer network which is the primary reason the application is presented to Council.

The primary justification by the applicant is that connection to the existing sewer main on the Bruce Highway, some 450m away, is not financially viable. The applicant has instead provided a wastewater report to demonstrate that onsite wastewater systems can be supported on each lot. Other justification provided by the applicant includes there being little strategic value in connecting the area.

The proposal is located outside of Council's Priority Infrastructure Area (PIA), however the immediate area along Betzels Lane is serviced with reticulated water. Overall outcome (m) of the Medium Impact Industry Zone Code requires that development is provided with the full range of urban services to support industry and employment needs. Whilst it is

This is page 1 of the Agenda of Council's Ordinary Council Meeting - 28 August 2024

# Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

acknowledged some future uses of the land may have a limited need for reticulated sewer the absence of this connection limits the potential for higher intensity industrial activities from being realised. When considering the land in a strategic context there are five nearby parcels zoned Medium Impact Industry that when developed in the future will require full connection to be made.

As the subject site will not be raised above the 1%AEP flood level future onsite wastewater treatment systems will be constrained. It is a requirement of all wastewater treatment systems that the land application area used to disperse the effluent is above the 1% AEP level. The applicant has not demonstrated that future applications for such systems could be approved by Council.

To address the flood hazard a Flood Risk Assessment has been provided by the applicant to support the proposal. The report finds that post site civil works the proposal will remain impacted by the 1%AEP flood event. This is considered acceptable due to no loss in flood plain storage from the earthworks and that the proposed use of the land will be for Class 7 buildings which are permitted to be on land which is inundated subject to RPEQ certification and the unimpeded flow-through of water.

It is recommended that the development is approved subject to conditions requiring the development to connect to Council's reticulated sewer network.

## OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property, made by CHP Developments Pty Ltd, on L: 1 RP: 744806, L: 15 RP: 745336 and located at 6 and Lot 15 Betzels Lane Bowen, subject to the conditions outlined in **Attachment 4**.

## BACKGROUND

Both lots were previously approved for a Preliminary Approval for an Industrial Precinct, however the rezoning of both lots to Medium Impact Industry under the *Whitsunday Regional Planning Scheme v3.9* has rendered the Preliminary Approval redundant. The Preliminary Approval was granted subject to the site being connected to all urban services, including sewer.

## DISCUSSION/CURRENT ISSUE

Overall outcome (m) of the Medium Impact Industry Zone Code requires that low to medium impact industry activities are provided with the full range of urban services to support industries. The proposal can be provided with the full range of urban services. A detailed assessment of the proposal is provided in **Attachment 3**.

## FINANCIAL IMPLICATIONS

The application fee has been paid.

There are no applicable infrastructure charges.

## CONSULTATION/ENGAGEMENT

Manager Development Assessment  
Development Engineer  
Team Leader Plumbing Services  
Manager Natural Resource Management and Climate

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#### **STATUTORY/COMPLIANCE MATTERS**

*Planning Act 2016*

Whitsunday Regional Council Planning Scheme 2017

#### **RISK ASSESSMENT/DEADLINES**

The decision may be appealed in the Planning & Environment Court of Queensland.

#### **STRATEGIC IMPACTS**

Corporate Plan 2022-2026 Development Services objective 4.

Process all statutory applications within statutory timeframes.

#### **ATTACHMENTS**

1. Regional Plan [11.3.1 - 1 page]
2. Locality Plan [11.3.2 - 1 page]
3. Planning Assessment Report [11.3.3 - 6 pages]
4. Conditions of Approval [11.3.4 - 10 pages]
5. Plans of Development [11.3.5 - 7 pages]
6. Location and Distance to Sewer Main Bruce Highway [11.3.6 - 1 page]

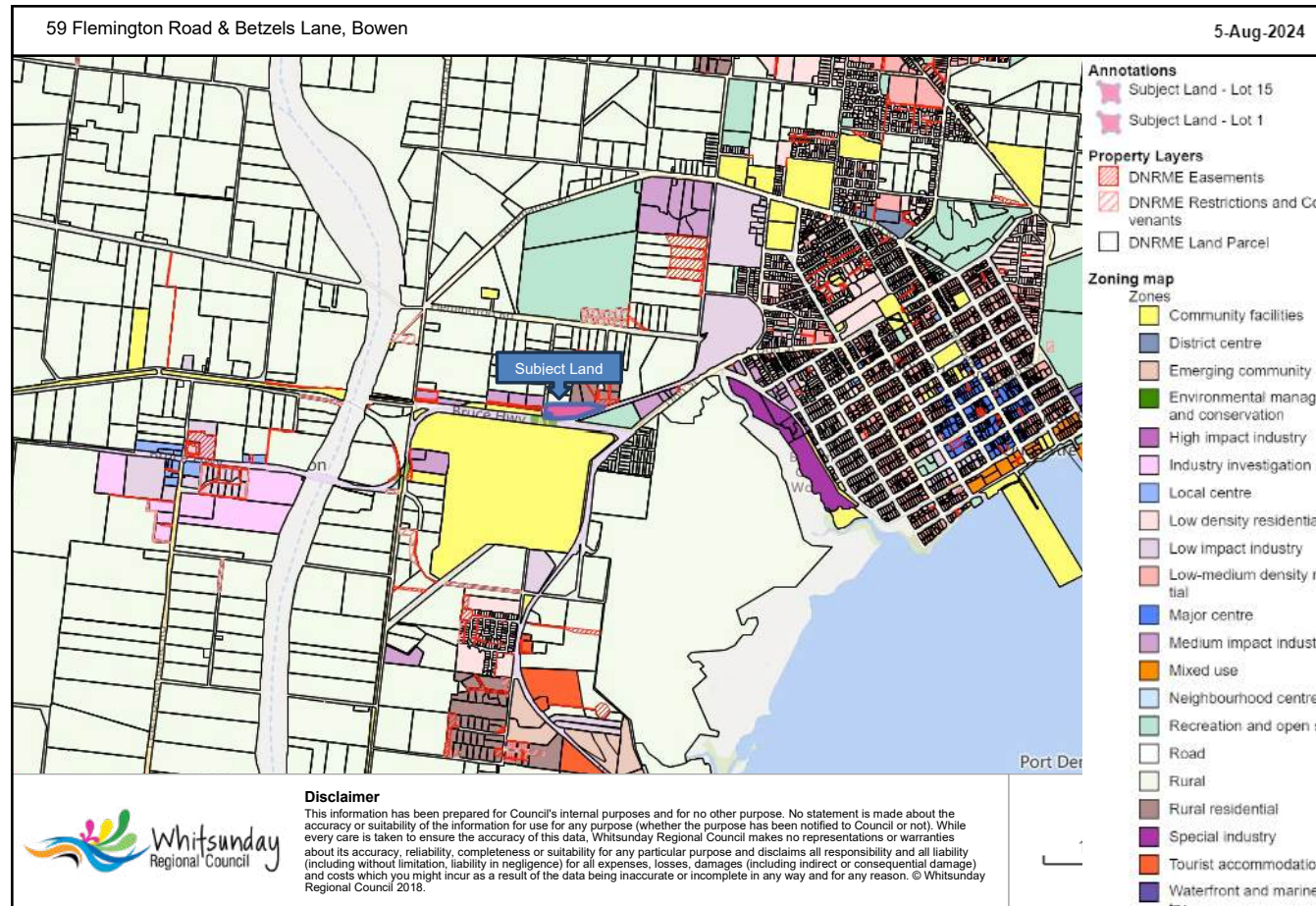
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Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

Attachment 11.3.1 Regional Plan



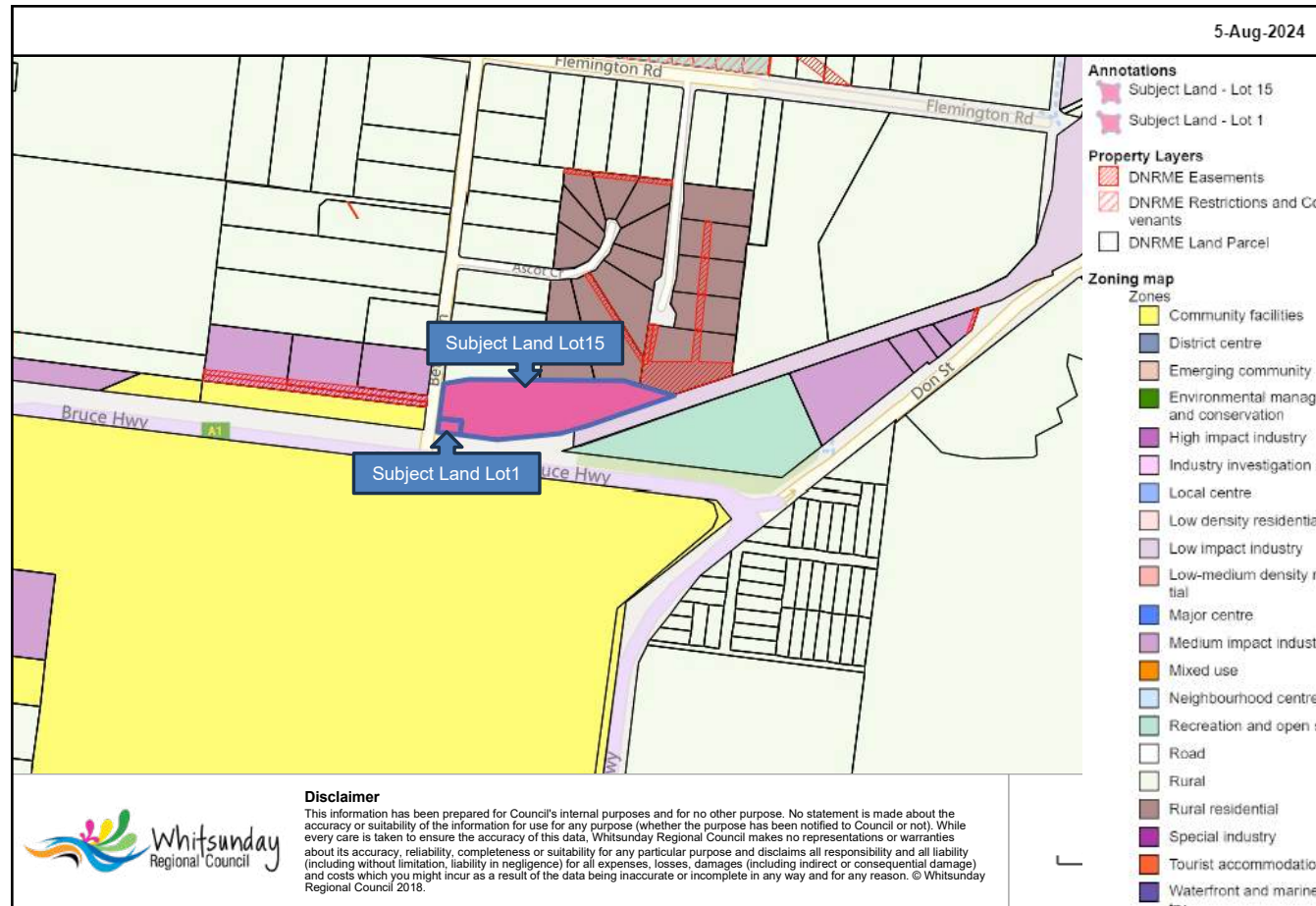
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Attachment 11.3.2 Locality Plan



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# Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

## Attachment 11.3.3 Planning Assessment Report

### ANALYSIS

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

#### 1. Application Summary

|                         |                                                                                                                                                             |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposal:               | Development Application for Development Permit for Reconfiguration of a Lot – Two (2) Lots into Six (6) Lots & Common Property                              |
| Landowner               | T Heyer Holdings Pty Ltd as TTE                                                                                                                             |
| Property Address:       | 6 and Lot 15 Betzels Lane Bowen                                                                                                                             |
| Property Description:   | L: 1 RP: 744806, L: 15 RP: 745336                                                                                                                           |
| Area of Site:           | Lot 1 – 999m <sup>2</sup> ,<br>Lot 15 – 3.156ha                                                                                                             |
| Planning Scheme Zone:   | Medium impact industry zone                                                                                                                                 |
| Level of assessment     | Code Assessable                                                                                                                                             |
| Overlays:               | Acid Sulfate Soils<br>Agricultural Land<br>Biodiversity, Waterways and Wetlands<br>Building Heights<br>Flood Hazard<br>Coastal Protection<br>Infrastructure |
| Existing Use:           | Vacant land                                                                                                                                                 |
| Existing Approvals:     | NIL                                                                                                                                                         |
| Public Notification:    | Not applicable                                                                                                                                              |
| Submissions received:   | Not applicable                                                                                                                                              |
| State referrals:        | SARA – Development impacting on state transport infrastructure and thresholds; and Within 100m of a State-controlled road intersection                      |
| Infrastructure charges: | \$0                                                                                                                                                         |

#### 2. Site Description

The subject land has frontage to the Bruce highway and adjoins rural and rural residential zoned land. Adjacent land uses to the west are medium impact industry and to the south is the Bowen Airport. Stormwater drainage lines surround the site. Both lots are cleared of vegetation and are generally flat. The only proposed access to the development is from a new access to Betzels Lane.

#### 3. Proposal Details

The proposal is for the reconfiguration of two lots into six lots and common property, as follows:

- Proposed Lot 1 – 2875m<sup>2</sup>
- Proposed Lot 2 – 3291m<sup>2</sup>

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## Attachment 11.3.3 Planning Assessment Report

- Proposed Lot 3 – 3094m<sup>2</sup>
- Proposed Lot 4 – 2105m<sup>2</sup>
- Proposed Lot 5 – 2041m<sup>2</sup>
- Proposed Lot 6 – 2043m<sup>2</sup>
- Common Property – 17,110m<sup>2</sup>

The application is code assessable as all allotments exceed the minimum lot size for the zone. The common property will contain access, car parking, detention basin and a 1% AEP easement for storm tide inundation.

### 4. Planning Assessment

The application has been assessed against the relevant provisions of the *Planning Act, 2016* and the *Whitsunday Regional Council Planning Scheme, 2017*. The proposal is considered to be generally in accordance with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 1).

#### 4.1. State Assessment and Referral Agency (SARA)

The application was referred to State Assessment Referral Agency (SARA) due to the threshold for subdividing a combined total site area of 16,000m<sup>2</sup> for an industry activity and location of the site being within 100m of a State-controlled road intersection.

No conditions have been recommended by SARA.

#### 4.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the local government Planning Scheme is appropriately integrated all of the State's interests in the SPP. The most recent SPP has been reflected in the Whitsunday Regional Council Planning Scheme, in particular Part 2 of State Planning Provisions.

#### 4.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan is not applicable in Code Assessable development.

#### 4.4. Whitsunday Regional Council Planning Scheme, 2017

##### 4.4.1. Strategic Framework

The Strategic Framework is not applicable in Code Assessable development.

##### 4.4.2. Overlay Codes

##### Acid Sulfate Soils

The subject site is identified being subject to a low risk of acid sulfate soils. A condition of approval has been imposed that should acid sulfate soils be encountered during construction, works must be stopped, and an acid sulfate soils management plan provided to Council.

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## Attachment 11.3.3 Planning Assessment Report

### Agricultural Land

The subject site is mapped subject to the agricultural land overlay. This mapping is seen as an error as both properties are urban zoned intended for urban purposes.

### Biodiversity, Waterways and Wetlands

Lot 15 is subject to the Matters of State Environmental Significance (MSES) Regulated Vegetation for vegetation intersecting a Stream Order Level 1 watercourse and the MSES-Regulated Vegetation for Category R vegetation. No development is proposed within the 10m buffer to the identified waterway, maintaining the function of waterbody. Therefore, the development complies with the requirements of the code.

### Building Heights

No buildings are proposed as part of this development.

### Flood Hazard

Both lots are entirely located within the flood hazard overlay. A Flood Risk Assessment has been provided by the applicant to support the proposal. The report finds that post site civil works the proposal will remain impacted by the 1% AEP flood event. This has been reasoned to be acceptable as it ensures there is no loss in flood plain storage from the earthworks. The proposed use of the land will be for Class 7 buildings which are permitted to be on land which is inundated subject to RPEQ certification and the unimpeded flow-through of water. As the proposal will not cause offsite impacts and is suitable for its intended future use the proposal complies with the requirements of the code.

### Coastal Hazard

Lot 15 is subject to storm tide inundation overlay, along the north boundary with a small section classified in the permanent inundation area. This area of the site will be placed in a 1% AEP storm tide inundation easement. All buildings and site access routes will be located above the 3.16m AHD 1% AEP storm tide flood height. The proposal is in an area where all other requirements of the code are not applicable.

### Infrastructure

Requirements under the Infrastructure overlay for road noise corridor Category 1 and 2 can be addressed at the future building works stage, if applicable.

### 4.4.3. Zone Code

The Medium Impact Industry zone allows for low to medium impact industry activities which are the intended future use of the site. All six lots will have sufficient land area to undertake varying low and medium industry activities.

Landscaping will be provided along the northern and southern boundary to soften the visual impact of the future uses on the entry into the Bowen township.

The proposal can be provided with the full range of urban services including reticulated water, sewer, stormwater drainage, sealed roads, electricity and telecommunications. The development is not expected to adversely impact the existing road, telecommunication and transmission infrastructure.

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## Attachment 11.3.3 Planning Assessment Report

The applicant has requested the development not connect to the reticulated sewer network. The primary justification presented by the applicant is that connection to the existing sewer main on the Bruce Highway, some 450m away, is not financially viable. The applicant has instead provided a wastewater report to demonstrate that onsite wastewater systems can be supported on each lot. Other justification provided by the applicant includes there being little strategic value in connecting the area.

The proposal is located outside of Council's Priority Infrastructure Area (PIA), however the immediate area along Betzels Lane is serviced with reticulated water. Overall outcome (m) of the Medium Impact Industry Zone Code requires that development is provided with the full range of urban services to support industry and employment needs. Whilst it is acknowledged some future uses of the land may have limited need for reticulated sewer the absence of this connection limits the full potential of land zoned for higher intensity industrial activities from being realised. When considering the land in a strategic context there are five nearby parcels zoned Medium Impact Industry that when developed in the future will require connection to be made.

As the subject site will not be raised above the 1% AEP flood level future onsite wastewater treatment systems will be constrained. It is a requirement of all wastewater treatment systems that the land application area used to disperse the effluent is above the 1% AEP level. The applicant has not demonstrated that future applications for such systems could be approved.

It is therefore recommended that conditions of approval are imposed requiring the development to connect to the reticulated sewer network.

### 4.4.4. Development Codes

#### Reconfiguring a lot code

All six allotments achieve the minimum lot size specified in Table 9.4.6.3.2 of the code, ranging between 2041m<sup>2</sup> and 3291m<sup>2</sup>. The common property lot also has a lot size of 17,110m<sup>2</sup>.

A 5m wide landscaping buffer will be provided along the northern boundary that adjoins the rural and rural residential properties. In addition to this buffer the proposed allotments will be at least 27m away from the northern boundary. It is therefore considered the future medium impact industries will be adequately buffered from adjoining sensitive land uses.

#### Excavation and filling code

The proposed earthworks will involve a net fill of 1,030m<sup>2</sup>, requiring an Operational Works permit.

#### Healthy waters code

The development will achieve the stormwater quality, waterway stability and integrated design objectives as per the submitted Stormwater Quality Management Plan.

#### Infrastructure Code

The proposed development is recommended to be connected to Council's reticulated water, sewer, electricity, telecommunications and existing stormwater drainage infrastructure. Physical works to achieve these connections are to be completed under Operational Works approval.

Stormwater will be discharged to the lawful point of discharge within the proposed easement on the northern boundary. The bio retention and detention basin has been

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designed to withstand flood velocities up to the 1% AEP and will be constructed under Operational Works approval.

### Landscaping code

The subject site is mostly cleared of vegetation. Adequate landscaping is proposed along the frontage with the Bruce Highway to protect the visual amenity of the entrance into the Bowen township.

### Transport and parking code

The access, parking and turning area will be located within the common property. Each proposed allotment will have access to a parking and circulation area. Preliminary engineering design drawings have been provided demonstrating the new access to Betzels Lane, the internal roadway and circulation areas can accommodate the turning movements of an Articulated Vehicle (AV) being a 19m semi-trailer. All internal movement areas will be provided under Operational Works approval. A Road Works Permit will be required for the external crossover to Betzels Lane.

## 5. Public Submissions

Not applicable in Code Assessable development.

## 6. Infrastructure Charges

### 6.1. Adopted Infrastructure Charges Resolution

The following is a breakdown on the Infrastructure Charges for the development:

| Adopted Charge            |                         |                                                                                                                            |                        |          |                |
|---------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------|----------|----------------|
| Type of Development       | Development Category    | Demand Unit & Qty                                                                                                          | Charge Rate*           |          | Adopted Charge |
| ROL                       | Commercial (bulk goods) | 9,269.40m2<br><br>*Calculated in accordance with section 6.2(1)(c) of the Infrastructure Charges resolution (No.1) of 2023 | \$155.40 per m2 of GFA |          | \$1,440,464.70 |
| Total Adopted Charge      |                         |                                                                                                                            |                        |          | \$1,440,464.70 |
| Credit                    |                         |                                                                                                                            |                        |          |                |
| Type of Development       | Development Category    | Demand Unit & Qty                                                                                                          | Charge Rate*           | Discount | Total Credit   |
| ROL – Existing Lawful Use | Commercial (bulk goods) | 19,535.40m2<br><br>*Calculated in accordance with section 6.2(1)(c) of the                                                 | \$155.40per m2 of GFA  | 73%      | \$2,216,134.80 |

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|                     |  |                                                              |  |  |                       |
|---------------------|--|--------------------------------------------------------------|--|--|-----------------------|
|                     |  | Infrastructure<br>Charges<br>resolution<br>(No.1) of<br>2023 |  |  |                       |
| Total Credit        |  |                                                              |  |  | <b>\$2,216,134.80</b> |
| Total Levied Charge |  |                                                              |  |  | <b>\$0</b>            |

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## Attachment 11.3.4 Conditions of Approval

### 1. **ADMINISTRATION**

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

| Plan/Document Name                    | Prepared By                        | Plan Number                                    | Dated      |
|---------------------------------------|------------------------------------|------------------------------------------------|------------|
| Subdivision Layout                    | CHP Group                          | A02 Rev.A                                      | 29/01/2024 |
| Flood Risk Assessment                 | Cause Consulting Engineers Pty Ltd | NIL                                            | 13/11/2023 |
| Storm Water Management Plan           | Cause Consulting Engineers Pty Ltd | NIL                                            | 14/11/2023 |
| Stormwater Quality Management Plan    | Cause Consulting Engineers Pty Ltd | NIL                                            | 11/05/2023 |
| Cover Sheet                           | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C000 Rev. 2 | 20/05/2024 |
| Pre Development Catchment Plan        | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK01 Rev.2  | 20/05/2024 |
| Post Development Catchment Plan       | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK02 Rev.2  | 20/05/2024 |
| Conceptual Stormwater Management Plan | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK03 Rev.2  | 20/05/2024 |
| MUSIC Catchment Layout Plan           | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK04 Rev.2  | 20/05/2024 |
| Pre Development Flood Storage Plan    | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK05 Rev.2  | 20/05/2024 |
| Post Development Flood Storage Plan   | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - SK06 Rev.2  | 20/05/2024 |
| Existing Site Layout Plan             | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C100 Rev.2  | 20/05/2024 |
| Earthworks Layout Plan                | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C200 Rev.2  | 20/05/2024 |
| Earthworks Sections                   | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C201 Rev.2  | 20/05/2024 |
| Roadworks Layout Plan                 | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C300 Rev.2  | 20/05/2024 |
| Roadworks Longitudinal Section        | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C310 Rev.2  | 20/05/2024 |
| Roadworks Cross Sections Sheet 1 of 2 | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C320 Rev.2  | 20/05/2024 |
| Roadworks Cross Sections Sheet 2 of 2 | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C321 Rev.2  | 20/05/2024 |



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|                                                              |                                    |                                               |            |
|--------------------------------------------------------------|------------------------------------|-----------------------------------------------|------------|
| Drainage Catchment Layout Plan                               | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C400 Rev.2 | 20/05/2024 |
| Drainage Longitudinal Sections Sheet 1 of 3                  | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C410 Rev.2 | 20/05/2024 |
| Drainage Longitudinal Sections Sheet 2 of 3                  | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C411 Rev.2 | 20/05/2024 |
| Drainage Longitudinal Sections Sheet 3 of 3                  | Cause Consulting Engineers Pty Ltd | - CCE - 00 - 00 - DR - A - C412 Rev.2         | 20/05/2024 |
| Drainage Calculation Table                                   | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C420 Rev.2 | 20/05/2024 |
| Detention Details                                            | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C500 Rev.2 | 20/05/2024 |
| Services Layout Plan                                         | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C600 Rev.2 | 20/05/2024 |
| Vehicle Swept Path Plan                                      | Cause Consulting Engineers Pty Ltd | 0020197 - CCE - 00 - 00 - DR - A - C700 Rev.2 | 20/05/2024 |
| Traffic Concept Design – Locality Map & Schedule of Drawings | Cause Consulting Engineers Pty Ltd | 2023048RAL - C00 B                            | 23/11/2023 |
| General Notes                                                | Cause Consulting Engineers Pty Ltd | 2023048RAL - C01 B                            | 23/11/2023 |
| Legends                                                      | Cause Consulting Engineers Pty Ltd | 2023048RAL - C02 B                            | 23/11/2023 |
| Existing Layout Plan                                         | Cause Consulting Engineers Pty Ltd | 2023048RAL - C03 B                            | 23/11/2023 |
| Existing Layout Plan (Aerial)                                | Cause Consulting Engineers Pty Ltd | 2023048RAL - C04 B                            | 23/11/2023 |
| Proposed Layout Plan                                         | Cause Consulting Engineers Pty Ltd | 2023048RAL - C05 B                            | 23/11/2023 |
| Traffic Concept Plan                                         | Cause Consulting Engineers Pty Ltd | 2023048RAL - C06 B                            | 23/11/2023 |
| Typical Section                                              | Cause Consulting Engineers Pty Ltd | 2023048RAL - C07 B                            | 23/11/2023 |
| Typical Pavement Details                                     | Cause Consulting Engineers Pty Ltd | 2023048RAL - C08 B                            | 23/11/2023 |
| Lot 7 Manoeuvring Plan – Entry from South                    | Cause Consulting Engineers Pty Ltd | 2023048RAL - C09 B                            | 23/11/2023 |
| Lot 7 Manoeuvring Plan – Exit to South                       | Cause Consulting Engineers Pty Ltd | 2023048RAL - C10 B                            | 23/11/2023 |
| Lot 7 Manoeuvring Plan – Entry from North                    | Cause Consulting Engineers Pty Ltd | 2023048RAL - C11 B                            | 23/11/2023 |
| Lot 7 Manoeuvring Plan – Exit to North                       | Cause Consulting Engineers Pty Ltd | 2023048RAL - C12 B                            | 23/11/2023 |
| Lot 1 & 2 Manoeuvring Plan – Entry & Exit                    | Cause Consulting Engineers Pty Ltd | 2023048RAL - C13 B                            | 23/11/2023 |
| Lot 3 & 4 Manoeuvring Plan – Entry & Exit                    | Cause Consulting Engineers Pty Ltd | 2023048RAL - C14 B                            | 23/11/2023 |

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|                                                    |                                       |                    |            |
|----------------------------------------------------|---------------------------------------|--------------------|------------|
| Lot 5 & 6 Manoeuvring Plan – Entry & Exit          | Cause Consulting Engineers Pty Ltd    | 2023048RAL - C15 B | 23/11/2023 |
| Pedestrian Line of Sight Plan                      | Cause Consulting Engineers Pty Ltd    | 2023048RAL - C16 B | 23/11/2023 |
| Vehicle Line of Sight Plan                         | Cause Consulting Engineers Pty Ltd    | 2023048RAL - C17 B | 23/11/2023 |
| Traffic Technical Memorandum                       | Velocity Traffic Engineering          | NIL                | 15/09/2023 |
| Landscape Concept Plans for Council RFI Submission | John Harper Landscape Designs Pty Ltd | NIL                | 11/06/2024 |
| Site Plan & Existing Conditions                    | John Harper Landscape Designs Pty Ltd | LCP 01 Rev.B       | 11/06/2024 |
| Landscape Concept Plan                             | John Harper Landscape Designs Pty Ltd | LCP 02 Rev.B       | 11/06/2024 |
| Landscape Concept Notes                            | John Harper Landscape Designs Pty Ltd | LCP 03 Rev.B       | 11/06/2024 |

- 1.2 The applicant is to comply with the Department of State Development, Manufacturing, Infrastructure and Planning's conditions as outlined in the Department's correspondence dated 29 January 2024.
- 1.3 The following further development permits are required prior to commencement of work on site or commencement of the use:
  - a) Operational Works:
    - i. Earthworks;
    - ii. Internal Access and Parking
    - iii. Stormwater Drainage;
    - iv. Erosion and Sediment Management Plan;
    - v. Water Infrastructure; and
    - vi. Sewerage Infrastructure.

All Operational Works, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.
- 1.4 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.5 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.
- 1.6 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the survey plan or commencement of the use, whichever is the sooner.
2. **CLEARING, LANDSCAPING AND FENCING**
  - 2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
  - 2.2 All vegetative waste cleared as part of the development of the site is to be either:

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## Attachment 11.3.4 Conditions of Approval

- a) stored neatly on site and shredded within sixty (60) days of clearing; or
  - b) removed off the site to an approved disposal location.
- 2.3 Prior to commencement of use, landscaping is to be provided and maintained generally in accordance with the approved Landscape Concept Plans, Drawing No 01-03 dated 11/06/2024. Planting species to be in accordance with PSP SC6.4.5 Planting Species List.
- 2.4 No invasive plants (Biosecurity Act, 2014) or declared local pests (Local Law no.3) shall be planted on the site or allowed to invade the site and the site must be managed and maintained to exclude weeds.
- 2.5 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.
- 3. EARTHWORKS**
- 3.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Earthworks.
- Any application for Operational Works (Earthworks) must be accompanied by engineering design drawings demonstrating compliance with the recommendations of the Geotechnical and Civil site report for the site. All earthworks are to be placed, trimmed and compacted as a minimum to standards identified in AS3789. Compaction test results are to be submitted to Council for its records.
- 3.2 During and at the completion of the excavation and filling of the site the applicants Civil/Geotechnical Engineer shall supervise, and at the completion, certify that the work carried out on site has meet the design intent and provide evidence that the finished work will not cause adverse impact on adjoining property and will be stable over the long term.
- 3.3 All cut/fill batter slopes created as a result of earthworks carried out on the site are to be protected and retained. Any retaining structure, necessary as a result of works on the site must be designed, supervised and certified by a Registered Professional Engineer of Queensland prior to signing of the Survey Plan.
- 3.4 Any retaining structure must not be located within road reserve.
- 3.5 Acid sulphate soils are not to be disturbed during the works unless an Acid Sulfate Soils Management Plan that complies with Planning Policy SC6.2.4: Acid sulfate soils management plan, is submitted and approved by Council.
- 4. WATER INFRASTRUCTURE**
- 4.1 Prior to the commencement of any work on site, an Operational Works development permit must be obtained in relation to Water Infrastructure.
- 4.2 Any application for Operational Works permit application, for each stage must be designed in accordance with Council's Development Manual (or equivalent replacement document current at the time of development) and QFRS requirements.
- 4.3 The development must be connected to Council's water network prior to sealing the plan of survey.

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- 4.4 Each lot within the development must be provided with a sub-meter in accordance with Council's policy for sub-metering prior to sealing the plan of survey.
- 4.5 Prior to the signing of the Survey Plans, internal water infrastructure must be constructed. Each lot must be connected to Council's water supply network prior to signing of the Survey Plans.
- 4.6 Prior to the signing of Plan of Survey, whichever is sooner, the applicant must lodge with Council a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Water Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.
- 5. **SEWERAGE INFRASTRUCTURE**
- 5.1 Each lot must be connected to a sewerage reticulation network prior to signing of the Survey Plans for each stage.
- 5.2 Prior to the commencement of any work on site an Operational Works development permit must be obtained in relation to Sewer Infrastructure.
- 5.3 An application for Operational Works (Sewer Infrastructure) for each stage must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.
- 5.4 Sewerage infrastructure must be constructed to comply with S6 "Sewer Reticulation" of Council's Development Manual, Council's Standard Drawings and Water Services Association of Australia Sewerage Code of Australia. Where a discrepancy or conflict exists between Council's Development Manual and the Sewerage Code, the requirements of Council's Development Manual will prevail.
- 5.5 Prior to signing of Plan of Survey, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.
- 6. **ACCESS AND PARKING**
- 6.1 A Road Works permit must be obtained prior to commencement of work for the external access on site.
- 6.2 The external access must include provision for all drainage from within the property and along the driveway surface to be collected at or inside the property boundary and discharged by way of a pipe or other approved means to Council's drainage system.
- 6.3 All driveways must be constructed prior to sealing the plan of survey and maintained thereafter to the requirements of Council.

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## Attachment 11.3.4 Conditions of Approval

- 6.4 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking.

Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.

- 6.5 A Development Permit for Operational Works (Internal Access and Parking) must be obtained prior to commencement of work on site.

Any application for Operational Works (Internal Access and Parking) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.

- 6.6 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on *Concept Plan Cause Consulting Engineers – Roadworks Layout Plan – 0020197 – C300 – Rev 2* dated 20/05/2024 and constructed so as to comply with the criteria described in Council's Development Manual, AS2890 and AS1428.

- 6.7 Accesses must be located so as to achieve Safe Intersection Sight Distance in accordance with Section 3 of Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections.

- 6.8 The internal access within the common property must be constructed to a concrete standard prior to signing of the Survey Plans.

- 6.9 Prior to sealing the plan of survey, the applicant must lodge with Council, a civil RPEQ engineer's design and construction certification. The certification must be addressed to Council and must certify that all internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas comply with the requirements of the Whitsunday Regional Council Development Manual, AS2890 and AS1428.

- 6.10 At completion of construction and prior to signing of plan of survey, the Supervising Engineer must provide certification that all access & parking works constructed on site comply with Council's Development Manual, and the Decision Notice of Approval.

### 7. **STORMWATER AND FLOODING**

- 7.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Stormwater Drainage.

- 7.2 Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice.

# Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

## Attachment 11.3.4 Conditions of Approval

- 7.3 The applicant must demonstrate that the developed flows from the land drain to a lawful point of discharge. Natural and Developed Flows from adjoining properties are to be managed through the site and discharged to a lawful point of discharge.
- 7.4 The developed flows from the land must be drained to a lawful point of discharge prior to signing of the Survey Plans. Easements for this purpose must be provided over all land from the development to the lawful point of discharge.
- 7.5 The earthworks design is to provide for the capture and management of natural flows from External Catchments, adjoining properties and site drainage through the site and discharged, as called for in Queensland Urban Drainage Manual, to a Legal Point of discharge.
- 7.6 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (or equivalent replacement document current at the time of development).
- 7.7 Each allotment to be created must be provided with a lawful point of discharge prior to signing of the Survey Plan.
- 7.8 Easements required for drainage purposes through allotments must be in accordance with details described in the Queensland Urban Drainage Manual current at the time of development.
- 7.9 Easement documentation must be provided free of cost to Council.
- 7.10 Stormwater for the development must include gross pollutant traps, or other appropriate water quality measures, within the system adequate to ensure stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 7.11 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.
- 7.12 Prior to the signing of Plan of Survey, the developer must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the Stormwater Drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.
- 8. **ELECTRICITY AND TELECOMMUNICATIONS**
- 8.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
  - a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or

Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

Attachment 11.3.4 Conditions of Approval

- b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly created lots, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the newly created lots then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the newly created lots prior to sealing of the survey plan.

**9. ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

- 9.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.

The plan must be prepared in accordance with requirements of the Whitsunday Regional Council Development Manual and the Best Practice Erosion & Sediment Control – November 2008 (IECA White Book) and the requirements of the Environmental Protection Act.

- 9.2 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).
- 9.3 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 9.4 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.
- 9.5 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.
- 9.6 At Operational Works stage, submit an Erosion and Sediment Control Report (ESC Report) in line with IECA's Best Practice Erosion and Sediment Control guidelines, and including, as a minimum, the following:

ESC Report:

A site hazard assessment (ESC Report) is required to provide justification for the control measures. Components which should be included in the site hazard assessment include:

- a) Erosion risk assessment calculations (RUSLE)
- b) Identification of minimum sediment control – Type 1,2 or 3
- c) Soil characteristics issues and methods of management in ESC and site rehabilitation (eg. Sodic or Dispersive)
- d) Reveining environment characteristics

This is page 19 of the Agenda of Council's Ordinary Council Meeting - 28 August 2024

This is page 43 of the Agenda of Council's Ordinary Council Meeting - 25 September 2024

# Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

## Attachment 11.3.4 Conditions of Approval

- e) Initial staging issues/control
- f) Sequencing control in line with staging

This information will allow Council to assess the drainage controls based on design storm, erosion controls based on rainfall erosivity, and sediment controls based on soil loss rates.

### **10. MAINTENANCE VALUATION**

- 10.1 The applicant must pay to Council a maintenance valuation fee per lot at the time of sealing of the survey plan at the rate applicable at the time of payment. The current rate is \$42.00 per lot.

### **11. MISCELLANEOUS**

- 11.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au)

- 11.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 11.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Betzels Land or Bruce Highway or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean up of any litter or waste that is a result of the subject development.

### **12. ADVISORY NOTES**

- 12.1 Hours of work  
It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.
- 12.2 Dust Control  
It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the



# Attachment 11.1.1 20231331 - Development Application for Development Permit for Reconfiguration of a Lot for Two (2) Lots into Six (6) Lots & Common Property - 6 & Lot 15 Betzels Lane, Bowen

## Attachment 11.3.4 Conditions of Approval

boundaries of the property during all stages of the development including earthworks and construction.

### 12.3 Sedimentation Control

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

### 12.4 Noise During Construction and Noise in General

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

### 12.5 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

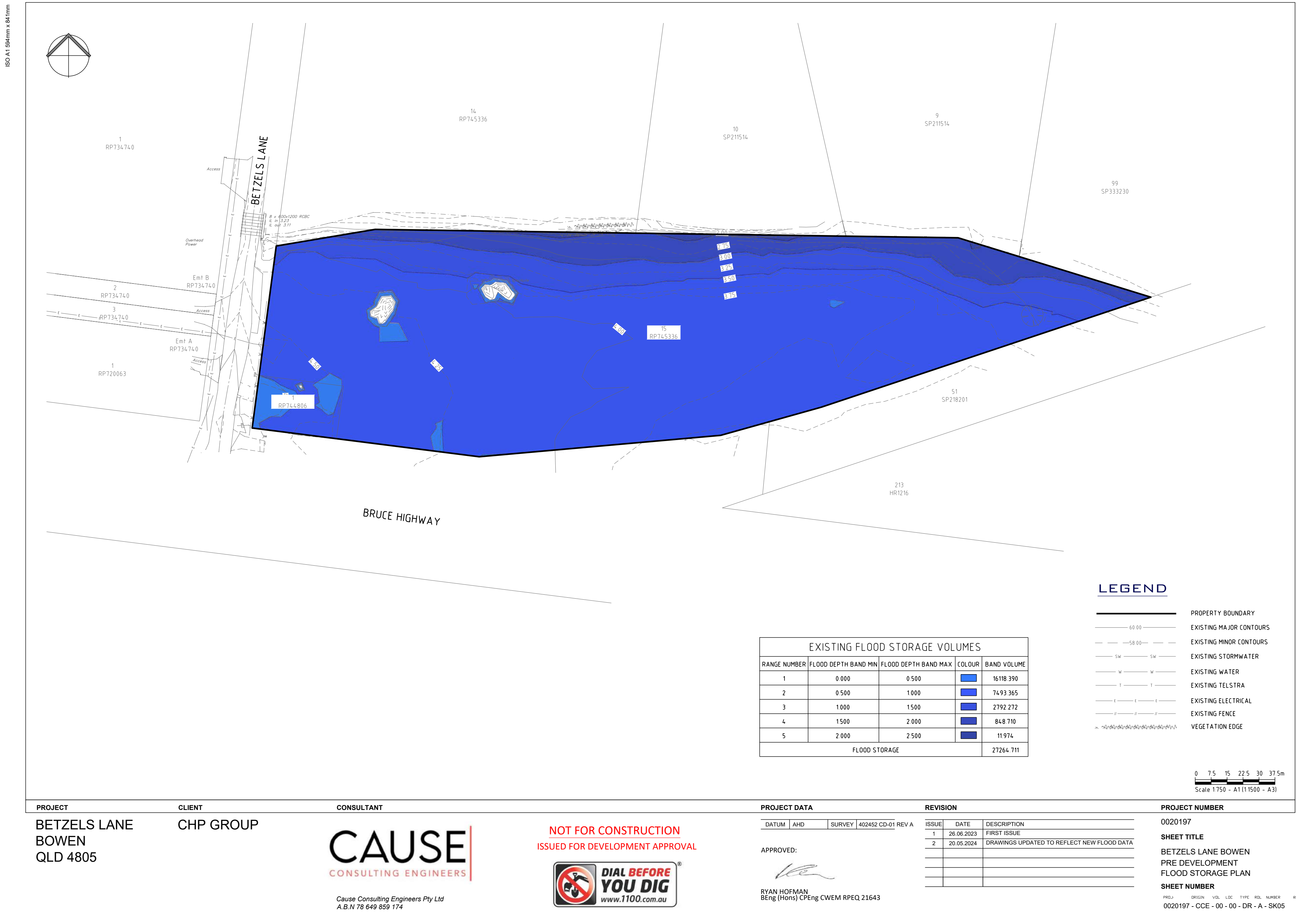
### 12.6 Enquiries relating to the aforementioned conditions should be directed to the Regional Strategy and Planning Directorate who will direct the enquiry to the relevant officer.

### 12.7 The approved development is to comply with Council's Local Laws and ensure any required licences/ permits are obtained prior to commencement of the use.



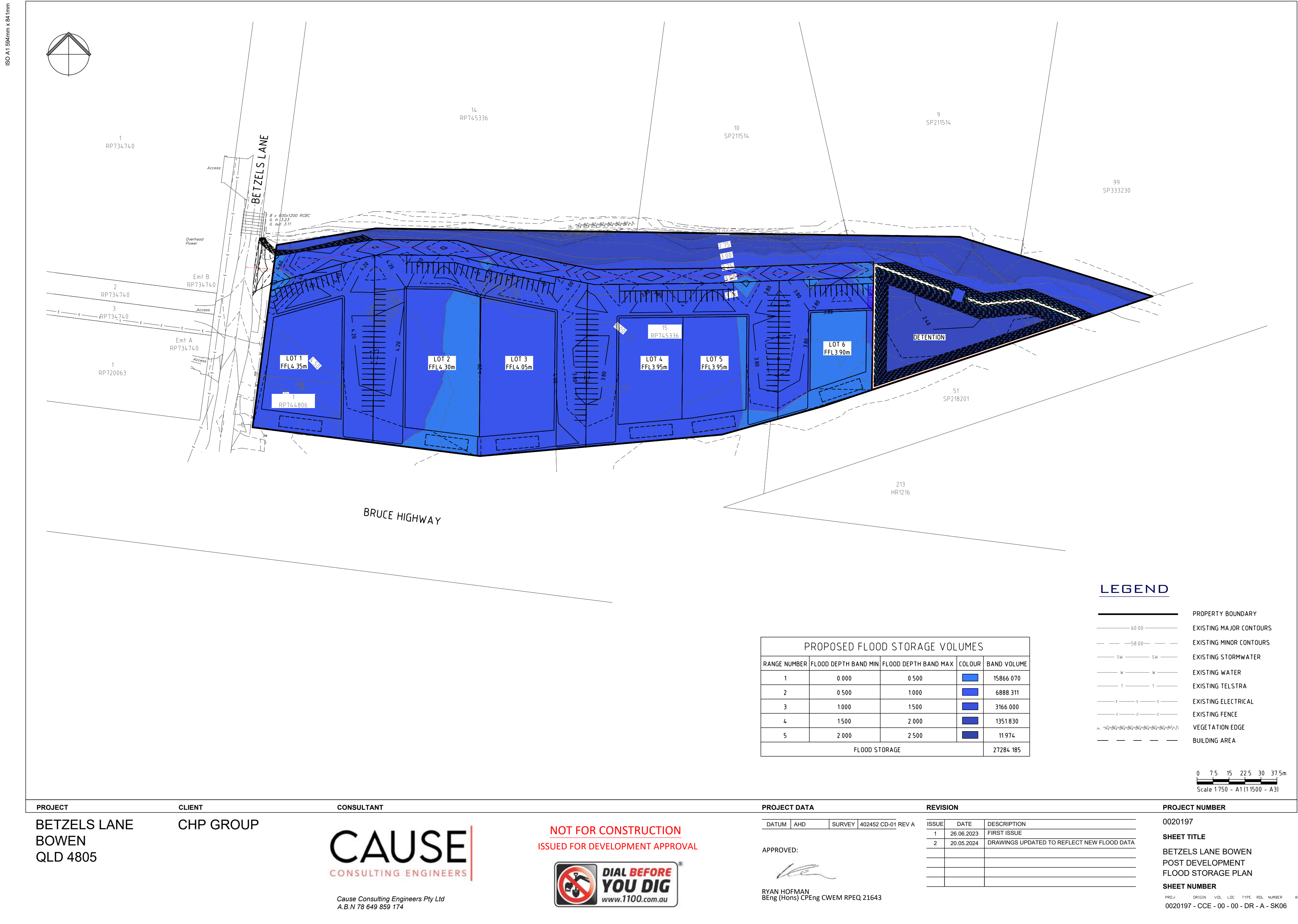


Attachment 11.3.5 Plans of Development



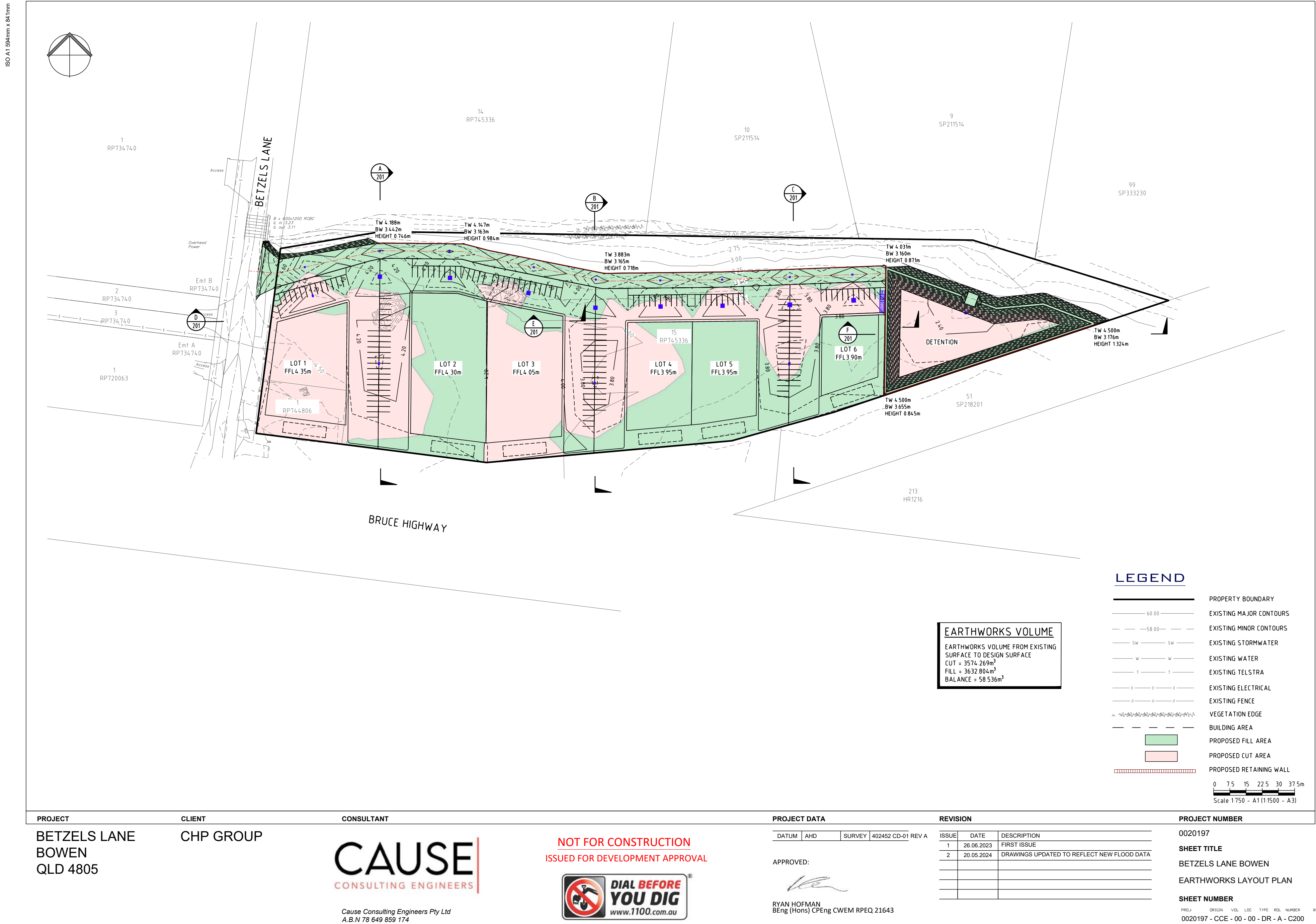


Attachment 11.3.5 Plans of Development



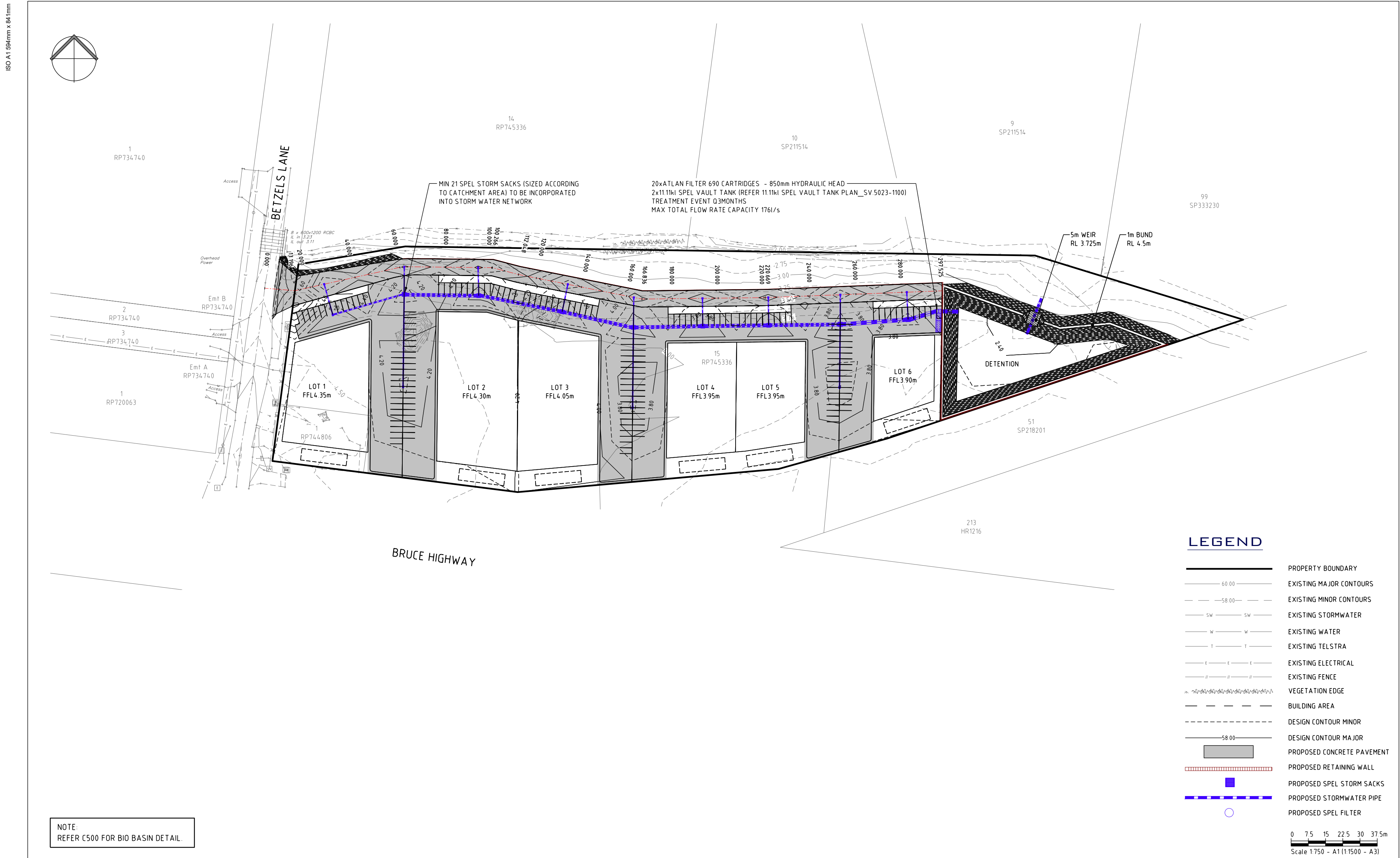


Attachment 11.3.5 Plans of Development





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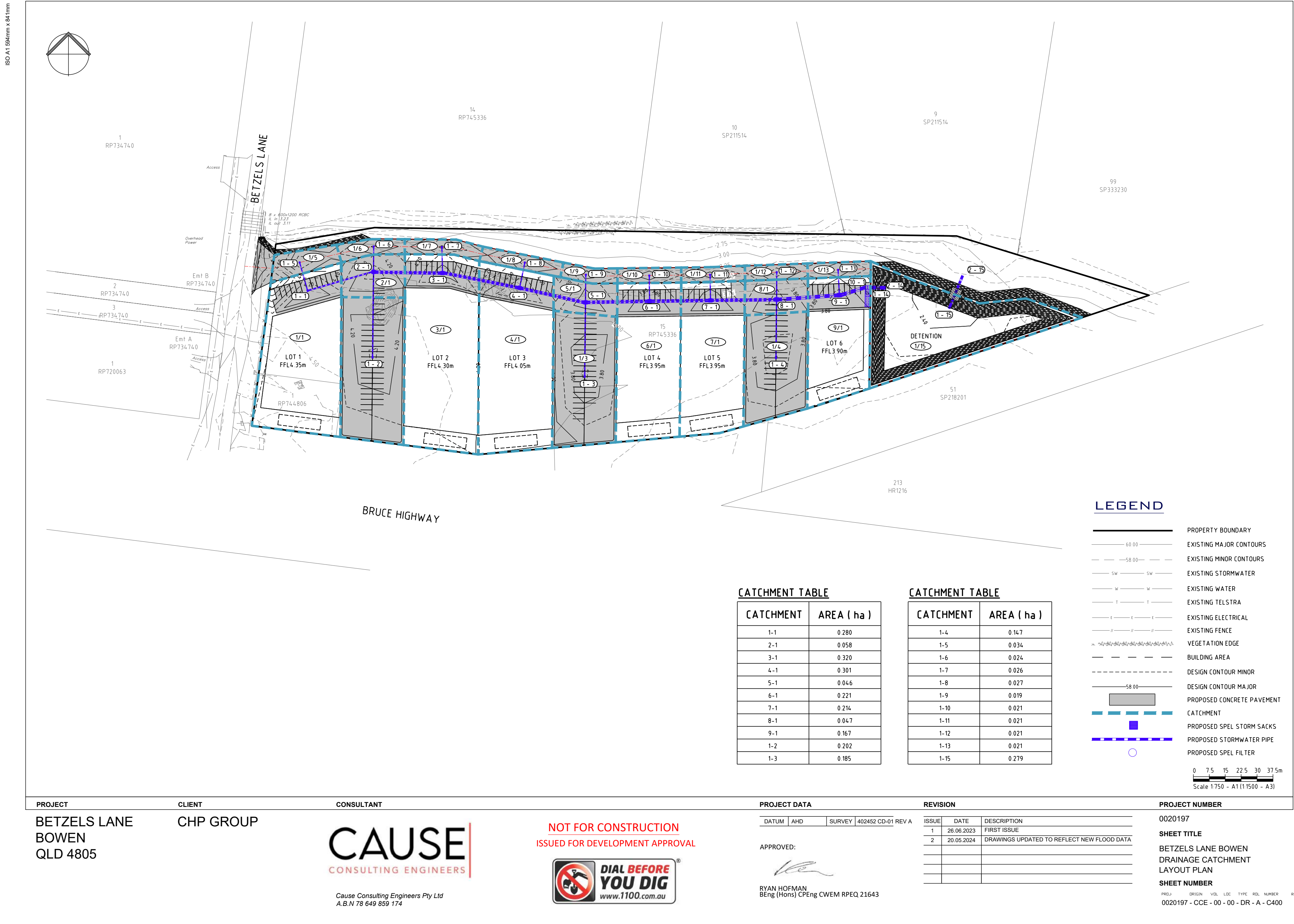


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| PROJECT                           | CLIENT     | CONSULTANT                                                                                                                       | PROJECT DATA                                                                                                                                                                 | REVISION                                                                                                                                  | PROJECT NUMBER                            |             |                    |                    |  |  |  |  |                                                                                                                                                                                                                                                                                                                                        |       |      |             |   |            |             |   |            |                                            |  |  |  |  |  |  |  |  |  |         |
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| BETZELS LANE<br>BOWEN<br>QLD 4805 | CHP GROUP  | <div><div>CAUSE</div><div>CONSULTING ENGINEERS</div><div>Cause Consulting Engineers Pty Ltd<br/>A.B.N 78 649 859 174</div></div> | <div>NOT FOR CONSTRUCTION<br/>ISSUED FOR DEVELOPMENT APPROVAL</div> <div><div><div><div></div></div><div>DIAL BEFORE<br/>YOU DIG</div><div>www.1100.com.au</div></div></div> | <table><tr><th>DATUM</th><th>AHD</th><th>SURVEY</th><th>402452 CD-01 REV A</th></tr><tr><td></td><td></td><td></td><td></td></tr></table> | DATUM                                     | AHD         | SURVEY             | 402452 CD-01 REV A |  |  |  |  | <table><tr><th>ISSUE</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>20.06.2023</td><td>FIRST ISSUE</td></tr><tr><td>2</td><td>20.05.2024</td><td>DRAWINGS UPDATED TO REFLECT NEW FLOOD DATA</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table> | ISSUE | DATE | DESCRIPTION | 1 | 20.06.2023 | FIRST ISSUE | 2 | 20.05.2024 | DRAWINGS UPDATED TO REFLECT NEW FLOOD DATA |  |  |  |  |  |  |  |  |  | 0020197 |
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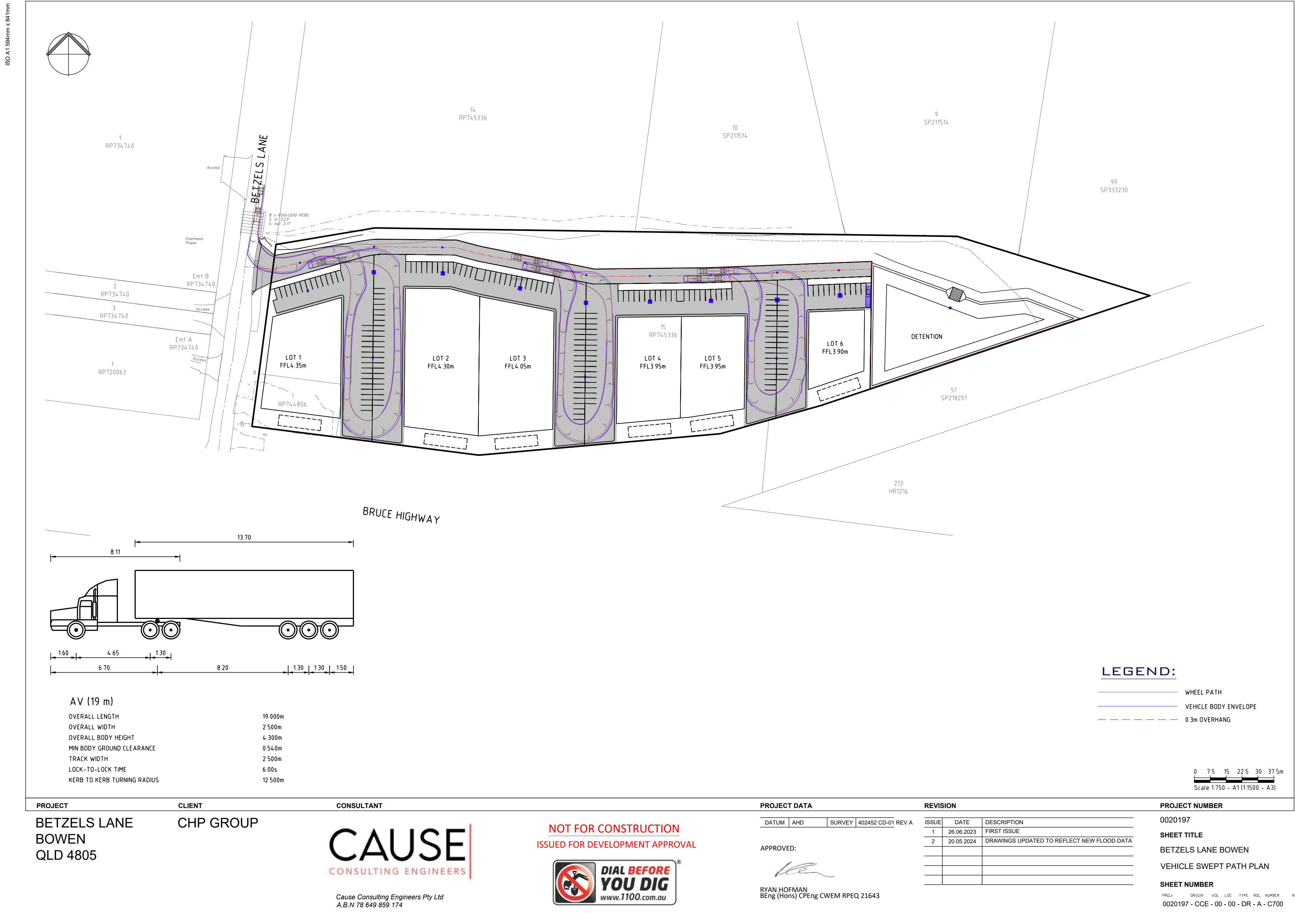


Attachment 11.3.5 Plans of Development





Attachment 11.3.5 Plans of Development







## 11.2 - Memorial Request

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager Parks and Gardens

**AUTHORISING OFFICER:** Director Infrastructure Services

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### PURPOSE

This report is seeking approval for a request from Luke and Nicole Jankowski for Council to allow the placement of a memorial plaque on the rock at the designated site at Coral Cove, Bowen. This is in accordance with the Memorials in Council Parks, Gardens, Open Spaces and Road Reserve Policy.

### EXECUTIVE SUMMARY

This report seeks approval for a request from Luke and Nicole Jankowski to install a memorial plaque on the designated rock at Coral Cove, Bowen, in accordance with the Memorial in Councils Parks, Gardens, Open Spaces, and Road reserve Policy. The request is made in memory of their son Jaidyn Jankowski, who was born in Mackay and spent his entire life in Bowen. Jaidyn passed away at the age of 18.

### OFFICER'S RECOMMENDATION

That Council approve the installation of a small memorial plaque for Jaidyn Jankowski on a rock located at Coral Cove, Bowen.

### BACKGROUND

Council received a letter from the parents Luke & Nicole Jankowski for their son Jaidyn Jankowski requesting a memorial plaque be installed on the big rock in front of Coral Cove Apartments, Bowen.

*As advised by family, Jaidyn was born in Mackay and lived in Bowen all his life. Attended school at Bowen State School then onto Bowen high school where he graduated. Jaidyn had a love for engineering and completed certificate two in engineering through school which then lead to an apprenticeship down at Bowen Engineering. Jaidyn really liked his job, was hard working and I am sure he would have made a great tradesman. Jaidyn had a love for sport playing soccer from an early age of six right through to seventeen then onto rugby.*

*Jaidyn played for the local soccer club till he was 10 then moved into the rep side. Up and down the highway, playing for the Burdekin, Mackay, and Airlie Beach NPL sides. Jaidyn has a great friend's group, and he got along with everyone. At seventeen he tried his skill set at the local rugby league side and for his first year had a ball making more friends and memories. Jaidyn also loved anything fishing, grew up with it from an early age, leading him to follow in my footsteps taking his mates up to our fishing hut, where many great times and laughs were made.*

The location requested was a special place for Jaidyn, hence the request for erection of a plaque at this location.

### DISCUSSION/CURRENT ISSUE

There are several matters to consider in the determination of the location for a plaque installation at the rock at Coral Cove, Bowen.

This is a forward-facing prime tourist destination within the region and any memorials need to be carefully considered at these locations. A small plaque (100mm x 200mm) affixed to a rock in the area suggested is considered appropriate and in keeping with similar memorial plaques at other locations. The placement of the plaque should ensure that the plaque is easy to read and doesn't require any person to climb onto rocks etc to view. These details can be confirmed with the family in due course

## **FINANCIAL IMPLICATIONS**

It would be expected in approving this request that costs would be met by the applicant, with administration and installation costs by Parks and Gardens staff that will range from \$250 to \$500.

## **CONSULTATION/ENGAGEMENT**

Director Infrastructure Services  
Luke and Nicole Jankowski

## **STATUTORY/COMPLIANCE MATTERS**

This request complies with the Memorials in Council Parks, Gardens, Open Spaces and Road Reserve Policy.

## **RISK ASSESSMENT/DEADLINES**

The following risks have been assessed in relation to this matter in accordance with council's risk management framework, inclusive of any risk mitigation currently provided through existing control measures:

**Infrastructure and Assets** - In the instance where the memorial plaque sustains damage, council may be asked to conduct repairs, however it is the responsibility of the donor for any upkeep and repairs for a 15-year period as stated under the Policy

**Reputation** – If council supports the placement of the memorial plaque, this may lead to more requests for the installation of memorials throughout council's Parks and Gardens, hence the reason for the policy.

**Reputation** – If council choose not to support the placement of the memorial plaque, it may result in complaints from the community.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Provide a fantastic experience for our community and visitors when using our open spaces, natural features, and facilities.

## **ATTACHMENTS**

1. Memorial Request for Luke and Nicole Jankowski [11.2.1 - 1 page]



## Attachment 11.2.1 Memorial Request for Luke and Nicole Jankowski

Good morning, ladies and gentlemen.

As per my discussion with Councillor Mr Mike Brunker I am writing in response to an email regarding memorial plaque for the big rock in front of the Cove Restaurant in Bowen. As per previous email we do not feel that the cemetery is the right spot for family and friends to remember our son Jaidyn Mark Jankowski.

Who was Jaidyn you ask!

Jaidyn was a loving kind free spirited 18-year-old young man.

Son to Luke and Nicole Jankowski, brother to Tyler, Liam and Marlee. Jaidyn has a large loving family with Four grandparents, six aunts and uncles and Fourteen cousins who all dearly miss him.

Jaidyn was born in Mackay and lived in Bowen all his life. Attended school at Bowen state school then onto Bowen high school where he Graduated. Jaidyn had a love for engineering and completed certificate two in engineering through school which then lead to an apprenticeship down Bowen Engineering. Jaidyn really liked his job, was hard working and I am sure he would have made a great tradesman. Jaidyn had a love for sport playing soccer from the age of six right through to seventeen then onto rugby league.

Jaidyn played for the local soccer club till he was 10 then move into rep side. Up and down the highway playing for the Burdikin, Mackay and Airlie Beach NPL sides. Jaidyn had a great friend's group and got along with everyone. At seventeen tried his skill set at the local rugby league side and for his first year had a ball making more friends and memories. Jaidyn also loved anything fishing, grew up with it from a very young age, leading him to follow in my footsteps taking his mate up our fishing hut, where many great times and laughs were made.

I can go on for days and days with all the great things Jaidyn's done but we are just trying to create a spot for many visits over many years in a spot that was dear to his heart.

How do we know this is the right spot for Jaidyn?

We were unaware of the mental health issues our son was going through at the time. He was a master in hiding it from us and his friends. Recently it has come to our attention over the past few months that Jaidyn frequently visit this spot when he was struggling with mental health issues and for reasons Jaidyn will only know, this was his safe place to gather himself for I only can hope, "happy thoughts". There are many memories on his phone to prove this spot was dear to his heart and now ours especially knowing that it may have given him more time with us.

It comes with a heavy heart, that no parent should have to go through this but unfortunately we are and it would mean the world to our family if this memorial plaque could get approved not only for the parents but for Jaidyn's mates.

I ask if approved we were hoping it could be possible done by April 27 2024 as this will be what should have been his 19<sup>th</sup> birthday.

Nicole and I would like to thank the Councillor Mr Mike Brunker and the Whitsunday Council for taking the time in considering our request and look forward in your reply.

Yours sincerely

Luke Jankowski.



## 11.3 - Memorial Request for Des Erricker Proserpine Memorial Swimming Pool

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager Parks and Gardens

**AUTHORISING OFFICER:** Director Infrastructure Services

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### PURPOSE

This report is regarding a request from Desni Wilkins for Council to place a memorial plaque at the Proserpine Memorial Swimming Pool or consider the renaming of Proserpine Memorial Swimming Pool including a story board, for the remembrance of Des Erricker. Reporting this request is in accordance with the Memorials in Council Parks, Gardens, Open Spaces and Road Reserve Policy.

### EXECUTIVE SUMMARY

This report presents to council, a proposal to honour Des Erricker's contributions to the Proserpine community by either installing a memorial plaque or renaming the Proserpine Memorial Swimming Pool in his memory.

As advised by the applicant, *“Des Erricker was instrumental in raising funds for the pool's construction and dedicated considerable time to teaching local children swimming skills and preparing them for club competitions. Recognising his efforts through a memorial plaque or a renaming of the facility would serve as a lasting tribute to his impact and dedication”*.

Approval is sought to proceed with this commemorative initiative.

It is considered appropriate that Council approve the installation of a memorial plaque or story board at the Proserpine Memorial Swimming Pool to honour Des Erricker's contributions and dedication to the community. Parks and Gardens would work with Desni Wilkins for the location on where the plaque/story board will be installed within the Proserpine Memorial Swimming Pool grounds.

### OFFICER'S RECOMMENDATION

1. That Council does not approve the renaming of the facility as it is already established as a memorial pool. The memorial plaque or story board will appropriately recognize Des Erricker's legacy without altering the established name of the pool.
2. That Council approve the installation of a memorial plaque or story board at the Proserpine Memorial Swimming Pool to honour Des Erricker's contributions and dedication to the community.

### BACKGROUND

As advised by the applicant, *“Des Erricker played a pivotal role in the establishment of the Proserpine Memorial Swimming Pool, a community asset that has greatly benefited local children and families since its opening. When Des Erricker arrived in Proserpine in 1966 to assume the role of Shire Clerk, he quickly identified the absence of a swimming facility for the community, particularly for the children who had no place to learn and practice swimming.*

*Erricker's commitment to the project went beyond his official duties; he dedicated extensive personal time and effort to fundraising and promoting the construction of the pool. His efforts*

*were crucial in accelerating the fundraising drive, which had previously stalled. Under his leadership, the project gained momentum, ultimately receiving both community donations and state government subsidies. This collective effort led to the completion of the Proserpine Memorial Swimming Pool, which officially opened on April 18, 1969.*

*Des Erricker's dedication did not end with the completion of the pool. He devoted many additional hours to teaching local children how to swim and preparing them for competitive swimming, with significant support from Janet Erricker. His hands-on involvement helped establish a strong local swimming culture and contributed to the development of many young swimmers.*

*In recognition of Des Erricker's remarkable contributions, I proposed two potential forms of commemoration. The first option is to install a memorial plaque at the Proserpine Memorial Swimming Pool, detailing Erricker's instrumental role in the pool's development and his contributions to the local swimming community. The second option considered was renaming the pool to "Des Erricker Memorial Pool" and affixing a brief report at the entrance to explain the significance of the new name.*

*So far, no decision has been made regarding these proposals. I have reached out to the Plaque Administrator for guidance, given the numerous plaques being installed across the shire. While a plaque remains an option, I strongly believe that renaming the pool would provide a more prominent and lasting recognition of Des Erricker's substantial impact on the community.*

*Des Erricker's extensive voluntary efforts in teaching and training local children in swimming deserve visible and enduring recognition. I hope this report provides a clear rationale for honoring his legacy and look forward to further advice on how best to proceed.*

## **DISCUSSION/CURRENT ISSUE**

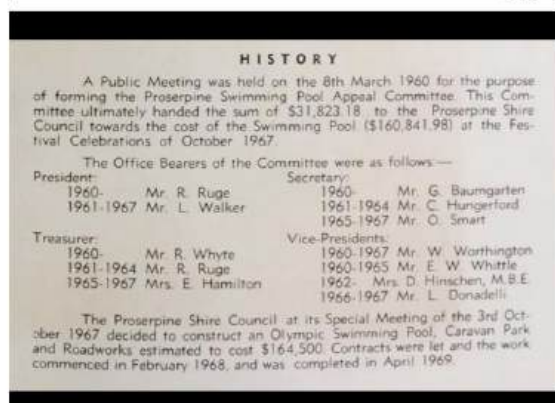
Determination of the location for the plaque or story board installation is yet to occur.

No proof of plaque or story board design has yet been provided to Council thus would be subject to further consultation with the applicant.

A plaque will be easy to relocate if there are any future considerations or refurbishments for the Proserpine Memorial Swimming Pool. A story board is also an appropriate way to acknowledge the contribution.

The renaming of the Proserpine Memorial Swimming Pool is not recommended to progress without significant community consultation.

Find following an image of current history of the pool dedication;



Should Council wish to consider renaming the pool, community consultation on this proposal should occur first to assess community sentiment.

## FINANCIAL IMPLICATIONS

Negligible administration costs, and plaque costs are anticipated. Desni Wilkins may ask for Council to consider the supply cost and installation of the plaque/story board. An estimated cost by WRC (Whitsunday Regional Council) plaque supplier can range from \$500 to \$1,500. The nature of the story board has not been determined.

If Desni Wilkins purchases the plaque or story board, there will only be negligible administration and installation costs by Parks and Gardens staff that will range from \$250 to \$500.

The wording and style of the suggested plaque or story board has not been resolved however this could take several forms such as anodised aluminium or some other longer lasting medium.

Should costs exceed \$1,500 to council a further report may be required to identify a funding source.

## CONSULTATION/ENGAGEMENT

Director Community Services and Facilitation  
Director Infrastructure Services  
Desni Wilkins



## STATUTORY/COMPLIANCE MATTERS

This request complies with the Memorials in Council Parks, Gardens, Open Spaces and Road Reserve Policy.

## RISK ASSESSMENT/DEADLINES

The following risks have been assessed in relation to this matter in accordance with council's risk management framework, inclusive of any risk mitigation currently provided through existing control measures:

**Infrastructure and Assets** - In the instance where the memorial plaque or story board sustains damage, council may be asked to conduct repairs, however it is the responsibility of the donor for any upkeep and repairs for a 15-year period as stated under the Policy.

**Reputation** – If council supports the placement of the memorial plaque or story board, this may lead to more requests for the installation of memorials throughout council's Parks and Gardens, hence the reason for the policy.

**Reputation** – If council choose not to support the placement of the memorial plaque or story board, it may result in complaints from the community.

## STRATEGIC IMPACTS

Corporate Plan Reference:

Provide a fantastic experience for our community and visitors when using our open spaces, natural features, and facilities.

## ATTACHMENTS

Nil



## 11.4 - Collinsville Flying Foxes Collinsville Flying Fox

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager Natural Resource Management and Climate

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### PURPOSE

The purpose of this report is to seek council endorsement to conduct Flying Fox deterrent activities in Collinsville.

### EXECUTIVE SUMMARY

Flying Fox have been an issue in Collinsville since March 2021. In September 2023, Council formally resolved to engage a contractor to use deterrent actions to herd the Flying Fox out of town. The use of pyrotechnics or fireworks did make a temporary difference and for a short period of time resulted in the Flying Fox moving to nearby Pelican Creek.

Council is currently receiving complaints from the Collinsville community regarding the Flying Fox. The current Flying Fox population is approximately 3,500 individuals in 11 trees and seven properties.

Council has engaged a consultant to assist with the review of Councils current Flying Fox Policy, Flying Fox Management Plan and Collinsville Roost Plan.

Council staff are seeking further direction from the Council on how to respond to the Flying Fox issue. Council staff have identified four possible options:

1. Council waits for the revised WRC Policy, revised Flying Fox Plan and Collinsville Roost Plan which may be finalised by October. Then decide on deterrents – this will mean that it will be too late to undertake deterrents and likely will require postpone of these activities to April 2025.
2. Council undertakes a deterrent Program from September – October. New Policy and Plan and Roost Plan be accepted in November or December after the pyrotechnics. The pyrotechnics may need to cease in November due to Flying Fox creching.
3. WRC Flying Fox Policy is changed – Council has no role. No deterrents.
4. WRC new Policy, Plan, Roost Plan in November. Council has a role in deterrents. No support for deterrents such as pyrotechnics.

In order for Council staff to undertake further deterrent work, it is suggested that the Council resolution from 23 September 2023 is rescinded:

RESOLUTION OM2023/09/27.9

*That Council approve the acceptance of the quote from Biodiversity Australia to the value of \$234,094 (ex GST) plus costs for additional pyrotechnics to relocate the Collinsville Flying Fox Roost to an alternate Flying Fox camp location.*

*Furthermore, that Council commence a letter box drop and provide some communications to notify Collinsville residents on this being Councils last chance to resolve this issue.*

Once the Council resolution from 23 September 2023 is rescinded, then a new Council resolution could be developed to enable further Flying Fox deterrent work.

## OFFICER'S RECOMMENDATION

That Council:

1. Approve Flying fox deterrent activities to attempt to move the Flying Fox to a suitable roost site outside of the Collinsville township.

## BACKGROUND

Flying Fox have been roosting in Collinsville since March 2021. Since 2021, the population of Black Flying Fox and Little Red Flying Fox have fluctuated. The current Flying Fox population is 3,600 individuals and are located in 11 trees on seven properties. Over the last four years a range of deterrents have been trialled with various levels of success. However, the Flying Fox are persistent and are proving difficult to move out of the township.

In June 2024, Council conducted a community consultation process to gauge resident interest in undertaking the further deterrent work. The results of the community consultation are attached to this report. In short, the results of the community consultation were:

- There were 29 respondents with 6 respondents not impacted by the Flying Fox or living in proximity.
- It is quite clear that the Community would like Council to remain in a position of coordinating Flying Fox issues (21 out of 29 respondents)
- There are mixed opinions on the use of deterrents. There were 18 out of 29 respondents who supported the use of pyrotechnics as a deterrent.
- There was good support for the introduction of a resident support package to assist with residents living with Flying Fox as a temporary measure (22 out of 29 respondents)
- There is support to move the Flying Fox out of town.

In August and September 2023, Council was receiving numerous complaints from the Collinsville community regarding Flying Fox. In October 2023, Council engaged a contractor to apply a pyrotechnics or fireworks form of deterrent to attempt to herd the Flying Fox out of town. On 23 September 2023, Council passed the following resolution:

### RESOLUTION OM2023/09/27.9

*That Council approve the acceptance of the quote from Biodiversity Australia to the value of \$234,094 (ex GST) plus costs for additional pyrotechnics to relocate the Collinsville Flying Fox Roost to an alternate Flying Fox camp location.*

*Furthermore, that Council commence a letter box drop and provide some communications to notify Collinsville residents on this being Councils last chance to resolve this issue.*

## DISCUSSION/CURRENT ISSUE

The Flying Fox population in Collinsville is approximately 3,500. Councils current Flying Fox Policy states that Council will coordinate Flying Fox responses. Councils current Flying Fox Policy states:

- 4.1 *Whitsunday Regional Council management intent for Flying fox roosts NOT located on Whitsunday Regional Council managed land and contained within an UFFMA (i.e.. on private land):*
  - *The Whitsunday Regional Council will coordinate the management of the Flying-Fox roost on private property in consultation with the landholder(s).*

- *Where private land is within an UFFMA and is inhabited, or affected by flying foxes, and their presence “significantly” impacts residents or the community, WRC will consider, after the completion of a Flying Fox Site Assessment (Appendix 2), appropriate non-lethal measures to manage flying fox roosts.*
- *Management options that WRC will consider will be determined on the outcome of a Flying Fox site assessment and will be based on risk and cost to WRC. This is depicted in Figure 1.*
- **All management options considered by Council will be in accordance with the relevant code of practices.**
- *The Council will pay for the costs associated with the Council approved Flying-Fox roost management actions on private land within the UFFMA.*

There is an option to develop and implement a deterrent campaign based on the use of Pyrotechnics. Council staff have developed a draft Pyrotechnic Program and costs. The estimated weekly cost of the first week of the deterrent Program is approximately \$18,680. A four-week pyrotechnic campaign is estimated to cost \$66,610. If Council supports the commencement of the pyrotechnic campaign in September, this campaign may need to stop in mid-November due to Flying Fox creching. Where other councils have implemented pyrotechnics and broader deterrent campaign, they have required an ongoing small number of staff to provide a presence to continue the deterrent actions.

Council staff are seeking direction on whether further deterrent work including pyrotechnic actions are supported.

## **FINANCIAL IMPLICATIONS**

The proposed Flying Fox deterrent work will be completed within the allocated budget.

## **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation  
Manager Natural Resource Management & Climate

## **STATUTORY/COMPLIANCE MATTERS**

Local Government Act 2009  
Nature Conservation Act 1992

## **RISK ASSESSMENT/DEADLINES**

Flying Foxes, like other animals can pose a range of hygiene and health concerns. Flying Foxes can also carry zoonotic diseases (diseases that can be transmitted to humans). These are often serious diseases; however, they are difficult to catch. Transmission requires physical contact with the animal through its infected saliva, blood or other bodily fluid. The pathogen needs to get into a person's blood stream through a cut or the lining of the nose or mouth (i.e., mucous membrane). Often, a bite or scratch occurs when people try to handle a live Flying-Fox, for example, attempting to rescue a Flying-Fox that is sick or injured.

The two most serious zoonotic diseases, Australian Bat Lyssavirus (ABLV) and Hendra Virus, can be fatal. Some Flying-Foxes also carry the Australian Bat Lyssavirus, a rabies-like virus and have also been recognised as playing a role in the transmission of Hendra Virus to horses. While these two viruses represent a concern for some members of the community, the health risks are known to be minimal.

## STRATEGIC IMPACTS

Corporate Plan Reference:

Research and assist in the current and future protection of the region's natural environment. Protect community health and safety, biosecurity, and amenity within the region by providing community education and administrative services.

## ATTACHMENTS

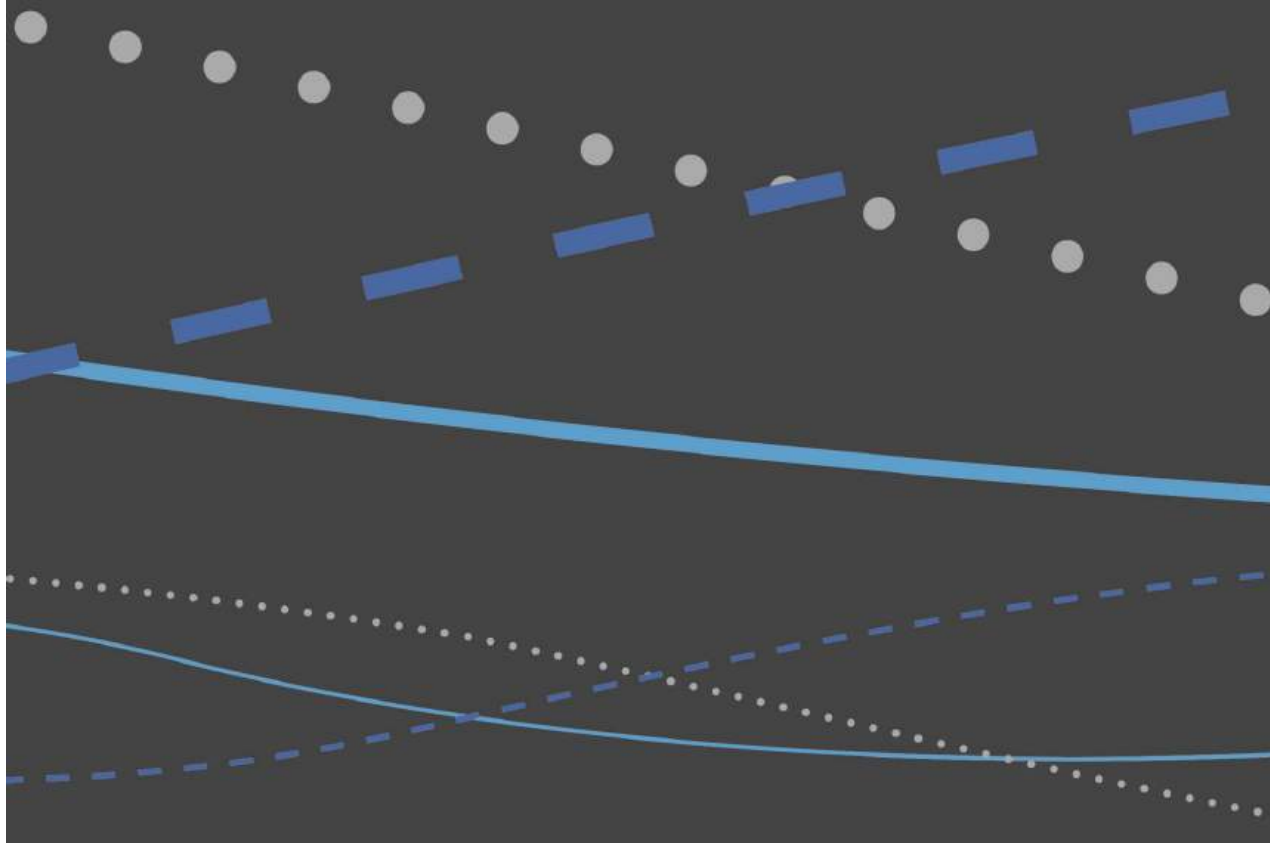
1. Flying Fox Strategy & Collinsville Roost Management Plan - Consultation Report  
[11.4.1 - 13 pages]
2. Flying Fox Strategy & Collinsville Roost Management Plan - Consultation Summary  
[11.4.2 - 1 page]



# ***Flying Fox Strategy & Collinsville Roost Management Plan***

## **Consultation Report**

Date: 8 July 2024



Contents

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2. Background ..... 3

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4. Overview of the Responses ..... 5

5. Recommendations ..... 10

6. Next Steps ..... 11

Document History

| Title  | Version No. | Date        | Author           | Reviewer    | Approved by |
|--------|-------------|-------------|------------------|-------------|-------------|
| Report | 1.0         | 8 July 2024 | Jonathan Cutting | Scott Hardy |             |



## 1. Executive Summary

Council is developing a Collinsville Roost Management Plan and Region-wide Flying Fox Strategy, that informs how we budget, resource and manage Flying fox management actions into the future. Currently, only one urban roost exists in Collinsville, however, several roosts have appeared in urban areas in the past, most recently in Proserpine.

Consultation was open from Monday 4 June – Sunday 7 July 2024, for a period of 34 days. A total of 29 individual submissions were received during the consultation period. Key feedback included:

- Identification of the significant impact of Flying fox on people, lifestyle, property, and assets.
- Strong desire from some submitters to re-locate Flying fox and put people first.
- Mix of responses to intensive actions, such as pyrotechnics and tree trimming, which is strongly supported by majority of directly affected residents, but less so for those further away from roosts.
- Less support for all management actions, the further away from the roost residents are.
- If Flying fox unable to be relocated, support for financial incentives for resident's lifestyle mitigations, education, and planting roost trees outside of town.
- Some concerns about animal welfare and support for live alongside roost management options, only from persons not directly affected by Flying fox.

All submission contents have been collated in this report. Submission themes will be considered by Council officers during the development of a Region-wide Flying Fox Strategy and in consideration of next steps to manage Flying fox in Collinsville, within the Roost Management Plan.

WRC will report back to the community to close the loop and demonstrate how the feedback was taken into consideration.

## 2. Background

Flying-foxes are a keystone species, for their critical role in long-distance pollination and seed dispersal. These ecosystem services are particularly important over fragmented landscapes and to allow forests to adapt to threats, such as climate change.

Within the Whitsunday Region, two species are most prevalent:

- Little Red Flying Fox – migratory, often appearing in our Region from July – November, and
- Black Flying Fox – a permanent population in Collinsville with migratory influxes throughout the year.

The activities of Flying foxes sometimes bring them into conflict with residents. Primary concerns include noise, odour, droppings, feeding on fruit trees, human health and disease.

Presently, there are several roosts within our Region, with a major roost creating the greatest impact for people located in the urban area of Collinsville. The roost fluctuates in numbers throughout the year, with an endemic population of Black Flying Fox ranging from a few hundred to 1,600 (end of May 2024). The annual migration of Little Red Flying Fox from June – November results in peaks of over 26,000.



## Attachment 11.4.1 Flying Fox Strategy & Collinsville Roost Management Plan - Consultation Report

Collinsville Roost Management actions to date have included:

| Timing                   | Action                                                                                                                                                       | Result                                                                                               |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| March 2021               | Observed new roost establishing in Pelican Park, Collinsville                                                                                                |                                                                                                      |
| September - October 2022 | Observed population increase to 26,000 with migration of Little Red Flying-fox. Installation of wavy men, tree trimming, canopy irrigation, smoke and noise. | Some wavy men were temporarily successful, but Flying fox became accustom to them and other actions. |
| March 2023               | Mobile smokers, noise and lights.                                                                                                                            | Limited effect, Flying fox return following campaign                                                 |
| August 2023              | Canopy irrigation, operation of mobile smokers at private, noise and lights.                                                                                 | Limited effect, Flying fox return following campaign                                                 |
| October 2023             | <i>Consultant led 2-week pyrotechnic campaign. (Figure 1)</i>                                                                                                | Temporarily re-located Flying fox to Pelican Creek, before they returned to urban roost.             |



**Figure 1:** October 2023 pyrotechnic campaign to nudge Flying fox toward Pelican Creek preferred roost location.

Consultation sought feedback on the following, to inform the Roost Management Plan and Region wide Strategy:

- Understanding community sentiment and experiences with Flying fox,
- Understanding of Flying fox impacts on residents,
- Perception of Flying fox management actions and preferred approaches, and
- Concerns and limitations for Flying fox management actions.

### 3. Overview of the Consultation

The consultation process occurred between Monday 4 June – Monday 7 July 2024 for a period of 28 days utilising our Online Engagement Portal. Communication tools to raise awareness of the consultation period included:

- Project page and fact sheet on our Online Engagement Portal - Yoursay Whitsunday.
- Social media post (4)
- Newspaper notice (4)
- Direct email of key stakeholders and Yoursay members interested in Cannonvale Parks and community facility projects (126)
- Poster on Telecentre digital noticeboards & customer service centre
- Hardcopy surveys in customer service centre
- Information stall at Collinsville Shopping Centre & Darcy Munro Park
- Public meetings with consultant (2)

Two Facebook posts received average reach, including:

- Post impressions – 9,964 - The number of times a post was on screen.
- Post reach – 9,555 - The number of people who saw posts at least once.
- Link clicks – 463 - The number of times people engaged with a link in a post

Our Online Engagement Portal *Yoursay Whitsunday* attracted 46 'informed' visitors during the consultation period. 'Informed visitors' interacted with fact sheets or links on the project page. The public meeting attracted 16 residents, with discussion including management options to date, Council's Flying fox policy and collaborative discussion on the way forward. Refer to Appendix A

#### 3.1 Purpose of the consultation

To consult with Whitsunday Region residents on Flying fox impacts, options for managing Flying fox in Collinsville and regional Flying Fox Strategy. Under the IAP2 Public Participation Spectrum, WRC was seeking to **consult** the community.

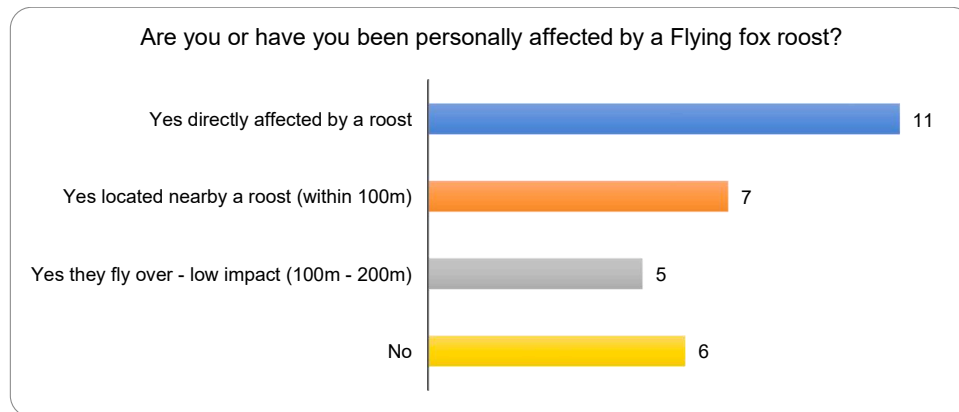
#### 3.2 Who was consulted

All residents in the Whitsunday Region were invited to participate and the consultation was open to anyone online. Targeted efforts included an information stall, public meeting and direct email to local businesses, relevant community groups, environmental groups and interested residents.

### 4. Overview of the Responses

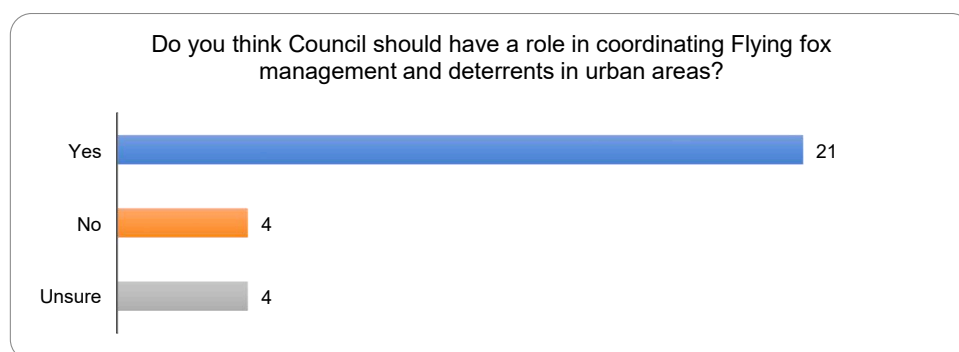
Overall, there were 29 individual submissions received during the consultation period. The consultation sought feedback via written submission or online closed survey questions, which included an option for further comment. Consultation results are set out on the following pages. Refer to **Appendix A** for meeting notes from the public meeting that was held in Collinsville on 2 July 2024.

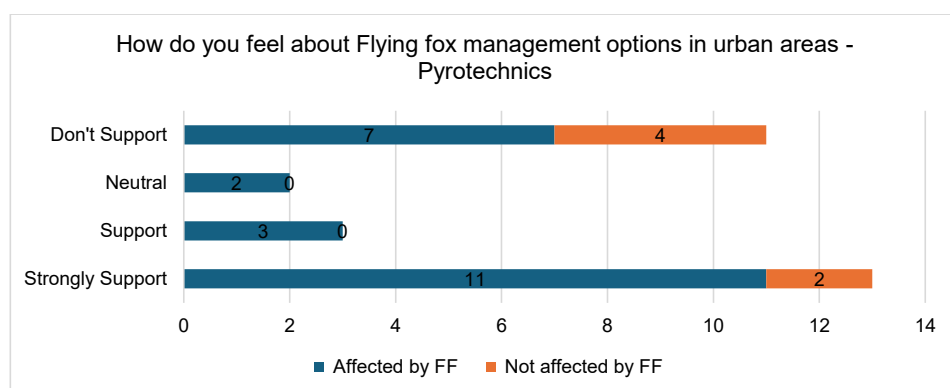
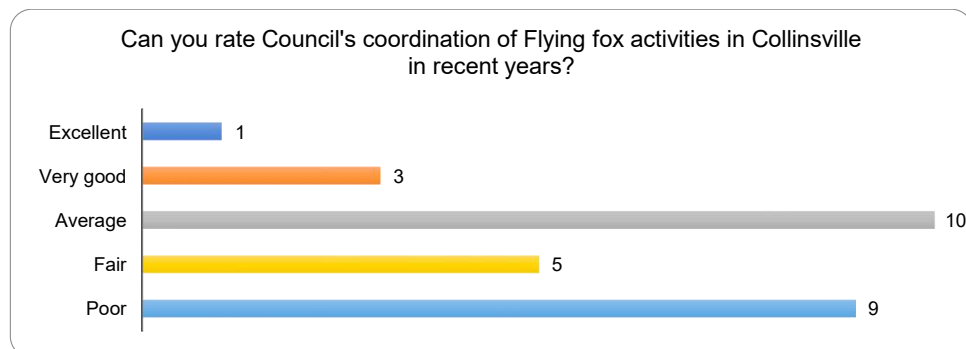
#### 4.1 Analysis of Responses



If personally affected, what were the worst impacts in priority order?

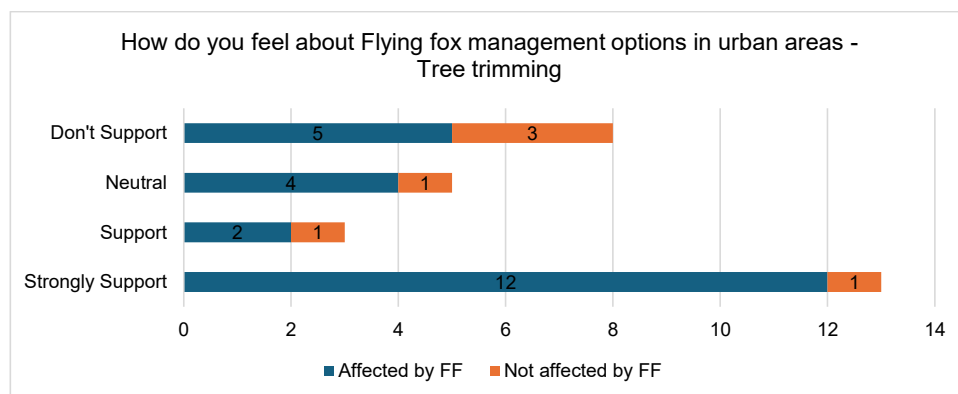
| Impact from Flying fox roost                                      |                                                                                                                              |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| 1. Defecation on property / assets                                | Most significant impacts<br><br>Impacts |
| 2. Noise                                                          |                                                                                                                              |
| 3. Household activities (e.g. hanging out clothes to dry, mowing) |                                                                                                                              |
| 4. Smell                                                          |                                                                                                                              |
| 5. Limiting recreation & enjoyment of outdoors                    |                                                                                                                              |
| 6. Disease                                                        |                                                                                                                              |
| 7. Visual impact                                                  |                                                                                                                              |
| 8. Property value                                                 |                                                                                                                              |
| 9. Fruit trees / vegetation / garden impacts                      |                                                                                                                              |





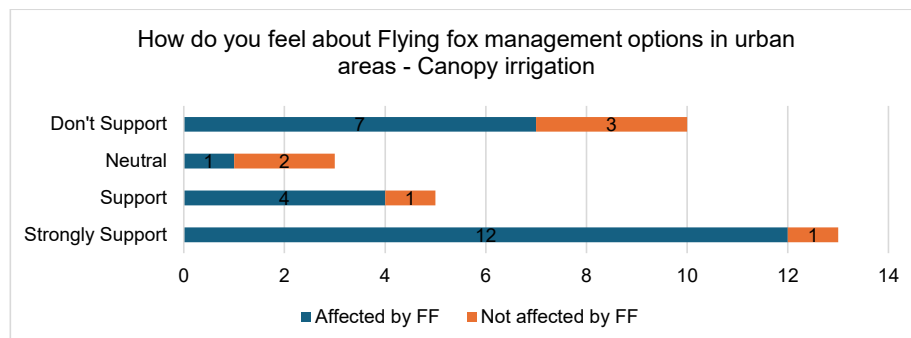
Note – Affected by FF:

Directly affected by FF – 8 strongly support, 1 supports, 2 don't support  
 Within 100m of FF – 2 Strongly support, 1 supports, 1 neutral, 3 don't support  
 Within 100 - 200m of FF – 1 Strongly support, 1 support, 1 neutral, 2 don't support



Note – Affected by FF:

Directly affected by FF – 7 strongly support, 1 supports, 2 Neutral, 1 don't support  
 Within 100m of FF – 3 Strongly support, 1 supports, 1 neutral, 2 don't support  
 Within 100 - 200m of FF – 3 Strongly support, 2 don't support

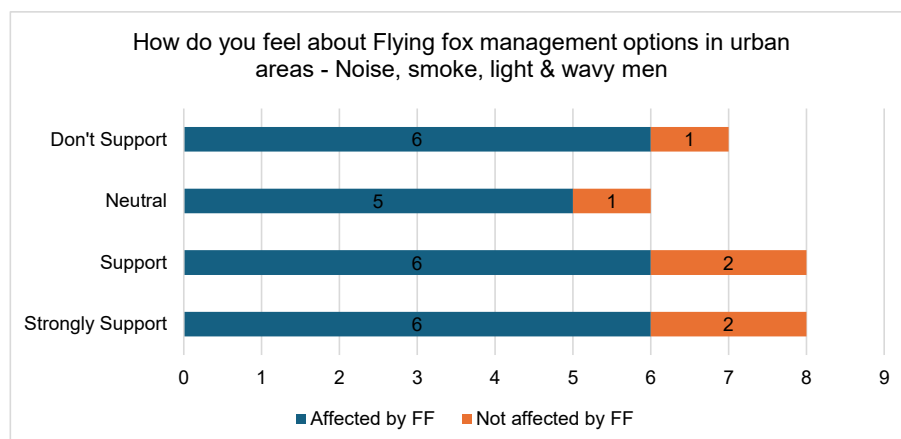


Note – Affected by FF:

Directly affected by FF – 5 strongly support, 1 supports, 2 Neutral, 1 don't support

Within 100m of FF – 3 Strongly support, 2 supports, 2 don't support

Within 100 - 200m of FF – 3 Strongly support, 2 don't support

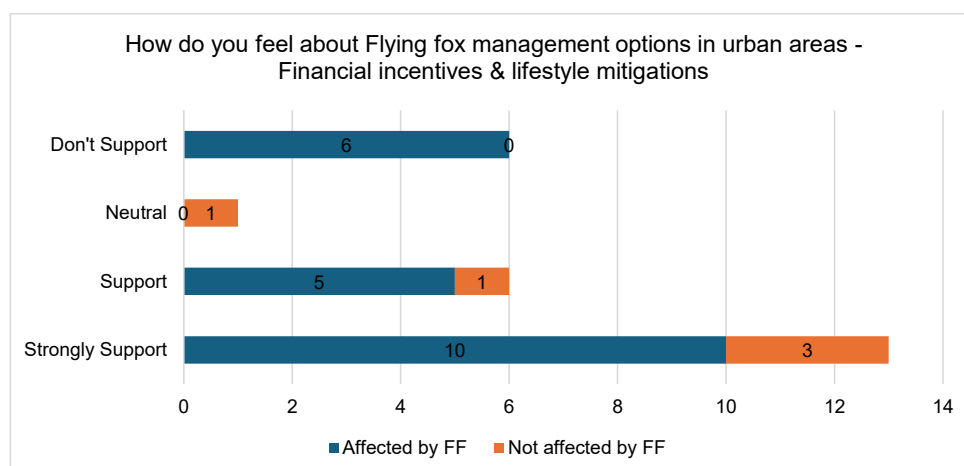


Note – Affected by FF:

Directly affected by FF – 6 strongly support, 3 supports, 1 Neutral, 1 don't support

Within 100m of FF – 3 Strongly support, 1 supports, 2 Neutral, 1 don't support

Within 100 - 200m of FF – 3 Strongly support, 2 don't support



## Attachment 11.4.1 Flying Fox Strategy & Collinsville Roost Management Plan - Consultation Report

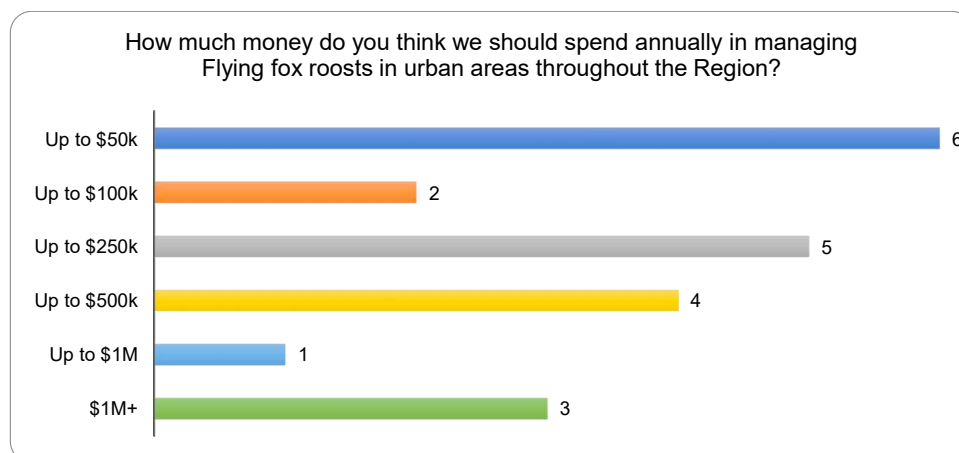
Note – Affected by FF:

Directly affected by FF – 7 Strongly support, 3 supports, 0 Neutral, 1 don't support

Within 100m of FF – 2 Strongly support, 1 support, 4 don't support

Within 100 - 200m of FF – 3 Strongly support, 1 support, 1 don't support

| Comments on management options - Themes                 |                                            |
|---------------------------------------------------------|--------------------------------------------|
| Directly affected by roost to within 200m of roost (22) | Not affected by roost (6)                  |
| Significant human impact from FF 5                      | Animal welfare concerns 2                  |
| Must re-locate them 4                                   | Significant human impact from FF 1         |
| Put people first 3                                      | Must re-locate them 1                      |
| Re-locate Flying fox 2                                  | Not endangered species 1                   |
| Education 2                                             | Don't protect in urban areas 1             |
| Tree trimming 2                                         | Reimburse residents for tree lopping 1     |
| Immediate action 2                                      | Doesn't support pyrotechnics 1             |
| Insufficient consultation before actions 2              | Supports alternates to dispersal 1         |
| Not endangered species 2                                | Risk of splintering roost 1                |
| Supports alternates to dispersal 2                      | Impact wildlife carers 1                   |
| Animal welfare concerns 2                               | Insufficient consultation before actions 1 |
| Talk to each street individually 1                      |                                            |
| Bats hate vibrations 1                                  |                                            |
| Resident expenditure to cut trees 1                     |                                            |
| Lifestyle mitigation 1                                  |                                            |
| Town planning 1                                         |                                            |
| Benefits tourism 1                                      |                                            |
| Doesn't support peppermint oil 1                        |                                            |
| Protect people, property & assets 1                     |                                            |
| Actions comply with State Guidelines 1                  |                                            |
| Community smoking 1                                     |                                            |
| Unsuccessful actions 1                                  |                                            |



Note – Affected by FF:

Directly affected by FF – 1 up to \$50k, 4 up to \$250k, 1 up to \$500k, 1 up to \$1M, 2 \$1M+

Within 100m of FF – 2 up to \$500k, 1 up to \$100k, 1 \$1M+

Within 100 - 200m of FF – 2 up to \$50k, 1 up to \$100k, 1 up to \$250k, 1 up to \$500k

**Is there anything Council could do to help residents live in proximity to a Flying fox roost, if dispersal actions have limited success?**

| Theme                                                               | Frequency |
|---------------------------------------------------------------------|-----------|
| Incentives lifestyle mitigation / Protect people, property & assets | 8         |
| Education                                                           | 6         |
| Significant human impact from FF                                    | 4         |
| Tree trimming                                                       | 4         |
| Put people first                                                    | 3         |
| Plant more trees / Plant roost trees out of town                    | 3         |
| Re-locate Flying fox / immediate action                             | 2         |
| Reimburse residents for tree lopping                                | 2         |
| Cull Flying fox if unable to relocate                               | 2         |
| Vaccination against FF disease                                      | 2         |
| Buyback impacted residents                                          | 1         |
| Town planning buffer                                                | 1         |
| Compensation for moving FF from park to residential area            | 1         |
| Community smoking                                                   | 1         |

**Any further comment's themes (where not already noted above)**

- Consistent re-location program
- Create kids dirt bikes trails - noise impacts Flying fox
- Train line may impact preferred roost
- Compensation from mines for moving bats to Town
- Plant more trees
- Educate internal staff
- Tourism opportunity
- Town planning buffers
- Immediate action before little reds arrive
- Residents can't afford tree trimming

## 5. Recommendations

It is recommended the feedback submitted during the consultation process is considered by WRC when deciding upon upcoming steps for managing the roost in Collinsville and development of Flying Fox Strategy.

The feedback demonstrates:

- Identification of the significant impact of Flying fox on people, lifestyle, property, and assets.
- Strong desire from some submitters to re-locate Flying fox and put people first.
- Mix of responses to intensive actions, such as pyrotechnics and tree trimming, which is strongly supported by majority of directly affected residents, but less so for those further away from roosts.
- Less support for all management actions, the further away from the roost residents are.
- Support for financial incentives for resident's lifestyle mitigations, education, and planting roost trees outside of town, if Flying fox unable to be relocated.
- Some concerns about animal welfare and support for live alongside roost management options, only from persons not directly affected by Flying fox.
- Miscellaneous comments, including:
  - Vibrate trees to move them (evidenced when resident tree trimming)



- Mobilise community effort to use trail bikes or smoke, to shift Flying fox
- Better consultation before future actions undertaken
- Query impact from rail line on preferred roost area at Pelican Creek,
- Desire for immediate action before Little Red Flying fox may settle in (anticipated mid July)

## 6. Next Steps

Council will consider this report when deciding upon upcoming steps for managing the roost in Collinsville and development of Region Flying Fox Strategy.

It is important to close the loop with residents and show how their input has affected the outcome. A Consultation Summary infographic document has been prepared, which will be released to the public and distributed via the website and social media. The Summary will show key statistics and outcomes of the consultation process.

A database of participants has been collated during the consultation process and a direct email will be sent to those participants with a copy of the Consultation Summary.

## Appendix A – Notes from Collinsville Public Meeting

### Meeting details:

**Venue:** Collinsville Community Centre  
**Date:** Tuesday the 2<sup>nd</sup> of July 2024  
**Time:** Start – 5:30pm and Finish 7:07pm  
**Attendees:** 16 people – residents, Council, consultants from Biodiversity Assessment and Management (BAAM)

### Purpose:

- Discuss Flying fox management in Collinsville with focus on:
  - The recent survey to gauge community interest in the use of deterrents such as pyro-technics.
  - Discuss Council's Flying fox Policy
  - Discuss Council's Flying fox Plan, and,
  - Discuss Collinsville Flying fox Roost Plan.

### Meeting notes:

The meeting was structured around four sections:

#### Part 1 – Background

- Scott Hardy provided a PowerPoint presentation on the background to the flying fox issue.

#### Part 2 – Discussion on the use of pyrotechnics

- Scott Hardy provided short videos showing the pyrotechnics.
- There was a discussion on the advantages and disadvantages of the various types of deterrents including pyrotechnics. Scott Hardy said that the main reason why the pyrotechnics were stopped in November 2023 was due to Flying fox creching. The number of staff with suitable firearms licenses was a contributing factor as well.
- There was general support for a pyrotechnic deterrent action. There was not support for a high cost pyrotechnic action. There was support if council conducted the pyrotechnic action itself using council staff on a low cost model. Scott Hardy said that the ideal time for the pyro-technics was July through to September.

#### Resident suggestions:

- Trainees could backfill Council staff who participated in the pyrotechnics operation.
- Introduce Green ants into the trees which the Flying fox don't like.
- Ark Energy has trialled the use of acoustics to deter bats.
- Volunteers could be used to assist – e.g. the Gun club volunteers.

Residents expressed that dogs were impacted by the pyrotechnics.

#### Part 3 - Discussion on Council Flying fox Policy

- There was support for Council to continue to provide a coordinating role to manage the Flying fox.

#### Part 4 – Discussion on Collinsville Roost Plan

- Support for a range of deterrents to be used
- A resident spoke about her experience living with Flying fox and mentioned she has removed approximately 15 dead flying fox from her property – not related to deterrent actions.
- Discussed the use of rate relief for impacted landholders – some support for this tool.

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- Discussed the impact of the Flying fox on the community and the individuals involved.
- A resident said that smoking the Flying fox works but you have to be consistent.
- Need more mulch piles for the residents to do smoking.
- Discussion of subsidies. Limited support for subsidies. Preference for the Flying fox to be removed.
- Need a long-term plan and it being resourced.



Photo: Collinsville Public Meeting – 2 July 2024



## APPROACH

Whitsunday Regional Council asked the community for feedback about how Council should manage the Flying fox roost within Collinsville and roosts that may commence in urban areas in the future. The consultation was open between 4 June - 7 July 2024.

The majority of respondents identified the significant impact of Flying fox on people, lifestyle, property and assets. There was a strong desire from some submitters to re-locate Flying fox and put people first. Feedback on management options was mixed with less support for management actions the further away from the roost respondents were. Some concerns regarding animal welfare were raised, predominately by persons not directly affected by roosts.

A public meeting was also held in Collinsville on 2 July 2024. Residents, Council representatives and ecological consultant, BAAM, discussed Council's Collinsville Roost Plan and various types of deterrents. There was general support amongst residents who attended the meeting for low cost pyrotechnic deterrent action to be undertaken by Council.

## WHO GAVE FEEDBACK?

**29 submissions received**

## NEXT STEPS

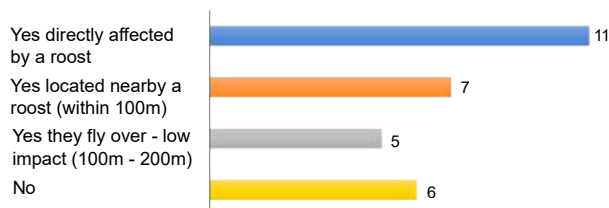
Council will consider consultation results when deciding upon next steps for managing the Flying fox roost in Collinsville and Council policy within a region wide Strategy. See more information within our detailed [Consultation Report](#).

# Consultation Summary

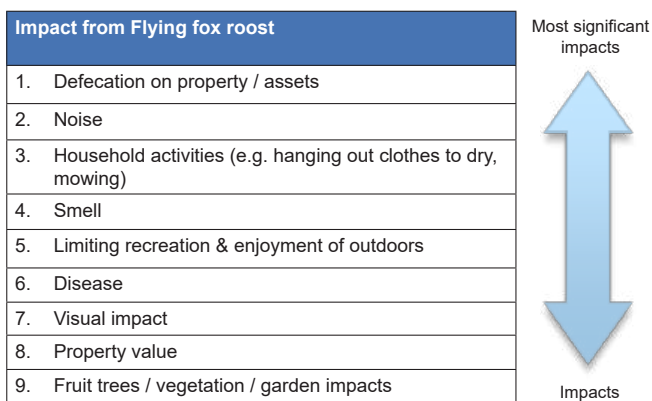
## FLYING FOX STRATEGY & COLLINSVILLE ROOST MANAGEMENT PLAN

### KEY RESULTS

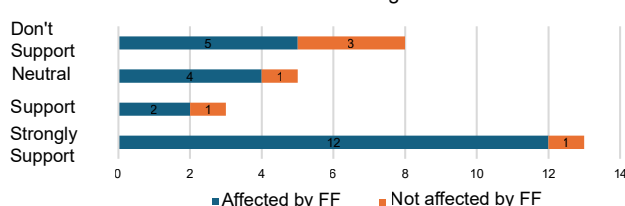
Are you or have you been personally affected by a Flying fox roost?



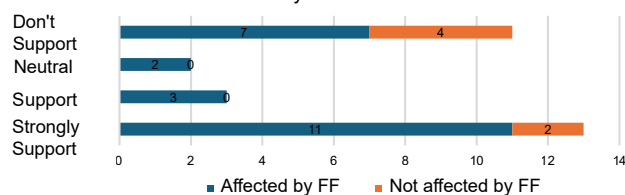
If personally affected, what were the worst impacts in priority order? (1 - 9, with 1 being the worst)



How do you feel about Flying fox management options in urban areas



How do you feel about Flying fox management options in urban areas



## 11.5 - Donations, Sponsorships, Grants and In-Kind Requests Approved - August 2024

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Community Development Officer

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### PURPOSE

To advise Council of the donations, sponsorships, in-kind support and grants up to \$20,000 provided for the month of July and August 2024.

### EXECUTIVE SUMMARY

Council is often approached by community groups for financial assistance, requesting support to help them deliver their endeavours and events within the community. These requests are assessed and approved or declined as they are received by the Community Services team and a monthly report is submitted to Council advising of the assistance that has been approved, as per resolution 2024/06/26.19.

Approvals outlined in this report include:

- a) Financial Support for Junior Elite Athlete Grants
- b) Donations
- c) In-kind donations
- d) Donation on Council Fees

No approvals were made for Sponsorships or Sport and Rec Grants for the month of August 2024.

### OFFICER'S RECOMMENDATION

That Council:

- a) Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of August 2024 to the applicants identified in **Attachment 1**
- b) Note the Donation applications approved for the month of August 2024 to the applicants identified in **Attachment 2**
- c) Note the In-kind donation applications approved for the month of August 2024 to the applicants identified in **Attachment 3** and,
- d) Note the Donation on Council Fee applications approved for the months of July and August 2024 to the applicants identified in **Attachment 4**.

### BACKGROUND

As per resolution 2024/06/26.19, Council resolved to:

- 1) Adopt the following amended policies:
  - a) Community Donations Policy
  - b) Community Sponsorship Policy
  - c) Community Grant Policy
- 2) Revoke the Financial Support for a Junior Elite Athlete Policy

## DISCUSSION/CURRENT ISSUE

Below is an overview of the financial approvals that were made in the month of July and August 2024. A detailed description of each can be found in the attachments.

### Junior Elite Athlete Grant

3 approved, totalling \$750

### Donations

18 approved, totalling \$2,900

### In-Kind Donations

3 approved, totalling \$2,410

### Donation on Council Fees

8 approved, totalling \$8,711

## FINANCIAL IMPLICATIONS

The funds for Junior Elite Athlete Grants and Donations will be taken from JC: 2967.10249.63150 – Community Donations (2967) / Donations (11074)

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2023/24 Budget              | 80,000        |
| Actual + Commitment         | 12,383        |
| <b>YTD Remaining Budget</b> | <b>67,617</b> |

The funds for In-kind Donation of Council labour will be taken from JC: 2967.10642.60002 – Community Donations (2967) / Council In-kind Support (10642) / Salary-Overtime (60002)

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2023/24 Budget              | 45,000        |
| Actual + Commitment         | 8,314         |
| <b>YTD Remaining Budget</b> | <b>36,686</b> |

The funds for In-kind Donation of Materials will be taken from JC: 2967.10642.61004 – Community Donations (2967) / Council In-kind Support (10642) / Materials Other (61004)

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2023/24 Budget              | 20,000        |
| Actual + Commitment         | 0             |
| <b>YTD Remaining Budget</b> | <b>20,000</b> |

The funds for Donation of Council Fees will be taken from JC: 2967.10642.61004 – Community Donations (2967) / Donations & Sponsorships (10249) / Other (63150)

| Description                 | Amount (\$)    |
|-----------------------------|----------------|
| 2023/24 Budget              | 120,000        |
| Actual + Commitment         | 11,123         |
| <b>YTD Remaining Budget</b> | <b>108,878</b> |

## CONSULTATION/ENGAGEMENT

Director Community Services and Facilitation

## **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*

Local Government Regulation 2012

Community Donations Policy

Community Sponsorships Policy

Community Grants Policy

## **RISK ASSESSMENT/DEADLINES**

There is a financial cost to Council, however the assistance provided will support the activities of community and sporting groups in the Whitsunday Region.

To be completed by 30 June 2025 in line with the 2024/25 financial year budget.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Facilitate, foster and encourage region wide activities and programs that engage our community.

## **ATTACHMENTS**

1. Attachment 1 – Approved Financial Support for Junior Elite Athlete Grant Applications – August 2024 [**11.5.1** - 1 page]
2. Attachment 2 – Approved Donation Applications – August 2024 [**11.5.2** - 1 page]
3. Attachment 3 – Approved In-kind Donation Applications – August 2024 [**11.5.3** - 1 page]
4. Attachment 4 Approved Donation on Council Fees Applications August 2024 [**11.5.4** - 1 page]





**Correspondence:**  
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[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
 ABN 63 291 580 128

**Attachment 1 – Approved Financial Support for Junior Elite Athlete Grant Applications – August 2024**

| Name        | Age | Competition                                                      | Competition Level | Sport          | Received Funding Previously | Amount (\$) |
|-------------|-----|------------------------------------------------------------------|-------------------|----------------|-----------------------------|-------------|
| Ruby Dyne   | 11  | NQ Softball Championships                                        | North QLD         | Softball       | No                          | 250         |
| Kurt Vella  | 18  | 2024 International Miniature Bull Riders Assoc. World Finals USA | Australia         | Bull Riding    | Yes                         | 250         |
| Kayla Vella | 16  | National Youth Touch Football Championships                      | QLD               | Touch Football | Yes                         | 250         |
|             |     |                                                                  |                   |                | <b>TOTAL</b>                | <b>750</b>  |

**Bowen**  
 Cnr Herbert & Powell Streets  
 Bowen QLD 4805

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**Attachment 3 – Approved Donation Applications – August 2024**

| Organisation Name                  | Description                                   | Donation Amount (\$) |
|------------------------------------|-----------------------------------------------|----------------------|
| Cannonvale State School            | 2024 School Annual Awards Night               | 100                  |
| St Mary's Catholic School          | 2024 School Annual Awards Night               | 100                  |
| Bowen State School                 | 2024 School Annual Awards Night               | 100                  |
| Merinda State School               | 2024 School Annual Awards Night               | 100                  |
| Queens Beach State School          | 2024 School Annual Awards Night               | 100                  |
| Collinsville State School          | 2024 School Annual Awards Night               | 100                  |
| Scottville State School            | 2024 School Annual Awards Night               | 100                  |
| St John Bosco State School         | 2024 School Annual Awards Night               | 100                  |
| Proserpine State School            | 2024 School Annual Awards Night               | 100                  |
| Gumlu State School                 | 2024 School Annual Awards Night               | 100                  |
| Hamilton Island State School       | 2024 School Annual Awards Night               | 100                  |
| Hayman Island State School         | 2024 School Annual Awards Night               | 100                  |
| Proserpine State High School       | 2024 School Annual Awards Night               | 200                  |
| Collinsville State High School     | 2024 School Annual Awards Night               | 200                  |
| Bowen State High School            | 2024 School Annual Awards Night               | 200                  |
| St Catherine's Catholic College    | 2024 School Annual Awards Night               | 300                  |
| Whitsunday Christian College       | 2024 School Annual Awards Night               | 300                  |
| St Pauls Anglican Opportunity Shop | Landfill fees for illegally dumped mattresses | 500                  |
| <b>Total for August 2024</b>       |                                               | <b>2,900</b>         |

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ABN 63 291 580 128

**Attachment 4 – Approved In-Kind Donation Applications – August 2024**

| Organisation Name                        | Description                                                                    | In-Kind Support (\$) |
|------------------------------------------|--------------------------------------------------------------------------------|----------------------|
| Airlie Beach Whitsunday RSL              | Delivery & Removal of chairs for Vietnam Veterans Commemorative Service        | 210                  |
| Proserpine Community Centre              | Supply and delivery of garden soil for the Proserpine Community Garden         | 700                  |
| Collinsville Scottville Workers Club Inc | Road Closures and delivery of chairs for the 2024 Miners Memorial Day Ceremony | 1,500                |
| <b>Total</b>                             |                                                                                | <b>2,410</b>         |

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ABN 63 291 580 128

**Attachment 4 – Approved Donation on Council Fee Applications – July/August 2024**

| Organisation Name                      | Description                                 | Fee (\$)     |
|----------------------------------------|---------------------------------------------|--------------|
| WRC                                    | Proserpine Headstone Project                | 151          |
| Whitsunday Counselling and Support     | Mindful Morning – Children's Awareness Week | 430          |
| Whitsunday Housing Company             | Planning fee for DA application             | 5,148        |
| Resources Safety Qld Health            | State Miners Memorial Day Service           | 745          |
| Great Barrier Reef Festival Committee  | Great Barrier Reef Festival                 | 999          |
| Heart of Australia                     | Lung Check for Former Miners                | 200          |
| Proserpine & District Respite Services | Annual Food Licence Renewal                 | 590          |
| Qld Health                             | Deadly Choices Community Day Bowen          | 448          |
| <b>Total</b>                           |                                             | <b>8,711</b> |

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## 11.6 - Regional Arts Development Fund (RADF) 2024/25 Funding Round 1 - August 2024

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Arts & Community Programs Officer

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### PURPOSE

For Council to consider the funding for the Regional Arts Development Fund (RADF) grant applications for Round 1 of the 2024/25 Program, as recommended by the RADF Advisory Committee.

### EXECUTIVE SUMMARY

Whitsunday Regional Council has participated in the Regional Arts Development Fund since its inception in 1994. The Queensland Government, through the Arts Office, operates the RADF program in partnership with local government. The RADF program provides funding for development of cultural activities through locally determined policy and assessment procedures.

RADF has been introduced to foster and promote professional development and employment of artists in regional Queensland.

The program supports locally determined regional arts and cultural development opportunities by providing discrete, short term, project based financial assistance.

Individuals, groups, and organisations are encouraged to seek assistance for:

- Professional services to amateur arts activity.
- Strategic arts & culture initiatives in local communities i.e. increasing amenity, community pride and liveability through infrastructure, public art and place-making projects.
- Travel costs associated with local artists attending specialised seminars/workshops in major centres for the purpose of Individual Professional Development.
- Professional components of projects such as residencies, productions, commissions, exhibitions, short term workshops, research, and promotion.
- Networking, training, and professional development for local arts workers.
- Development and delivery of diverse, exciting, and accessible arts and cultural activities, projects, and initiatives for, by and with local communities.

The RADF Local Committee advised that at the most recent meeting the committee assessed the applications for funding received and have recommended the applications below subject to conditions being endorsed by Council for approval.

Council's responsibilities for RADF operations are promotion, endorsement, and administration. Before RADF payments can be distributed Council is required to endorse RADF committee decisions at a council meeting.

### OFFICER'S RECOMMENDATION

That Council:

1. Receive the minutes from the Regional Arts Development Fund (RADF) Local Advisory Committee.
2. Approve the payment of Regional Arts Development Fund (RADF) grants (subject to conditions) – for Round 1 as recommended to Council by the RADF Advisory Committee to assist the following recipients:
  - a. Bowen Arts Society – Gel Print, Printmaking and Mixed Medium Workshops - \$2,905.
  - b. Jennifer Embelton – Short Film Project titled “The Sound it Makes” - \$8,000.
  - c. Gwada Murals – Reef/Turtle Mural on the Port of Airlie Transit Terminal Wall - \$7,930.
  - d. Artist Run Initiative (ARI) Whitsundays – Two-week Artist Residency with Masterclass and Community Forum - \$4,940.
  - e. Jennifer Horsford. – Workshops on Machine Embroidery including Lacemaking - \$3,300.
  - f. Diesel Gypsies – The Diesel Gypsies first EP Recording - \$6,000.

## **BACKGROUND**

RADF invests in quality arts and cultural experiences across Queensland based on locally determined priorities.

Local Arts and Cultural workers submit an application to Council for funding grants. Applications are assessed by an elected committee against the criteria based on program guidelines and priorities identified in Council’s Arts and Culture Policy.

All projects and activities receiving RADF funding are required to report on their contribution towards RADF 2024/25 Key Performance Outcomes (KPOs) included in the RADF guidelines.

The 2024 funding Round 1 closed on Wednesday 21 August 2024 for projects commencing after Monday, 30 September 2024.

## **DISCUSSION/CURRENT ISSUE**

The following applications were submitted:

### **Bowen Arts Society – Gel Print, Printmaking and Mixed Medium Workshops Requested \$2,905 – Recommended \$2,905**

To provide artistic experiences for community members from all cultural backgrounds and ages focusing on beginners and emerging artists to collaborate socially and support the wellbeing of community members through the art process of creativity.

This project enables participants to pursue a creative career and possibly an income producing interest, with workshops offered monthly from September to November with each participant having the capabilities to further extend on their knowledge gained through the workshops and build new social contacts through community participation as well as creating a sense of wellbeing through the process of art.

The RADF Committee’s recommendation was to fully fund the application, being an ongoing commendable project.

### **Jennifer Embelton – Short Film Project titled “The Sound it Makes” Requested \$10,000 – Recommended \$8,000**

To develop a professional practice, skills, and knowledge as a filmmaker. Creating a short film is a vital step towards leveraging her position in the industry for future opportunities to work as a director/producer on feature films/tv shows. Filmmaking is a uniquely collaborative process and is excited to work in partnership with other film industry professionals and community members towards a shared goal and enhanced outcomes.

The project is expected to create impact by supporting local businesses, strengthening the arts sector, engaging with new talent, involving members of the ATSI community, and providing on set film experience for senior students. The region will be left with community pride through varied, meaningful, and direct engagement, resulting in Bowen as a viable place for further cultural projects like filmmaking to thrive.

The RADF Committee's recommendation was to partially fund the application. The project serves as an excellent opportunity to develop the skills of filmmaking with the involvement of a school student initiative showing a positive outcome.

**GWADA Murals – Reef/Turtle themed mural on the Port of Airlie Transit Terminal Wall  
Requested \$8,330 – Recommended \$7,930**

To embellish a blank wall in a high tourist area of Port of Airlie showcasing the surrounding marine life with mural artwork. This artwork has the approval and support of Council's Executive Manager Procurement, Property and Fleet Peter Shuttlewood.

To increase awareness about how precious and unique the local environment is. Also, a great addition to the area being the gateway to the Whitsunday Islands and outer reef.

The RADF Committee's recommendation was to partially fund the application. The committee would like to have seen more information on the rationale and objectives of the project. The amount was taken from the initial requested amount in the application.

**Artist Run Initiative (ARI) Whitsundays – Two-week Artist Residency with Masterclass and Community Forum  
Requested \$4,940 – Recommended \$4,940**

ARI supports the local artistic community and inspires professional artists. This year Kim Percy a photographer and university lecturer will share her expertise with local artists and will lead a workshop at the Gloucester Sports & Recreation community hall in Hydeaway Bay, focussing on environmental photography.

Kim will share insights from her art practice and guide attendees in photographing the foreshore. Participants will enhance their skills, gain professional development, and develop a deeper appreciation for the Whitsunday environment. They will also create new works and connect with fellow community members.

The RADF Committee's recommendation was to fully fund the application with community involvement a positive outcome and with proven success of the project.

**Jennifer Horsford – 2 x Machine Embroidery Workshops including Lacemaking to be held in Cannonvale and Bowen  
Requested \$5,900 – Recommended \$3,300**

To provide public value for Qld Communities. Through Jennifers sewing groups she has found that there is a portion of the community that own Embroidery Machines and do not know how to use them, so has developed a workshop to spend two days teaching them how to use them and learn to create beautiful articles for their homes or as gifts.



The workshops will provide increased skills for the participants, enabling them to create wonderful works on their machines. The results will be that the participants will experience an increase in self-worth and the opportunity to expand their quality of life through meeting like-minded people and learning skills they thought were out of reach.

The RADF Committee's recommendation was to partially fund the application. Although the project serves as an excellent opportunity to develop skills and professional development in embroidery, there were no quotes included for the RADF requested amounts for accommodation and travel.

### **Diesel Gypsies – The Diesel Gypsies first EP Recording Requested \$10,199 – Recommended \$6,000**

The project will increase value to the career development of the band, stimulate cultural enrichment, inspire positivity and facilitate musical expression. And will also encourage local Whitsunday economic growth through performances that will impact local business revenue such as restaurants and local venues. The Diesel Gypsies plan to host underage music writing workshops and open mic at the PCYC for the under 18's community.

The outcome of the project will give advancement to the music project and gives leverage to progress in the band's collective careers. The EP will become an asset and a tool to advertise and engage locally, campaign and share positive insights through lyrics and conversation on social media as well as be involved with numerous playlists, radio stations, festivals and events all over Australia.

The RADF Committee's recommendation was to partially fund the application. Although they agreed that is a commendable project and will support the covering on the ground costs. Also, would like to see the project featured on YouTube.

**Total approved for August Round One - \$33,075**

### **FINANCIAL IMPLICATIONS**

The funding for the support will be taken from budget code: GL:3640.6405 – Arts & Culture Development (3640) / Donations (6405).

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2024/25 Budget              | 60,500        |
| Actual + Commitment         | 0             |
| <b>YTD Remaining Budget</b> | <b>60,500</b> |

The budget contribution for RADF funding is 60% from Arts Queensland and 40% from Council.

### **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation  
RADF Advisory Committee

### **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*  
Local Government Regulation 2012  
LSP\_COMM\_02 – Arts & Culture Policy

This is page 89 of the Agenda of Council's Ordinary Council Meeting - 25 September 2024

## **RISK ASSESSMENT/DEADLINES**

The assistance RADF provides will ensure Council is portrayed in a positive manner by way of supporting the local community in their pursuit of developing skills, engaging in projects and activities that contribute to the value of arts and culture.

Payment to be made within one month of approval.

## **STRATEGIC IMPACTS**

Facilitate, foster and encourage region wide activities and programs that engage our community.

## **ATTACHMENTS**

1. RADF Minutes Round 1 - August 2024 [**11.6.1** - 3 pages]

**WHITSUNDAY REGIONAL ARTS DEVELOPMENT FUND (RADF)  
ADVISORY COMMITTEE**

Meeting Minutes – 27 August 2024



|                   |                                                                       |
|-------------------|-----------------------------------------------------------------------|
| <b>Chair:</b>     | <b>Cr Clay Bauman</b>                                                 |
| <b>Present:</b>   | Ruth Morton, Jess Begun, Janice Germain, Liaison Officer Jacqui Neave |
| <b>Apologies:</b> | Marg Tawse – comments via email                                       |

Meeting commenced: 11am

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <b>Minutes of previous meeting</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          | ✚ N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>2</b> | <b>Business arising from minutes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          | ✚ N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>3</b> | <b>Correspondence and news</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          | ✚ Cr. Clay Bauman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>4</b> | <b>Promotion and advertising</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          | ✚ Ongoing – RADF strategies, promotions, activities, and resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>5</b> | <b>Presentations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          | No presentations held                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>6</b> | <b>Applications</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | <p><b>Bowen Arts Society – Gel Print, Printmaking and Mixed Medium Workshops</b><br/><b>Requested \$2,905– Recommended \$2,905</b></p> <p>To provide artistic experiences for community members from all cultural backgrounds and ages focusing on beginners and emerging artists to collaborate socially and support the wellbeing of community members through the art process of creativity.</p> <p>This project enables participants to pursue a creative career and possibly an income producing interest, with workshops offered monthly from September to November with each participant having the capabilities to further extend on their knowledge gained through the workshops. And build new social contacts through community participation as well as creating a sense of wellbeing through the process of art.</p> <p>The RADF Committee's recommendation was to fully fund the application, being an ongoing commendable project.</p> <p><b>Jennifer Embelton – Short Film Project titled “The Sound it Makes”</b><br/><b>Requested \$10,000 – Recommended \$8,000</b></p> <p>To develop a professional practice, skills, and knowledge as a filmmaker. Creating a short film is a vital step towards leveraging her position in the industry for future opportunities to work as a director/producer on feature films/tv shows. Filmmaking is a uniquely collaborative process and is excited to work in partnership with other film industry professionals and community members towards a shared goal and enhanced outcomes.</p> <p>The project is expected to create impact by supporting local businesses, strengthening the arts sector, engaging with new talent, involving members of the ATSI community, and providing on set film experience for senior students. The region will be left with community pride through varied,</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>meaningful, and direct engagement, resulting in Bowen as a viable place for further cultural projects like filmmaking to thrive.</p> <p>The RADF Committee's recommended was to partially fund the application. The project serves as an excellent opportunity to develop the skills of filmmaking, with the involvement of a school student initiative showing a positive outcome.</p> <p><b>GWADA Murals – Reef/Turtle themed mural on the Port of Airlie Transit Terminal Wall</b><br/> <b>Requested \$8,330 – Recommended \$7,930</b></p> <p>To embellish a blank wall in a high tourist area of Port of Airlie showcasing the surrounding marine life with mural artwork. This artwork has the approval and support of Council's Executive Manager Procurement, Property and Fleet Peter Shuttlewood.</p> <p>To increase awareness about how precious and unique the local environment is. Also, a great addition to the area being the gateway to the Whitsunday Islands and outer reef.</p> <p>The RADF Committee's recommended was to partially fund the application. The committee would like to have seen more information on the rationale and objectives of the project. The amount was taken from the initial requested amount in the application.</p> <p><b>Artists Run Initiative (ARI) Whitsundays – Two-week Artist Residency with Masterclass and Community Forum</b><br/> <b>Requested \$4,940 – Recommended \$4,940</b></p> <p>ARI supports the local artistic community and inspires professional artists. This year Kim Percy a photographer and university lecturer will share her expertise with local artists and will lead a workshop at the Gloucester Sports &amp; Recreation community hall in Hydeaway Bay, focussing on environmental photography.</p> <p>Kim will share insights from her art practice and guide attendees in photographing the foreshore. Participants will enhance their skills, gain professional development, and develop a deeper appreciation for the Whitsunday environment. They will also create new works and connect with fellow community members.</p> <p>The RADF Committee's recommendation was to fully fund the application with community involvement a positive outcome and with proven success of the project.</p> <p><b>Jennifer Horsford – 2 x Machine Embroidery Workshops including Lacemaking to be held in Cannonvale and Bowen</b><br/> <b>Requested \$5,600 – Recommended \$3,300</b></p> <p>To provide public value for Qld Communities. Through Jennifers sewing groups she has found that there is a portion of the community that own Embroidery Machines and do not know how to use them, so has developed a workshop to spend two days teaching them how to use them and learn to create beautiful articles for their homes of as gifts.</p> <p>The workshops will provide increased skills for the participants, enabling them to create wonderful works on their machines. The results will be that the participants will experience an increase in self-worth and the opportunity to expand their quality of life through meeting like-minded people and learning skills they thought were out of reach.</p> <p>The RADF Committee's recommended was to partially fund the application. Although the project serves as an excellent opportunity to develop skills and professional development in embroidery, there were no quotes included for the RADF requested amounts for accommodation and travel.</p> <p><b>Diesel Gypsies – The Diesel Gypsies first EP Recording</b><br/> <b>Requested 10,199 – Recommended \$6,000</b></p> <p>The project will increase value to the career development of the band, stimulate cultural enrichment, inspire positivity and facilitate musical expression. And will also encourage local Whitsunday economic growth through performances that will impact local business revenue such as restaurants and local venues. The Diesel Gypsies plan to host underage music writing workshops and open mic at the PCYC for the under 18's community.</p> |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>The outcome of the project will give advancement to the music project and gives leverage to progress in the band's collective careers. The EP will become an asset and a tool to advertise and engage locally, campaign and share positive insights through lyrics and conversation on social media as well as be involved with numerous playlists, radio stations, festivals and events all over Australia.</p> <p>The RADF Committee's recommendation was to partially fund the application. Although they agreed that is a commendable project and will support the covering on the ground costs. Also, would like to see the project featured on YouTube.</p> <p><b>Total approved for August Round One - \$33,075</b></p> |
| <b>7</b> | <b>General business</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          | <ul style="list-style-type: none"> <li>✚ Suggested to the committee to go through the RADF application to make it more user friendly for applicants, especially the budget. And to do the same with the guidelines</li> <li>✚ Welcome to Sofia Fortunato – new committee member</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Meeting Closed: 1.30pm

Next meeting: TBA

Location: TBA

|          |                                 |  |  |
|----------|---------------------------------|--|--|
| <b>7</b> | <b>Actions for next meeting</b> |  |  |
| <b>1</b> |                                 |  |  |
| <b>2</b> |                                 |  |  |

## **11.7 - Financial Support Request - Collinsville Connect Telecentre Incorporated**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Community Development Officer

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### **PURPOSE**

For Council to consider a request for financial support from the Collinsville Connect Telecentre Inc. to fund a paid position to manage and run the Centre to ensure that services can continue to be provided to the Collinsville and Scottville communities.

### **EXECUTIVE SUMMARY**

The Collinsville Connect Telecentre has been operating for 21 years and provides crucial access to Information Technology (IT) services and support to the Collinsville and Scottville communities.

The Centre's long-term manager is looking to retire in the near future and has requested that Council consider contributing financially to support a salaried position for the future management of the Centre.

The Collinsville Connect Telecentre has requested a contribution of \$30,000 annually from Council to support this position.

### **OFFICER'S RECOMMENDATION**

That Council approve financial support of \$30,000 to the Collinsville Connect Telecentre Inc. for the current financial year to 2026/2027 financial year, contributing to the funding of a salaried position for the management of the Centre.

### **BACKGROUND**

The Collinsville Connect Telecentre Inc. plays an important role in keeping the Collinsville and Scottville communities connected online by providing the following:

- IT services for local small businesses and the general public
- Free computer and internet access for the general public
- Computer sales, troubleshooting and repairs
- Computer skills training for the unemployed
- Quality of life services delivered to the retired and elderly
- A safe, social and supportive environment for youth
- Coordination and delivery of many community projects
- Standard Operating Procedure inductions for local mining companies.

Council has provided an annual donation of \$3,000 since 2019 to fund the costs of internet services so the Centre can provide free wi-fi for community use and provide a section free of charge of the Collinsville Customer Service and Library building.

### **DISCUSSION/CURRENT ISSUE**

To ensure that the Collinsville Connect Telecentre is able to continue operating into the future, financial assistance is required to fund a salaried position within the Centre.

Currently, wages are covered by the local mining companies, as well as a large portion of the operations being completed voluntarily.

Councils' annual contribution of \$30,000 will be factored into the next three years annual budget to ensure that this position is maintained for future years allowing the Collinsville Connect Telecentre to continue to operate and provide their essential services to the community.

## **FINANCIAL IMPLICATIONS**

Currently there is no budget set for this financial support, however, is able to be reviewed at Budget Review 1.

## **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation  
Director Corporate Services

## **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*  
Local Government Regulation 2012

## **RISK ASSESSMENT/DEADLINES**

There is a financial cost to Council, however the assistance provided will support a not-for-profit organisation who provide essential IT services to the Collinsville and Scottville communities.

To be completed by 30 June annually in line with each relevant financial year budget.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Facilitate, foster and encourage region wide activities and programs that engage our community.

Provide high quality recreational facilities that are well utilised by the local community and visitors alike.

## **ATTACHMENTS**

Nil



## 11.8 - Economic Development Advisory Committee

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Economic Development Research Officer

**AUTHORISING OFFICER:** Director Commercial Businesses

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### PURPOSE

To present to Council for consideration to appoint an Economic Development Advisory Committee.

### EXECUTIVE SUMMARY

The establishment of an Economic Development Advisory Committee is being presented to Council for consideration including drafted Terms of Reference that will govern the new advisory committee.

### OFFICER'S RECOMMENDATION

That Council:

- a) Establish an Economic Development Advisory Committee;
- b) Adopt the Terms of Reference for the Economic Development Advisory Committee;
- c) Appoint the Mayor as the Chair of the Economic Development Advisory Committee; and
- d) Nominate Cr \_\_\_\_\_ as a Committee Member.

### BACKGROUND

The establishment of the Economic Development Advisory Committee 'the EDAC' is to provide guidance, advice, and recommendations on economic development initiatives in the Whitsunday region.

The primary objective of the EDAC is to support and promote the growth, sustainability, and competitiveness of the local economy and community through collaboration between the local government and key industry and business stakeholders. The EDAC will act as a forum for dialogue, knowledge sharing, and the development of innovative strategies to enhance economic development in the region.

### DISCUSSION/CURRENT ISSUE

The EDAC will consist of representatives from key sectors of the local economy, including but not limited to:

- a) Council Representatives including but not limited to the Mayor, Councillors as nominated, Chief Executive Officer, Director Commercial Businesses, Director Regional Strategy & Planning, and Manager Investment Attraction and Growth;
- b) Business associations and chambers of commerce;
- c) Industry-specific associations; and
- d) Small, medium, and large businesses across various sectors.

Individuals within industry segments and committees will be selected through nomination by the EDAC to ensure representation from diverse industries and stakeholders within the Whitsunday region.

The number of members will be determined based on the scope and requirement of the Whitsunday region and local economy, but it is recommended to have a balanced representation of approximately 15-20 members.

Meetings will be chaired by the Mayor who will be responsible for facilitating meetings, setting agendas, and ensuring effective communication.

The EDAC will be reassessed annually.

## **FINANCIAL IMPLICATIONS**

N/A

## **CONSULTATION/ENGAGEMENT**

Chief Executive Officer  
Director Regional Strategy and Planning

## **STATUTORY/COMPLIANCE MATTERS**

Council Committees Policy Clause 1.1

A committee established in accordance with s265 of the LGR, which provides advice and recommendations to Council on a specific function, portfolio, program or project as determined by Council when establishing the Committee.

## **RISK ASSESSMENT/DEADLINES**

The establishment of the EDAC will ensure that Council is proactive within the industry and promote positive collaboration between members.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Provide advocacy and partnerships with government, community and business interests through effective stakeholder engagement.

Strengthen and grow our business and community to attract investment that aligns to WRC endorsed plans and strategies.

## **ATTACHMENTS**

1. Economic Development Industry and Business Advisory Group EDAC 1 4 [11.8.1 - 6 pages]



## **Economic Development Advisory Committee Terms of Reference**

Document Version: 1.4

## VERSION HISTORY

| Date       | Document Version | Document Revision History | Document Author/Reviser                           |
|------------|------------------|---------------------------|---------------------------------------------------|
| 11.05.2023 | 1.0              | Initial draft             | Economic Development Project and Research Officer |
| 26.05.2023 | 1.1              | Draft                     | Economic Development Manager                      |
| 06.08.2024 | 1.2              | Draft                     | Director Commercial Businesses                    |
| 16.08.2024 | 1.3              | Draft                     | Director Commercial Businesses                    |
| 10.09.2024 | 1.4              | Draft                     | Director Commercial Businesses                    |
|            |                  |                           |                                                   |
|            |                  |                           |                                                   |

## APPROVALS

| Date | Document Version | Approver Name and Title | Approver Signature |
|------|------------------|-------------------------|--------------------|
|      |                  |                         |                    |
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## **1. BACKGROUND**

- 1.1 The Economic Development Advisory Committee (EDAC) is established by the Whitsunday Regional Council (WRC) to provide guidance, advice, and recommendations on economic development initiatives in the Whitsunday region.
- 1.2 The primary objective of the EDAC is to support and promote the growth, sustainability, and competitiveness of the local economy through collaboration between the local government and key industry and business stakeholders. The EDAC will act as a forum for dialogue, knowledge sharing, and the development of innovative strategies to enhance economic development in the region.

## **2. MEMBERSHIP**

- 2.1 The EDAC will consist of representatives from key sectors of the local economy, including but not limited to:
  - a) WRC representatives including but not limited to the Mayor, Councillors as nominated, Chief Executive Officer, Director Commercial Businesses, Director Regional Strategy & Planning, and the Manager Investment Attraction and Growth;
  - b) Business associations and chambers of commerce;
  - c) Industry-specific associations; and
  - d) Small, medium, and large businesses across various sectors.
- 2.2 Industry Members will be selected through nomination by the Economic Development Team in consultation with the Mayor and CEO to ensure representation from diverse industries and stakeholders within the Whitsunday region.
- 2.3 The number of members will be determined based on the scope and requirement of the Whitsunday region and local economy, but it is recommended to have a balanced representation of approximately 15-20 members.
- 2.4 Meetings will be chaired by the Mayor and will be responsible for facilitating meetings, setting agendas, and ensuring effective communication.

## **3. ROLES AND RESPONSIBILITIES OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (EDAC) MEMBERS**

- 3.1 The roles and responsibilities of the EDAC is as follows:
  - a) The EDAC Chair will be the Mayor.
  - b) Secretary will be a WRC representative as nominated from time to time.
  - c) Strengthen partnerships with local businesses to support local business activity, collaboration and innovation while also building the reputation of the region as an investment location.
  - d) Play an important role in shaping the economic development in our region as well as establishing partnerships and a unified approach to harness the strengths of the regions industry bodies, local chambers of commerce and the business community.
  - e) Provide advice and recommendations to WRC on economic development, initiatives, and programs to foster sustainable growth and attract investment.
  - f) Identify and assess economic development opportunities, challenges, and emerging trends in the local area, and propose strategies to leverage these for the benefit of the community.
  - g) Collaborate with WRC to develop and implement an economic development plan that aligns with the community's vision, goals, and objectives.
  - h) Act as a conduit between WRC and the business community, ensuring effective communication, information sharing and collaboration.
  - i) Review and provide input on proposed regulations, policies and projects that may impact the local economy, advocating for the best interests of businesses and industries.

- j) Support the development and implementation of programs and initiatives to foster entrepreneurship, innovation, and workforce development.
- k) Monitor and evaluate the progress and outcomes of economic development initiatives, providing feedback and recommendations for improvement.
- l) Provide strong economic leadership and regional representation.
- m) Actively participate in meetings through attendance, discussion, and review of minutes, papers and other EDAC documents.
- n) Support open discussion and debate and encourage fellow EDAC members to voice their insights.
- o) Seek approval of the Chair before inviting an external representative to attend meetings of, or otherwise participate in, the committee and/or any subsequent working groups.
  - Abide by WRC's Code of Conduct and requirements of the *Local Government Act* 2009 and the Local Government Regulation 2012.
  - A committee established in accordance with s265 of the LGR, which provides advice and recommendations to Council on a specific function, portfolio, program or project as determined by Council when establishing the Committee

#### **4. RESPONSIBILITIES OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (EDAC) CHAIR**

4.1 The Economic Development Advisory Committee Chair will be the Mayor.

4.2 The responsibilities of the EDAC Chair are as follows:

- a) Sets the agenda for each meeting;
- b) Ensures that agenda and supporting materials are delivered to members in advance of meetings;
- c) Makes the purpose of each meeting clear to members and explains the agenda at the beginning of each meeting;
- d) Clarifies and summarises what is happening throughout each meeting;
- e) Keeps the meeting moving by putting time limits on each agenda item and keeping all meetings to two hours or less;
- f) Encourages broad participation from members in discussion by calling on different people;
- g) Ends each meeting with a summary of decisions and assignments; and
- h) Represent WRC as a key representative on Economic Development matters, and if not available will delegate the authority to committee members. Such delegates will be via email or telephone.

#### **5. MEETINGS AND REPORTING**

5.1 The EDAC will meet on a quarterly basis, determined by mutual agreement on a rotational basis between WRC Bowen and Proserpine Administration Buildings or an alternative location as advised.

5.2 Meetings may be conducted in person, virtually or through a combination of both, depending on prevailing circumstances and member preferences.

5.3 Minutes of the meetings will be recorded, including discussions, decisions, and action items, and circulated among members within a reasonable timeframe.

5.4 The EDAC will provide an annual report to WRC to summarizing its activities, recommendations, and progress towards achieving economic development goals.

5.5 A committee established in accordance with s265 of the LGR, which provides advice and recommendations to Council on a specific function, portfolio, program or project as determined by Council when establishing the Committee

#### **6. DURATION AND REVIEW**

6.1 The EDAC will be reassessed annually.

6.2 A review of the EDAC's effectiveness, composition, and relevance will be conducted annually, with recommendations for any necessary modifications or adjustments.

## **7. GENERAL**

### **7.1 Quorum and Decision-making**

#### **7.1.1 Quorum**

A minimum number of **seven (7)** EDAC members are required for decision-making purposes.

#### **7.1.2 Decision-making Process**

- a) Majority: a course of action requires support from more than 50% members who attend the meeting if there is quorum.
- b) An annual update will be provided to WRC.

### **7.2 Agenda, Minutes, and Decision Papers**

- a) A package will be sent to members three to five business days in advance of a meeting.
- b) This package will include the following:
  - i. Agenda for upcoming meeting.
  - ii. Minutes of previous meeting.
  - iii. A progress report.
  - iv. Decision papers.
  - v. Any other documents/information to be considered at the meeting.

### **7.3 Proxies**

- a) Members of the EDAC can send their nominated proxy to meetings. Only nominated proxies are entitled to participate in discussion.
- b) Nominated proxies are to be approved by the EDAC board before attending the meeting.
- c) EDAC members will inform the Chair as soon as possible if they intend to send their proxy to a meeting and no less than two business days before the scheduled meeting.

**These Terms of Reference will guide the operations of the Economic Development Advisory Committee, enabling effective collaboration between WRC and industry stakeholders to drive economic growth, prosperity, and resilience in the local area.**



## 11.9 - Whitsunday Coast Airport Master Plan and Infrastructure Report 2024

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Senior Commercial Officer Aviation and Tourism

**AUTHORISING OFFICER:** Director Commercial Businesses

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### PURPOSE

To present the Whitsunday Coast Airport Master Plan 2024 and Whitsunday Coast Airport Infrastructure Report 2024 to Council for consideration.

### EXECUTIVE SUMMARY

The Whitsunday Coast Airport Master Plan 2024 and the Whitsunday Coast Airport Infrastructure Report 2024 have been developed to support and guide the development and expansion of Whitsunday Coast Airport following the significant growth in passenger numbers and aircraft traffic. These documents will inform how to develop the airport across a number of stages, allowing continued economic benefit across the whole Whitsunday Region.

It is expected that the pathway through to construction drawings may identify challenges within existing infrastructure, this will require additional engineering solutions and potential amendments to the Master Plan to resolve.

### OFFICER'S RECOMMENDATION

That Council adopt the:

- a) Whitsunday Coast Airport Master Plan 2024; and
- b) Whitsunday Coast Airport Infrastructure Report 2024.

### BACKGROUND

In 2015, Council adopted the Whitsunday Coast Airport – International Export Hub Master Plan and Feasibility Study.

The 2015 Master Plan was the primary document to underpin the Whitsunday Coast Airport's (WCA) growth and development over the next 20 years. It was compiled through the delivery of a master plan appraisal, economic base modelling, options and engineering analysis. The master plan also took into account the many historical planning documents developed throughout the airport's 73-year history.

At the time of the July 2015 Master Plan release, WCA had just celebrated a new financial year record of 281,003 passenger movements. It had achieved this milestone in partnership with Virgin and Jetstar airlines who were collectively servicing the Brisbane, Sydney and Melbourne markets.

Since then, WCA has added Skytrans and QANTAS mainline as airline partners and this financial year is likely to realise a new passenger numbers record, for the third consecutive year. Notably, this number will be almost double the passenger numbers celebrated in the corresponding period, 9 years earlier. The commencement of Jetstar's Adelaide service will be a significant contributor to WCA's ongoing recovery from the unfortunate demise of Bonza. In this regard, it is expected that the operational data retained from the Bonza

experience will be invaluable in attracting alternate airlines to reinstate their lost services. Additionally, WCA report that discussions with potential air service providers for two completely new domestic destinations continue to develop positively.

Airport Industry Management Support (AIMS) were appointed to develop the Whitsunday Coast Airport Master Plan 2024 'Master Plan 2024' to support and guide the development and expansion of WCA following significant growth in passenger numbers and aircraft traffic. The Master Plan 2024 review commenced with a significant stakeholder consultation process held between the 24th of July to 3rd September 2023.

Interested parties were invited to complete a survey, provide written submissions, or meet with the master planning facilitators at one of the public information sessions conducted in Proserpine, Cannonvale and Bowen. The facilitators also met face to face with key stakeholders on site and by phone.

The vision for WCA is to provide the residents of the Whitsunday region with a world class aviation facility focused on the future. With the key priority for long term growth of the airport into a commercial aviation precinct integrated into a road, rail and air transport and logistics hub. The WCA development will be built on the pillars of safety, sustainability and security.

## **DISCUSSION/CURRENT ISSUE**

The purpose of the Master Plan 2024 is to provide a detailed planning framework for the long-term development of the airport required to accommodate its' future growth.

The objectives of the 2024 Master Plan 2024 are to:

- Undertake a site analysis of key land use and facility opportunities and constraints;
- Undertake thorough review of legislative context, including planning and environmental contexts in relation to the WCA;
- Undertake forecasts for passenger, aircraft, and freight up to 2034;
- Present a preferred land use and precinct plan;
- Identify strategies to encourage growth in passenger numbers;
- Present strategies to increase and diversify revenue for the airport;
- Develop the airport as an international gateway to the Whitsundays Region; and
- Identify strengths, weaknesses, constraints, and opportunities for the airport in the short, medium, and long term.

The high growth forecast estimates WCA will be close to providing a million seats per annum in 10 years' time (2033/34 FY) through realising the following opportunities:

- Going to regular daily MEL and SYD services
  - Up gauging from A320 to A321NEO's on SYD, MEL and BNE
  - Negotiating the introduction of A220 and further E190 aircraft
  - The reinstatement of Newcastle, Sunshine and Gold Coast routes
  - The introduction of an additional 3 new domestic routes (including ADL in Sept 2024)
  - The introduction of narrow body international operations from July 2029

The Whitsunday Coast Airport Infrastructure Report 2024 'Infrastructure Report 2024' supplements the Master Plan 2024 by providing more detail on the opportunities and issues identified through the master planning process. It provides infrastructure-based solutions to issues categorised in an order of priority 1 – 3, with priority 1 issues being most urgent.

### **Priority 1 Works (Required urgently, advance planning undertaken)**

- Air transport Operation (ATO) apron expansion (tender documentation prepared)
- Terminal expansion works (concept design refined for cost estimate)
  - Check in.
  - Screening Points.
  - Departures hall.
  - Baggage Make up Area (BMA) extension.
- Sewerage Treatment Plant upgrade.
- Provision of fuel facilities.

### **Priority 2 Works (Recognises an issue and provides a concept solution).**

- Vehicle Access, Circulation and Parking focussed on:
  - GTO Operations and loop road.
  - Rental Cars.
  - Public Parking Areas.
  - Staff Parking Areas.
  - Site Preparation (expansion for parking plus accommodation precinct).
- Terminal expansion focussed on:
  - Baggage Make up Area (BMA) duplication.

### **Priority 3 Works (Required in time to meet demand, identified in yellow).**

- Terminal
  - International arrivals hall and processing areas
- Taxiways
  - Construction of dual and link taxiways (TWYS)

### **Other Works (concepts for discussion purposes)**

- Freight Distribution Centre expansion
- Corporate Apron construction
- General aviation expansion to the east

Where practical, cost estimates are provided for proposed works and the background to these estimates are detailed within the Infrastructure Plan.

All designs provided are conceptual but are detailed enough to allow high level cost estimates to have been prepared by the Cost Plan Group. Architectural and engineering design works to verify proof of concept and refine cost estimates are the next stage to progress to these works.

## **FINANCIAL IMPLICATIONS**

As WCA provides significant economic benefit to the Whitsunday Region and is a major tourism driver for Queensland and Australia, Council will be advocating and applying for grant funding from the State and Federal Government to assist in implementing the Master Plan 2024 and Infrastructure Report 2024.

## **CONSULTATION/ENGAGEMENT**

Glenn Robinson, Managing Director – Airport Industry Management Support  
Operations Manager - Whitsunday Coast Airport  
Manager Tourism, Aviation and Marine  
Stakeholders

## **STATUTORY/COMPLIANCE MATTERS**

All designs are conceptual and will be subject to architectural and engineering design therefore may differ slightly once those plans have been finalised.

The proposed development of WCA discussed in the Master Plan 2024 has been considered relative to Commonwealth, State, Regional and Local Government requirements including planning regimes, policies and applicable legislation and standards. This section has been consolidated (over the 2015 Plan) to include planning, environmental and economic considerations.

There are a number of strategic and statutory documents that either offer a planning perspective on WCA, or that require consideration during the assessment process of any proposed developments for on, or around, the WCA. The key documents are discussed within the Master Plan 2024.

## **RISK ASSESSMENT/DEADLINES**

Implementation of the Master Plan 2024 and Infrastructure Report 2024 are critical for the continued growth of the WCA. Once adopted Council can commence advocacy for grant funding.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Manage the aviation and tourism activities of the region as the gateway to the Whitsundays.

## **ATTACHMENTS**

1. 2024 MP Final Draft v 1.4 11092024 [**11.9.1** - 63 pages]
2. WCA 2024 Infrastructure Report FINAL DRAFT 02092024 [**11.9.2** - 41 pages]



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## Acknowledgement of Country

We pay respect to Elders past, present and emerging and acknowledge their ongoing relationship and connection to Country.

To acknowledge and show respect for our traditional owner groups' history, culture and our shared future, the Welcome to Country is conducted at all significant events.

Whitsunday Regional Council endorses the vision of a nation which values Aboriginal and Torres Strait islander heritage, cultures and peoples and recognises their distinct position as the original custodians of Australia.

Council's Mission is to make a sustainable future possible by building stronger relationships, mutual respect and encouraging cultural practices that strengthen and support harmony between Aboriginal and Torres Strait Islander peoples and the broader community within the Whitsunday Region.

Council values input and active participation from Aboriginal and Torres Strait Islander peoples into decision making.

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## Executive Summary

At the time of the July 2015 Master Plan release, the Whitsunday Coast Airport (WCA) had just celebrated a new financial year (FY) record of 281,003 passenger movements. It had achieved this milestone in partnership with Virgin and Jetstar airlines who were collectively servicing the Brisbane, Sydney and Melbourne markets.

Since then, the airport has added Skytrans and Qantas mainline as airline partners and this FY will realise a new passenger numbers record, for the second consecutive year. Notably, this number will be almost double the passenger numbers celebrated in the corresponding period, 9 years earlier.

Due to commence in September, JetStar's inaugural Adelaide service will be a significant contributor to WCA's ongoing recovery from the unfortunate demise of Bonza. In this regard, it is expected that the operational data retained from the Bonza experience will be invaluable in attracting alternate airlines to reinstate their lost services. Additionally, WCA report that discussions with potential air service providers for two completely new domestic destinations continue to develop positively.

This strategy to actively pursue new markets and grow capacity on established routes, (either through attracting increased frequency, or aircraft up-gauging) has been successfully demonstrated by WCA over recent years, and its continued success is anticipated in the high growth passenger forecasts.

The primary issue identified within this Master Plan is that WCA's existing infrastructure cannot accommodate even the low growth passenger forecasts moving forward. Proposed solutions to these issues are provided in the Infrastructure Report that supplements this Master Plan.

WCA's infrastructure provision requirements have been categorised into Priority 1, 2 and 3 works within the Infrastructure Report. Priority 1 works are required urgently and include the need to expand the air transport operation (ATO) apron as well as a significant terminal extension. 'For Construction' tender documentation was prepared and costed for the ATO apron expansion as part of the master planning process. A concept design for the terminal expansion was prepared to allow a high-level cost estimate by a quantity surveyor. Within that estimate is a budget allowance to further refine and finalise the terminal design concept. The proposed concept can be seen in the Infrastructure Report but note that this layout may change with further engineering and architectural input.

Priority 2 and 3 Works provide conceptual solutions for emerging issues. Priority 2 Works are primarily focussed on the landside (public, staff and rental car parking etc) and baggage make up area. Priority 3 works are primarily triggered by a commitment to commence international operations utilising the original STEA Option 5 international terminal design concept. Where appropriate costings for Priority 2 and 3 Works are provided in the Infrastructure Report.

Aside from the issues associated with growth, this Master Plan and its' associated Infrastructure Report also explore a range of development opportunities.

As in the 2015 Master Plan the development of a multimodal freight hub is discussed in the context of a fully developed Freight Distribution Centre (FDC). A new Corporate Apron development concept is explored to cater for future vertical take-off and landing (VTOL) aircraft such as drone taxis, as well as handling corporate jet and dedicated freight aircraft.





Vehicle access, circulation and parking was closely reviewed with a new design concept provided that in time could be implemented to separate ground transport operations from public, increase the number of parking bays across the board and introduce premium parking options including rental car premium ready bays. A proposed new airport loop road will not only improve traffic circulation but will provide access to a newly identified accommodation precinct that if pursued, could become a solution to the decreasing bed night availability in the region.

Wherever possible the works proposed have been designed to reduce the airports carbon footprint through initiatives such as recycling the closed runway pavement to backfill for the new aprons, exclusive use of LED airfield ground lighting and allowing for solar panels on all the proposed covered walkways and new roof lines.

The WCA is in some ways a victim of its own success when it comes to having to deal with the significant growth of the last 3 years. However, the demise of Bonza does present an opportunity to take advantage of a temporary lull in aircraft operations and progress the infrastructure works required for the airport to maintain its capability for growing visitation to the region.

FINAL DRAFT



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## VERSION CONTROL

| No. | Description                                                       | Prepared by    | Reviewed by    | Date       |
|-----|-------------------------------------------------------------------|----------------|----------------|------------|
| 1.0 | Working Draft                                                     | Glenn Robinson | WCA Staff      | 31/01/2024 |
| 1.1 | Working Draft Updated                                             | Glenn Robinson | WRC (Internal) | 16/02/2024 |
| 1.2 | Working Draft Updated<br>(Brue Hwy Lascelles Ave<br>intersection) | Glenn Robinson |                | 28/02/2024 |
| 1.3 | Final Working Draft                                               | Glenn Robinson | WCA            | 09/08/2024 |
|     |                                                                   |                |                |            |

## 1. Overview

The Whitsunday Coast Airport (IATA Code: PPP, ICAO Code: YBPN) is located approximately 15km southwest of Proserpine, in the Whitsundays Region of Queensland. The airport lies 4.5km west of the Bruce Highway and is accessed from Lascelles Avenue (Sir Reginald Ansett Drive). The airport is within the Whitsunday Regional Council area and is one of the main access points for the region.

The airport is currently serviced by up to 12 air transport operations (ATO) per day from its partner airlines Jetstar, Qantas, Skytrans and Virgin Australia to destinations including Brisbane, Melbourne, Sydney and Cairns, with direct Adelaide flights confirmed for commencement in September 2024.

Users of the facility include those flying for business and locals, but the significant majority are leisure travellers visiting this unique and inspirational tourism destination.

The airport established a new annual passenger number record in the 2022/23 financial year (FY) and since 2017 has received 10 aviation or tourism industry awards for its various contributions to the Whitsundays region.

### 1.1 Purpose Of This Master Plan

The purpose of this Master Plan is to provide a detailed planning framework for the long-term development of the airport required to accommodate its' future growth.

### 1.2 Master Plan Objectives

The objectives of this Master Plan are to:

- Undertake a site analysis of key land use and facility opportunities and constraints;
- Undertake thorough review of legislative context, including planning and environmental contexts in relation to the WCA.
- Undertake forecasts for passenger, aircraft, and freight up to 2034
- Present a preferred land use and precinct plan
- Identify strategies to encourage growth in passenger numbers;
- Present strategies to increase and diversify revenue for the airport;
- Develop the airport as an international gateway to the Whitsundays Region; and
- Identify strengths, weaknesses, constraints, and opportunities for the airport in the short, medium, and long term.

### 1.3 Methodology And Consultation

#### 1.3.1.1 Methodology

As required by the scope, this review followed the methodology of the 2015 Master Plan which was based on the Australian Airport Associations Master Planning guidelines.



#### **1.3.1.2 Consultation**

This Master Plan review commenced with a significant stakeholder consultation process held between the 24th July to 3rd September 2023.

Interested parties were invited to complete a survey, provide written submissions, or meet with the master planning facilitators at one of the public information sessions conducted in Proserpine, Cannonvale and Bowen. The facilitators also met face to face with key stakeholders on site and by phone.

Communication tools to raise awareness of the consultation period included:

- Newspaper advertisement via newspaper public notices (2)
- Direct email to key stakeholders and Yoursay members
- Social media posts on WRC platforms (2)
- A3 Posters with QR code linking to survey at the Airport
- Project page and fact sheet on our Online Engagement Portal - Yoursay Whitsunday.

### **1.4 Airport Vision And Objectives**

The adopted Vision and Objectives for the Whitsunday Coast Airport are as follows.

#### **1.4.1 Vision**

The Vision for the Whitsundays Coast Airport is to provide the residents of the Whitsunday region with a world class aviation facility focused on the future. With the key priority for long term growth of the airport into a commercial aviation precinct integrated into a road, rail and air transport and logistics hub. The Airport development will be built on the pillars of safety, sustainability and security.

#### **1.4.2 Objectives**

The objectives for the Whitsunday Coast Airport are to:

1. Be an airport with the capacity for increased tourism;
2. Have capacity to facilitate new routes for economic drivers of the area – tourism, natural resources, local business as well as accommodate the local regions needs for its own visitors;
3. Be at the forefront of future mining projects in the region;
4. Implement new freight services to increase export of local produce nationally/internationally; and
5. Establish a first class facility with a long term, sustainable future

#### **1.4.3 Implementation of the Master Plan**

The key attachment for this Master Plan is the accompanying Infrastructure Report.

The Infrastructure Report has been compiled to bring together all the infrastructure developments identified throughout this planning process and to discuss timing, design options and delivery.

## 2. Airport Context

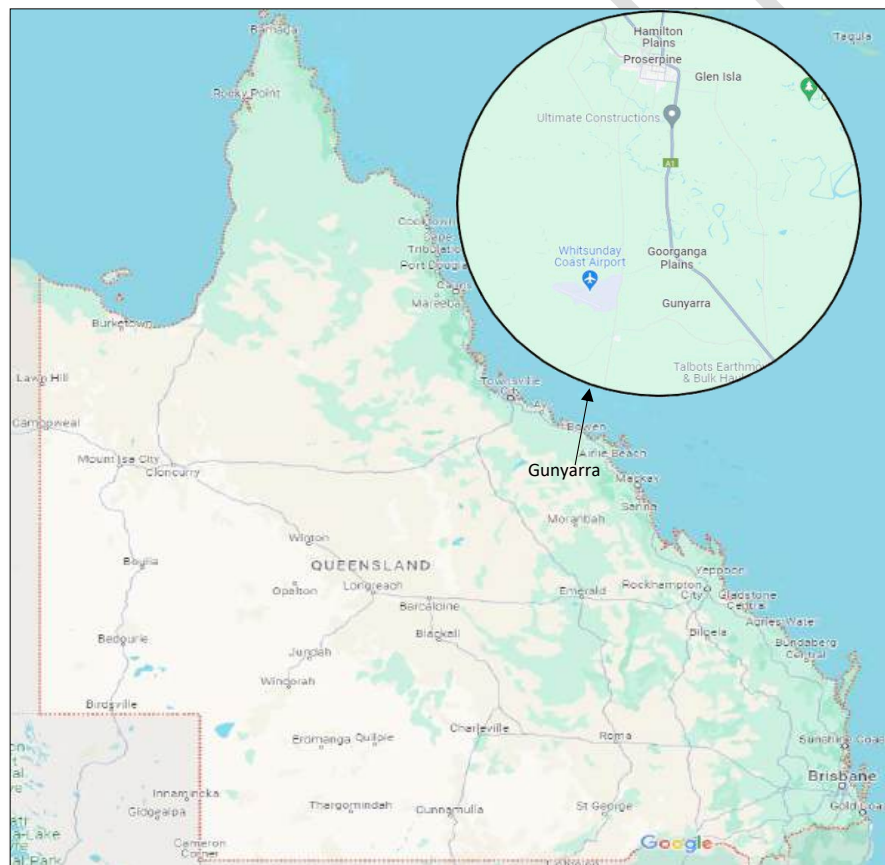
### 2.1 Location

The Whitsunday Region has a population of around 36,000 residents spread across the four areas of Bowen, Collinsville, Proserpine and Airlie Beach – Cannonvale.

The Whitsunday Coast Airport (WCA) is located in Gunyarra, approximately 14km south of the Town of Proserpine, 30km southwest of Airlie Beach and 70km south of Bowen. The region is approximately 1,000km north of Brisbane and 600km south of Cairns.

It is owned and operated by the Whitsunday Regional Council as a prescribed business activity.

Figure 1: Location of Whitsunday Coast Airport





## 2.2 Regional Significance

The WCA is strategically located between Brisbane and Cairns and is a critical gateway to the Whitsunday region. This is most clearly demonstrated through the 477k passengers that passed through the WCA in the 2022/23 FY.

In recent years the airport has strategically adopted a proactive approach to driving the economic growth of the region, leveraging off strong airline relationships to open new destinations and increase capacity on existing routes. These efforts have been recognised through the awarding of no less than 10 major tourism and / or aviation awards since 2017.

The Queensland Department of Infrastructure has identified in the document, “Economic Directions Statement – Queensland Airports” that the WCA is an airport of economic significance to the state for reasons identified as passenger movements, tourism impacts and ongoing expansion plans, (the latter is discussed throughout this Master Plan).

The airport is committed through its Objectives to continue to drive economic growth in the Whitsundays region, supporting the key industries of tourism, agriculture and natural resources.

Adoption of additional concepts in this Master Plan, such as further development of the Freight Distribution Centre (FDC) and the introduction of a new accommodation precinct will ensure the airport continues to grow in significance for the region it serves.

### 2.2.1 Tourism

Tourism as a collective industry provides an estimated \$1.588B annually to the Whitsundays economy and is the largest employer in the region.

The WCA is primarily a leisure airport and is a significant contributor to tourism in the Whitsunday region. It does this not just through the facilitation of air services and the creation of supporting jobs, but also through its investment in marketing the region, providing representation at travel shows and industry gatherings and its active pursuit of new destination pairings.

These efforts led to the airports record-breaking passenger numbers last FY and the passenger forecasts within this master plan indicate that record will be broken again in the 2023/24 FY.

### 2.2.2 Agriculture

The Whitsunday Region is the largest winter growing region in Australia with 2.13m hectares allocated to agriculture.

Agricultural industry in the Whitsundays is estimated to be worth \$974M annually derived from:

- Grazing (\$130m)
- Horticulture (\$650m)
- Aquaculture (\$74m) and
- Sugar cane (\$120m)

The Whitsunday Coast Airport services the agriculture sector by facilitating reliable air access for business travellers; and for freight via the WCA Freight Distribution Centre.



### **2.2.3 Natural Resources**

The QCOAL Group has a number of currently active hard coking and thermal coal mines just to the south of Collinsville and the North Queensland Export Terminal is located 25kms north of Bowen.

Collectively, mining in the Whitsundays region contributes an estimated \$1.3B to the region's economy through the production of c9m tonnes of coal.

The Whitsunday Coast Airport plays a critical role in facilitating reliable air access to and from the region for mining sector workers and freight.

## **2.3 Relationship To Other Airports In The Region**

There are several airports in the region, and these are discussed following.

### **2.3.1 Air Transport Operation (ATO) Airports**

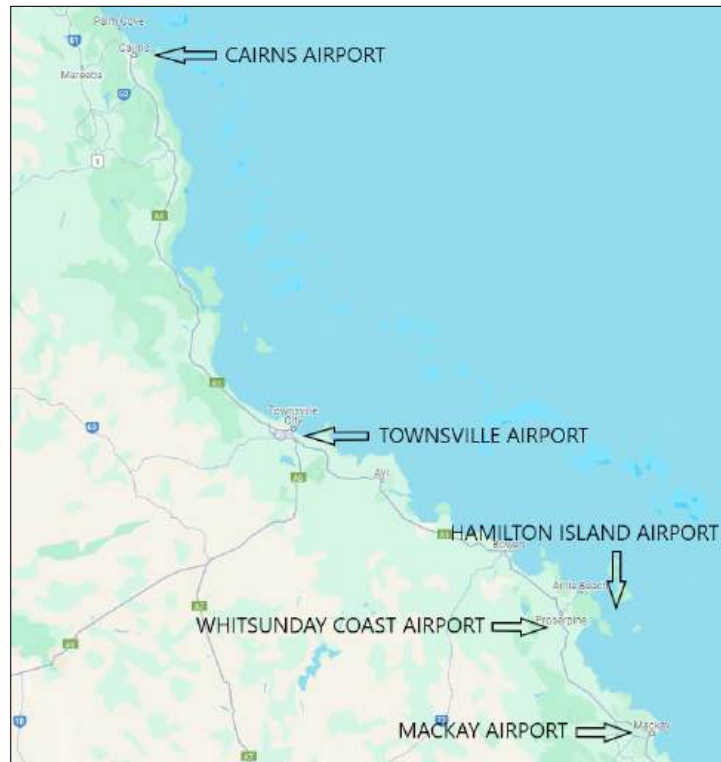
WCA is positioned in a highly competitive situation with three domestic airports, Mackay, Hamilton Island and WCA being located within 20 minutes flying time of each other.

All 3 airports have runways that are 45m wide and each currently accommodate Code 4C aircraft, including the Airbus A320 and Boeing 737 800 type aircraft. At 2,073 metres long WCA has a slight edge in length over Hamilton Island at 1,766m and Mackay at 1,981m.

From a perspective of competitive tensions, WCA and Hamilton Island Airport primarily compete for leisure travellers arriving by air into to the region, while Mackay and WCA both have plans for multi model freight hubs and accommodation precincts. The distinct advantage WCA has in the region is over 430 hectares of flat land suitable for development and with very few neighbours potentially subjected to the impacts of aircraft noise. WCA management maintain the stance that strong competition in aviation is beneficial to the entire region.

Townsville and Cairns Airports are 230kms and 490kms respectively, as the crow flies, to the north. At this point in time Cairns is the only relatively close airport with international ATO operations. Skytrans provide a direct air service from Cairns.

Figure 2: Relative location of other ATO airports in the region.



### 2.3.2 Other WRC Airports

WRC also owns or operates three other airports in the region at;

- Bowen (1hrs drive from WCA)
- Collinsville (2hrs drive from WCA) &
- Mount Coolon (3.25hrs drive from WCA) is owned by the State Government and currently maintained by WRC.

These are shown on the following map.

Figure 3: Relative location of the four WRC airports



The team based at WCA have overarching responsibility for the safe and compliant operations of all WRC airports and Mount Coolon Airstrip. WCA staff inspect, maintain and provide ARO and/or WSO services for these airports.

(i) Bowen Aerodrome

Bowen Aerodrome transitioned from registered to certified status in 2022. It has two lit runways, 04/22 (chip sealed) & 12/30 (gravel).

The airport predominately serves agricultural and aeromedevac flight operations with no air transport operations (ATO's) and none planned.

A Land Use and Development Plan was prepared for Bowen Airport in 2017. The plan recognises the airport's strengths as its location within the Whitsundays and relative to the township of Bowen. Its opportunities were identified as ideally positioned to support future resource related projects in the region and the development of its land for commercial use.

Where practical, any development proposed for Bowen Aerodrome should be considered to ensure it is complimentary to the commercial strategy and operational plan of the WCA.



Similarly, Bowen Aerodrome should always be considered as a possible alternative location when new general aviation related developments are proposed for WCA. Bowen Aerodrome has some aspects that could be considered benefits over WCA, such as a lack of air traffic (including air transport operations) and closer access to a larger town. Importantly, any further development at Bowen would assist in helping the aerodrome reach cost neutrality in its own right.

(ii) Collinsville Aerodrome

Collinsville is a non-certified aerodrome with a 1400m long gravel RWY, located 6km from the township of Collinsville. It services aeromedevac operations for the region and also caters for mining flight charters.

The installation of a new fauna proof fence early in 2024 has improved safety for nighttime operations (primarily aeromedevac) and removed the need for out of hours call outs for ad hoc night operations.

It is expected that an upgrade of the RWY to chip seal and aerodrome ground lighting will take place late in 2024.

(iii) Mount Coolon Aerodrome

Mount Coolon is a non-certified aerodrome located just west of the Mount Coolon Hotel. It is an invaluable facility for aeromedical evacuations for the local community. It is owned by the State Government and maintained by Whitsunday Regional Council through the WCA team.

## 2.4 Ownership And Management

The WCA is wholly owned by the Whitsunday Regional Council.

Additional sub-leaseholders are:

- Viva Fuel
- IOR (Fuel service provider)
- W & P Hinton
- Whitsunday Aero Club
- RSE Investments
- Heli-Engineering Pty Ltd
- BOM
- Taste of Whitsundays
- Gifts Whitsundays
- Optus
- Air Services Australia

## 2.5 Airport Stakeholders

The WCA maintains several Stakeholder contact lists that include:

- Aviation Industry Participants (AIPs)
- Regulatory Bodies
- Regional, State and Federal contacts and
- Leaseholders

The WCA Aviation Industry Participants (AIP's) group meets regularly to discuss airport-related matters. Details can be found in the Aerodrome Manual.

FINAL DRAFT

## 3. Site Analysis

### 3.1 Airport Site

The airport site is within the jurisdiction of the Whitsunday Regional Council (WRC). The site outlined in red in Figure 4 below, identifies the airport site boundaries.

Site specific details are provided in Table 1 following.

*Table 1: Site specific detail for WCA.*

| Lot on Plan  | Area (ha) | Road Details     | Tenure                                    |
|--------------|-----------|------------------|-------------------------------------------|
| 50 HR 808298 | 434.90    | Lascelles Avenue | Reserve (for landing ground for aircraft) |

*Figure 4: Airport site and boundary (Supplied by WRC)*



The following plan identifies the airside and landside boundaries within the airport site (the light green is airside, dark green landside).



Figure 5: Airport Site – landside and airside (TAG)

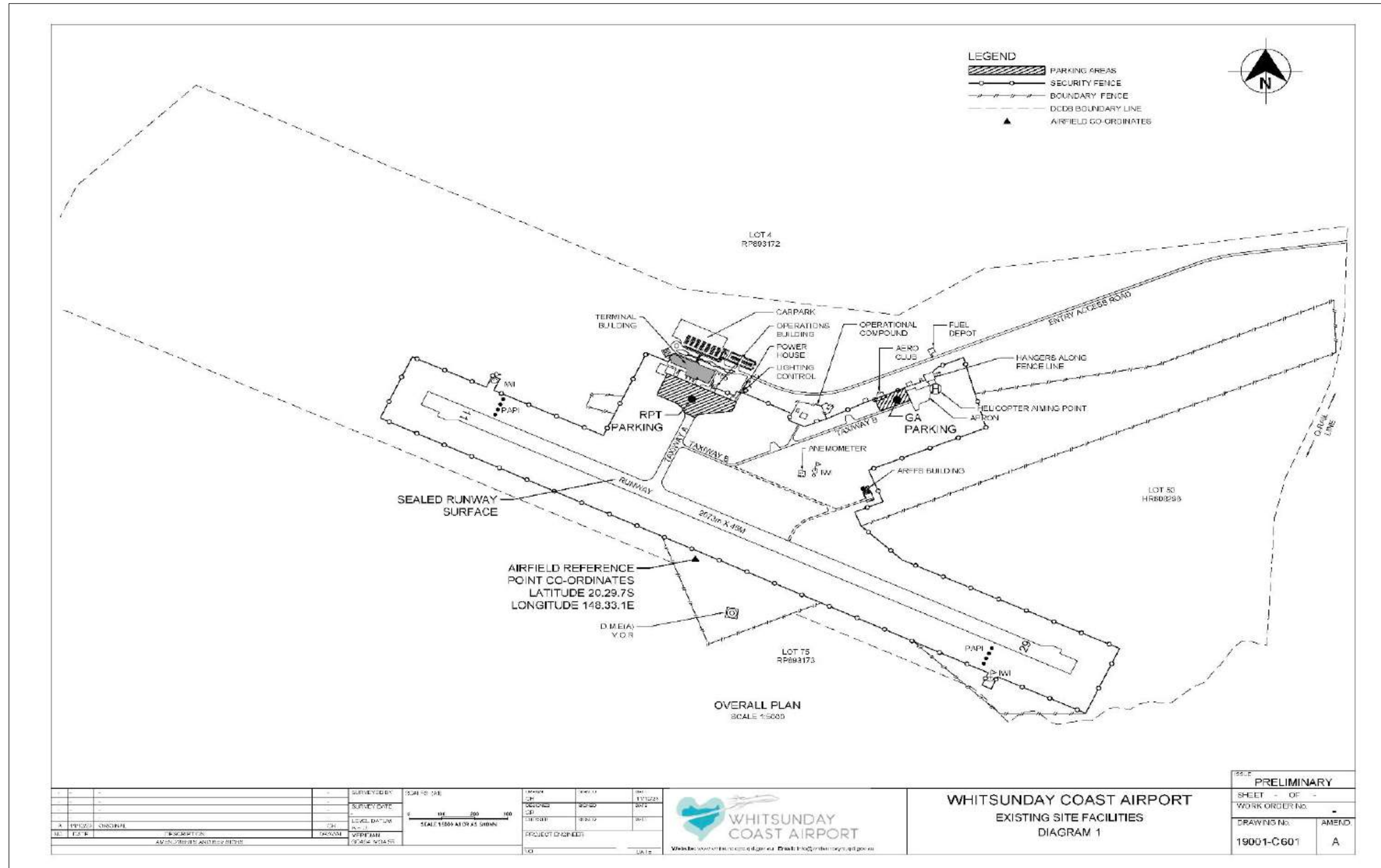


### 3.2 Existing Site Facilities Summary

Existing site facilities at WCA are identified in Figure 6 that follows.



Figure 6: Existing airport site facilities (A3 size)



### 3.3 Surrounding Land & Tenure

#### Surrounding land.

The land surrounding the airport site is owned by a range of private and public stakeholders, including:

- Dray & Others (private);
- Cox (private);
- Willmar Sugar (company);
- Queensland Rail;
- Whitsunday Regional Council; and
- Crown land.

The location of the airport provides an ideal situation for possible future development. The site is surrounded by flat rural land which is undeveloped with very few neighbours in residence. The Bruce Highway and existing railway line located on the airport boundary provide excellent connectivity possibilities.

The land to the northeast between the airport and Bruce Highway is currently used by the Whitsunday Moto Sports Club at the Whitsunday Raceway and Dirt Riders Club operating Motocross racing from Dray's Park Racetrack. These are compatible use's that have no detrimental impact on airport operations.

#### Tenure.

The WCA surrounds are within a range of tenures. The airport site itself and a small parcel on the east of the site is a 'reserve' tenure. Land to the northeast and some land to the west is 'Lands lease'. There is a small parcel of land which is State Government owned, and the predominant tenure surrounding the airport is 'freehold'.

### 3.4 Contours And Topography

The airport site is generally very flat, grading down gently towards a creek along the southeast property boundary (Deadman Creek) and another small creek crossing the airport property beyond the north end of the runway. Contours of the site can be seen in Figure 7.

Figure 7: Site contours



With consideration of the significant rainfall experienced in the wet season, it is practical that before any significant civil works take place at WCA, a thorough investigation of the hydrology impacts be undertaken.

### 3.5 Existing Airside Infrastructure And Facilities

#### 3.5.1 Pavements

With the single exception of TWY B and the GA apron it serves, all the pavements at WCA underwent major rehabilitation in 2017.

The design traffic loading adopted for the 2017 pavement design was assumed to be:

- B737/A320 at 4 flights per day
- A330/300 at 1 flight per week

The following pavement design was utilised.

- 100mm asphalt though the central 27 m of runway width, tapered to 60 mm at the shoulders.
- 250mm foamed bitumen stabilised base, assigned a modulus of 800 MPa.
- Residual (nominal 100-150 mm) of existing granular uncrushed aggregate.
- CBR 15, modelled as a modulus of 150 MPa.

Both the granular base course and the asphalt surfacing layers were refurbished with the resulting specifications now published in the ERSA; PCN 53/F/B/1400 (203PSI)/T Grooved. It is noted that with the change to ACR/PCR pavement strength rating system coming in in November 2024 the new ERSA entry will read PCR F/A/420/1575/T (assuming the proposed new design aircraft is adopted).

In a recent Pavement Inspection Report (15/08/2023), Kamen Engineering determined the pavements to be generally in very good condition. The report advises that there is an element of surface distress apparent (cracking) that requires ongoing monitoring and continued treatment with a bitumen-based sealant.



In addition, some deformation (wheel rutting) was apparent on the apron and as a result the Report supports WCA plans for an asphalt resurfacing treatment to take place in 2026FY.

With regards to TWY B, this Master Plan review investigated a variety of concepts that considered upgrading of TWY B from Code A to Code B or C. Regardless of these concepts a reseal of TWY B pavements should be planned for within the next two years (2027).

Pavements are discussed at length in the Infrastructure Report at Attachment A.

### 3.5.2 Runway 11/29

- RWY 11/29 at WCA is 2,073m long x 45m wide.
- It is a Code 4 instrument non-precision approach (INPA) RWY.
- A crown exists at the centre of the runway with a negative transverse slope to both edges.
- RWY 11/29 has 3 metre RWY shoulders provided.
- The runway strip (RWS) is 2193m long and maintained at 150m wide. (this non-conformance has been grandfathered in the Aerodrome Manual as the new MOS dimension requires 280m width)
- A 60m clearway is provided at each end within the RWY, as required
- 90m x 90m runway end safety areas (RESA) have been provided at both ends with insufficient space within the existing boundary fence to provide the MOS preferred length of 240m.

### 3.5.3 Taxiways

There are 2 existing taxiways (TWY's) at WCA.

#### (i) TWY A

TWY A is a perpendicular (to RWY 11/29) TWY linking the RWY to the ATO apron.

- TWY is 23m wide and is suitable for all aircraft with an OMGWS of 6m to <9m (this covers all existing aircraft types in service plus the A321 NEO).
- TWY A has 3.5m sealed shoulders which doesn't meet the total width requirement of 34m for Code D aircraft under the new MOS requirement and this has been grandfathered. Note: there are no longer Code D aircraft operating in Australia and TWY A meets all specifications for Code C aircraft.
- TWY A has a graded taxiway strip (TWS) of 37m and overall width of 74m

#### (ii) TWY B

TWY B exits off TWY A to provide access for general aviation aircraft to the general aviation (GA) aprons and lease hold areas.

- TWY B is a Code A TWY and is suitable for all aircraft with an OMGWS of up to 4.5m.
- Traffic is restricted to weight below 5700kg
- Its surface consists of coarse textured, aged and brittle bituminous spray chip seal.



- No shoulders are provided nor are they required.
- TWY B has a TWS of 31m and a graded width of 20.5m's as required for Code A.
- It is not lit.

### 3.5.4 Aprons

There are 3 existing aprons at WCA including the grass GA apron, the sealed GA apron (both at the northern end of TWY B) and the ATO apron.

#### (i) ATO Apron.

The ATO apron has 4 parking bays capable of accommodating Code C aircraft.

- Bay 1 use for aircraft parking is restricted due to its truncated design.
- This truncated design also impeded aircraft refueller vehicle access until a temporary concrete slab was recently laid.
- A situation where there are no aircraft parking bays available for arriving ATO aircraft is occurring regularly at WCA

This Master Plan proposes an expansion of the ATO apron as Priority 1 works in the Infrastructure Report.

#### (ii) GA Grass Apron

The GA grass apron is located off TWY B near the Aeroclub and is used by itinerant GA traffic as well as local users. There are no tie downs provided.

#### (iii) GA Sealed Apron

The sealed GA apron is located at the very northern end of TWY B.

- Its current location prevents the easy continuation of TWY B further to the north which would allow access to currently undeveloped land in that area
- Due to its limited size it is used almost exclusively by local operators and tenants.

### 3.5.5 Airfield Ground Lighting

The airfield ground lighting (AGL) and control systems at WCA were completely updated in 2015.

RWY 11/29, TWY A and the ATO apron are lit and the AGL lighting systems provided include:

- RWY edge lighting at 60m spacings
- Turning node
- Threshold / RWY end
- Precision approach path indicators (PAPI) single sided, both approaches
- RWY threshold identification lights (RTILS) on both approaches
- Green centreline TWY lighting
- Holding position



- Apron edge
- Apron lighting (4 poles, 8 LED lamps at terminal front) is connected to the PAL with manual switching possible from the lighting control room.
- A primary and two secondary wind indicators are illuminated.

Additionally,

- A pilot activated lighting (PAL) system is provided (located in the lighting control room) and operates on frequency 126.7 MHz.
- Standby power for the AGL is provided by a dedicated generator.
- No aerodrome beacon is provided (nor is one required) and no hazard lights are required.

### 3.5.6 Illuminated Wind Indicators (IWI)

The primary IWI and accompanying signal circle are located on the northern side of RWY 11/29.

Secondary windsocks are provided at each threshold and are illuminated for nighttime use.

### 3.5.7 Markers and Markings

The RWY, TWY's and ATO apron are all marked in accordance with the MOS.

- The grounds maintenance crew have an established maintenance program for refurbishment of markings

## 3.6 Summary Of Aviation Traffic

### 3.6.1 Airline Partners and Routes flown

WCA currently has four partner airlines servicing eight different routes.

Table 2: Airline partners and routes flown

| No. | Airline Partner  | Routes               | Destination                                                                                                                                   |
|-----|------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Jetstar          | 1.<br>2.<br>3.<br>4. | <ul style="list-style-type: none"> <li>• Brisbane</li> <li>• Melbourne</li> <li>• Sydney</li> <li>• Adelaide (from September 2024)</li> </ul> |
| 2.  | Qantas           |                      | <ul style="list-style-type: none"> <li>• Brisbane</li> </ul>                                                                                  |
| 3.  | Skytrans         | 5.                   | <ul style="list-style-type: none"> <li>• Cairns</li> </ul>                                                                                    |
| 4.  | Virgin Australia |                      | <ul style="list-style-type: none"> <li>• Brisbane</li> </ul>                                                                                  |

At the time of writing WCA are actively pursuing additional routes with potential airline partners.



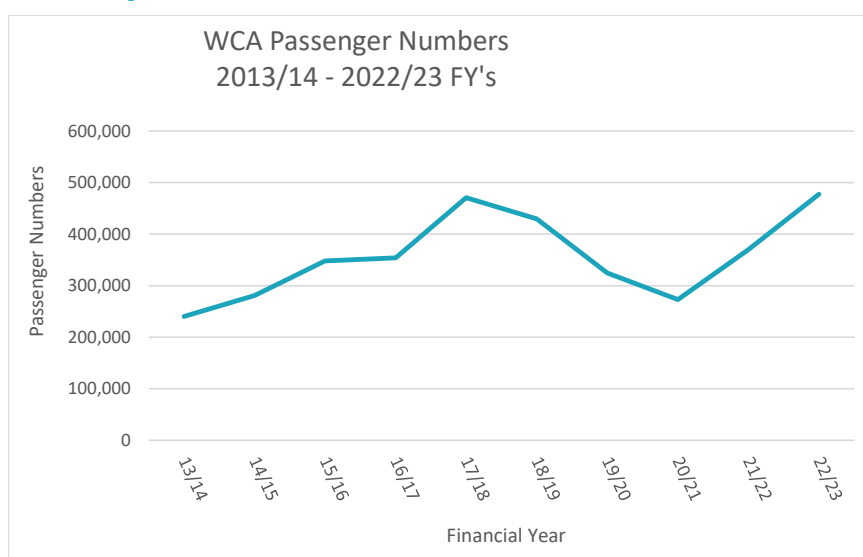
### 3.6.2 Passenger numbers (Historical)

WCA passenger numbers were comparatively strong (to other Australian airports) right through the COVID period and its recovery has been impressive.

2022/23 set all-time passenger numbers record for the airport at 477,490 and it is readily apparent that the 24FY will also hit a new record high.

The following chart shows passenger numbers from 2014FY to 2023FY.

Figure 8: WCA Passenger Numbers 2013/14 – 2022/23



Passenger forecasting over the next 10 years is provided at Section 5 – Forecasts.

#### 3.6.2.1 ATO Aircraft Movements

For clarity, an aircraft movement is considered either a landing, or a departure.

The following table demonstrates the significant growth the airport has experienced in ATO movement numbers.

Table 3: Comparison of aircraft movement numbers

| No | Aircraft Movements | Historical (2014) | Pre-COVID (2019) | Current                        |
|----|--------------------|-------------------|------------------|--------------------------------|
| 1. | Busiest day/s:     | 4                 | 8                | 12 (Mon, Thurs, Sat and Sun's) |
| 2. | Busiest week:      | 38                | 56               | 106 (Jan 24) confirmed sked    |
| 3. | Avg / month:       | 166               | 248              | 427 (Apr 23)                   |
| 4. | Avg / annum:       | 1995              | 2978             | 4040 (Oct 23 YTD)              |

While this growth has brought with it significant economic benefits to the region, it is also responsible for the current congestion issues being experienced in the terminal and on the apron.





### 3.6.3 Other Aircraft Operations

The WCA plays a critical role in facilitating other aircraft movements. Having recently introduced Avgas the airport is now servicing itinerant aircraft than would have otherwise overflowed.

Other regular aircraft operations include,

- helicopter movements (both private and commercial operations)
- Aeromedical evacuations
- Scenic flights by local tenants
- Military operations
- Itinerant GA movements (light aircraft)
- Itinerant GA movements (corporate jet)

Figure 15 General Aviation Landings at WCA shows there were almost 4,500 GA landings in FY23.

## 3.7 Aviation Support Facilities

WCA has a number of facilities that are provided to enhance operations and safety at the airport.

### 3.7.1 Aircraft Fuelling Facilities

Avgas is provided by IOR in a self-contained, self-service unit located adjacent to the general aviation apron at the end of TWY B. The unit holds up to 40kl's of Avgas.

VIVA has a fuel depot which is located somewhat inefficiently on the north side of Lascelles Avenue. There is on-site storage for up to 85,000 litres of Jet A1 fuel delivered via a 27,000 litre capacity truck.

During the preparation of this plan IOR had also successfully tendered to provide JetA1 at WCA and were in the process of planning a new fuel depot and transfer point.

The new fuel depot site is identified in the Infrastructure Report at Attachment A.

### 3.7.2 Weather Information System

The Bureau of Meteorology provides an automated weather information service (AWIS) at WCA.

One-minute automated weather information is relayed via:

- VHF on frequency 126.25 MHz at WCA or
- phone on 07 3564 3732

The base station used for broadcasting on VHF is owned and maintained by WCA.

### 3.7.3 Aviation Rescue Fire Fighting Services (ARFFS)

A new ARFFS Station was established at the airport in 2020 providing invaluable first response capability for emergencies at the airport.





The station is crewed by a Fire Commander and 4x fire fighters utilising 2x Ultra Large Fire Vehicles (Mk8 Panthers).

### **3.7.4 Air Traffic Control and airspace.**

The airspace at the WCA is not controlled at this time and no air traffic control (ATC) service is provided.

CASA conducted reviews of WCA airspace in July 2018 and again in 2023. While the results of the 2023 review are still to be published, discussions with the regulator indicate that while it is coming, there are no immediate plans to introduce ATC at the WCA.

While traditional air traffic control towers have been made from bricks and mortar there is a move happening towards remote towers (r-TWR) that are remotely controlled and operated. Adoption of this technology is happening faster in Europe and the USA than it is in Australia, but the benefits are significant, including reduced set up and maintenance costs with no apparent loss in safety outcomes. WCA have indicated that they would like to partner with Airservices Australia to become an early adopter of this technology, such as is planned at the new Western Sydney Airport

From WCA's perspective Airservices Australia have implied that WRC would need to provide the key internet and electrical feeds and redundancy. This Master Plan identifies land for both the traditional tower and remote tower location.

### **3.7.5 Navigation, landing and approach aids.**

Navigation aids are provided and maintained by Airservices Australia under the Airservices Australia Act.

- The WCA has a VHF Omni-directional Range (VOR) radio navigation device which operates on VHF frequency 113.7. It is positioned on S 20 29.8 (Lat) E 148 33.2 (Long).
- Airservices Australia also maintain Distance Measuring Equipment (DME) at WCA. The DME operates on 113.5/84X and is co-located with the VOR.
- Airservices have published DME or GNSS, VOR and RNP approaches for both RWY thresholds at WCA.

**Note:** Airservices have de-commissioned their non-Directional Beacon (NDB) since the 2015 Master Plan was written.

There are no landing aids such as an Instrument Landing System (ILS), at the WCA. Any proposal to install an ILS would need to be assessed against the significant purchase and maintenance (flight testing) costs vs the number of actual flight cancellations attributed to weather. In anticipation of this WCA are recording all flight delay and cancellations for future referral and consideration.

### **3.7.6 Security Screening**

Whitsunday Regional Council are the screening authority at the WCA with passenger and checked baggage screening contracted to a service provider, by tender.

There is a single screening lane for passengers and checked baggage is cleared via a multiview EDS x-ray integrated into the baggage conveyor system and overseen by a screening officer. Historically, the screening point can be afflicted by long queues although this has been improved with operational and layout changes.

Advice from Smiths Detection (provider of the screening point equipment) is that an efficient single lane screening point can service up to 1m passengers per annum before a second lane is required, noting that there is room for a second lane at the WCA screening point.

At a leisure port such as the WCA the decision to introduce a second lane would be made in consideration of the additional costs vs maintaining a positive passenger experience. The IATA level of service guidelines suggest the optimal wait time for screening is 5-10 minutes.

The WCA also has additional screening equipment utilised at the Freight Distribution Centre (FDC) for clearing cargo under their Regulated Air Cargo Agent (RACA). WCA provide their own screening service for cargo clearing.

Note that any proposed expansion of the terminal that includes the sterile area will have operational and cost impacts for the screening service provider. It is suggested that the screening service provider is included early in discussion of proposed departures hall expansion.

### 3.8 Existing Landside Facilities

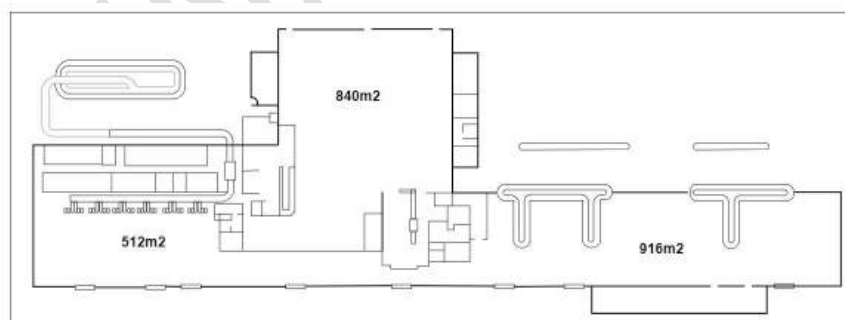
#### 3.8.1 Terminal

A \$15m expansion of the WCA terminal was completed in late 2019. The terminal was essentially doubled in size to allow it to cater for 2x simultaneous Code C aircraft operations and a busy hour or peak hour passengers (PHP) number of 406.

Existing terminal dimensions include:

|                          |                   |
|--------------------------|-------------------|
| Departures Hall:         | 840m <sup>2</sup> |
| Check in area:           | 512m <sup>2</sup> |
| Baggage collection area: | 916m <sup>2</sup> |

Figure 9: Key WCA Terminal areas by square metre



The terminal also provides other critical facilities required including:

- Passenger and checked baggage screening areas (single lane)
- Screening offices and private search facilities
- 12x check in counters

- Food and beverage restaurant
- 9x Arrivals area booths (three are vacant the rest leased to rental car and GTO operators).
- 3x airline offices (2 occupied)
- 1x retail outlet for local souvenirs

Despite the 2019 being anticipated as a 10-year build, given the recent significant growth in passenger numbers, the terminal is once again at maximum capacity and further expansion is required.

This is discussed in length in the Infrastructure Report.

### **3.8.2 Rental Car Operations**

There are 5 rental car operators at WCA:

- Avis / Budget Group
- Hertz
- Thrifty
- Dollar
- Europcar

Each business operates under a lease agreement giving them access to one or all of:

- Parking bays
- Terminal booths
- Vehicle storage areas
- Maintenance sheds (located within the hire car park)

There is currently inadequate area formalised for use by rental car agencies and additional area/facilities have been proposed in the Infrastructure Report.

### **3.8.3 Car Parking**

#### **(i) Public parking**

The public car park is currently adequate only ever approaching capacity over long weekends and school holidays.

It is approximately 11,000m<sup>2</sup> in size with approximately 350 parking bays (not all are marked). There is an electronic boom gate entry (single lane) and dual boom gate exits. The current fees for parking are as follows:



Table 4: Current WCA car parking fees.

| Time                          | Parking Fee |
|-------------------------------|-------------|
| 0 - 30 Minute                 | Free        |
| 30 minutes – 2 hours          | \$6.50      |
| 2 – 8 hours                   | \$13.00     |
| 8 - 30 hours                  | \$24.00     |
| Each 24 hours thereafter      | \$22.00     |
| Annual Corporate Parking Card | \$2,040.00  |

No separate long-term or premium parking options are provided.

(ii) Staff parking

All airport staff currently park at the eastern end of the terminal. There are 20 sealed parking spots but room for approximately 80 more vehicles utilising the unmarked grass and gravel bays. Additional car parking will be required as the staff numbers continue to grow and it is anticipated that a new parking area will be required in the med term. This has been proposed as Priority 2 works, likely to be undertaken in the next 4 years.

Staff parking is currently free of charge, and this may lead to fringe benefit tax (FBT) implications. An alternative site with boom gate access is proposed in the Infrastructure Report.

(iii) Rental Car parking

The dedicated hire car parking area on the north side of Lascelles Avenue (opposite the staff parking area) has 99 bays, all of which are leased to the various hire car operators.

It has a boom gate entry and exit and there are 4 maintenance sheds on site.

The existing hire car park is inadequate in size to hold the existing number of rental cars, requiring excess vehicles to be parked in various grass areas around the airport. There have been concerns raised about the appropriateness of the grey water disposal methodology provided at the wash bay sheds. Alternative rental car parking arrangements are conceptualized in the Infrastructure Report.

### 3.8.4 Ground Transport Operators

As primarily a leisure destination, ground transport operators (GTO) play a critical role in the passenger's transition between air and road transport modes.

Following are the registered GTO number's for the 23/24 FY.



Table 5: Registered GTO vehicle type and numbers

| GTO Type             | Number    |
|----------------------|-----------|
| Maxi Taxi            | 9         |
| Taxi                 | 15        |
| Mini-van             | 20        |
| Mini bus and trailer | 12        |
| Vehicles             | 7         |
| Coach                | 5         |
| <b>Total</b>         | <b>68</b> |

There are currently available:

Table 6: Existing parking bay type and number

| Parking bay type     | Number       |
|----------------------|--------------|
| Taxi (shared)        | 6-8          |
| Mini bus and trailer | 3            |
| Coach                | 4            |
| <b>Total:</b>        | <b>13-15</b> |

It is acknowledged that not all GTO vehicles attend at the same time, however their parking bays are often at capacity during peak periods. Conceptual plans for expansion are provided in the Infrastructure Report.

### 3.8.5 Freight Distribution Centre

In alignment with both the WCA Objectives and the WRC Regional Economic Development Strategy (2022-2025), WCA opened its Freight Distribution Centre (FDC) in 2022.

The stated objectives of the FDC are 3-fold.

1. Assist with increasing airline yields on existing air transport operations (ATO) services, improving sustainability.
2. Diversifying the airport's income stream and reducing reliance on passenger driven aeronautical revenues.
3. Providing air freight opportunities to the region in the form of:
  - The ability to get high yielding, perishable freight out to market sooner, providing local producers a competitive edge in quality.
  - Opening access to new export markets for local growers through the range of routes available out of WCA.
  - Providing greater options for sourcing food and beverage, retail, medical and resource goods/supplies through the range of existing inbound routes.
  - Providing delivery timing options through the high daily frequency of flights at WCA.



- Providing competition in freight carriage by working with all airlines.
- Facilitating faster delivery for internet shopping (ie Amazon) and Australia Post.

The FDC has been in operation for over 12 months now and is currently averaging 2.1 tonne of freight/month through the airport. 92% of outbound is high value perishable seafood product including fish, prawn and red claw lobster.

The FDC is co-located with the airport's grounds maintenance team in the old firefighting station. It is a landside building with direct airside access through Gate 6.

A dedicated tug and trailer is used to transport freight between the FDC and the ATO apron where goods are loaded or offloaded from commercial aircraft. TWY B is used for this access.

There are currently no dedicated air freighters operating at the WCA however, two specific areas are identified in the Infrastructure Report as options for the provision of aircraft parking bays for dedicated freight flights.

The existing freight service is growing and will likely require more space in the short term with the immediate solution being to remove the co-share arrangement with the airports grounds maintenance team as outlined in the Infrastructure Report.

In the longer term it is proposed that the FDC is moved to the extreme north of the airport property and expanded to include rail and road freight in a significantly redeveloped multimodal transport hub. Concept drawings can be seen in the Infrastructure Report.

### **3.8.6 Grounds Maintenance Shed**

The grounds and maintenance shed is co-located with the FDC. It is used as a workshop and for storage of plant and equipment used for the upkeep of the airport. Having once had the benefit of sole occupancy of this building, there is now a growing shortage of storage space.

It is anticipated that the FDC building might be expanded in time to better accommodate all the necessary plant and equipment used by the airport.

### **3.8.7 Access Roads**

WCA is accessed directly off the Bruce Highway via Lascelles Avenue which is the airport's only access road. This could be problematic following a required road closure however, at 4.3km's long it is difficult to imagine a business case that would support investing in an alternative access solution.

If the fully developed FDC outlined at Section 3.8.5 is pursued it is understood that an upgrade to the Lascelles Avenue & Bruce Highway intersection would require upgrading to facilitate heavy vehicle traffic such as B doubles. At the time of writing The Department of Transport and Main Roads (TMR) Mackay Branch, are working on the Goorganga Plains Plan and Preserve Corridor which is aimed at improving the flood immunity of the Bruce Highway in this area. An upgrade of the intersection to allow for the use of B-doubles formed part of the project considerations. Contact with TMR can be continued at: [Mackay.Office@tmr.qld.gov.au](mailto:Mackay.Office@tmr.qld.gov.au).



Concern was raised during the public consultation period regarding the lack of boom gates at the railway line crossing. Despite being out of the airport's direct control, WRC may choose to champion that issue with the rail operator and other appropriate parties.

There are often congestion issues around the terminal and car parks during flight times and traffic circulation can be congested during typical peak hours. It was considered that a new loop road at the terminal would both improve traffic flow as well as open up new areas for public, coach and hire car parking, as well as access to the proposed new accommodation precinct. This is discussed in detail in the Infrastructure Report.

It was noted that the Whitsundays Tourism Destination Plan (2019-2024) calls for flood mitigation works to take place on the Bruce Highway to maintain access for visitors to the region, including the WCA. The WCA also supports any initiatives to facilitate flood proofing of the Bruce Highway in the Whitsunday Region.

### **3.9 Utilities And Civil Infrastructure**

All utilities and civil infrastructure will require assessment for compatibility with proposed terminal upgrades.

#### **3.9.1 Water**

Water supply for the airport is provided from the mains line that runs from Mackay and terminates at WCA. During periods of high use water pressure drops significantly and it becomes necessary to boost pressure from the backup supply tank located at the Freight Distribution Centre.

With the forecast increase in passenger numbers and potential terminal expansion consideration should be given to ensuring the backup supply has sufficient storage capacity.

#### **3.9.2 Electricity**

Mains electricity is provided along with 2x backup generators, one for the terminal and ancillary buildings and another separate generator for the airfield lighting.

The terminal has 990 commercial grade solar electricity producing panels on the roof in a 400kW solar array providing up to 663,810 kWhs of clean renewable energy.

Where it is practical, all proposed development in the Infrastructure Report allows for solar panel installation.

Airservices Australia have advised that if new remote tower (r-TWR) technology is implemented (as opposed to a bricks and mortar tower) the necessary power feed will also require full redundancy.

As part of any proposed terminal expansions an assessment on power supply adequacy should be completed.

### **3.9.3 Sewerage**

Sewerage is treated by an onsite treatment plant. This plant has already been identified as requiring significant upgrading to cater for current numbers. WCA continues to work in partnership with the Department of Environment and Science to resolve final design and compliance issues in this matter.

### **3.9.4 Communications and internet**

Reliable internet access is critical for the ongoing operation of the airport as most airline systems and many of the WCA reporting systems, are now cloud based.

Of course, the users of the terminal also require a reliable and high-speed internet access for checking-in, ordering food and beverages, making bookings or simply browsing while waiting for flights.

With regards to the ability to charge personal mobile phones, the 2019 terminal upgrade provided a significant number of USB and power points for this purpose in the departures lounge.

Discussions with Airservices Australia have also identified the need for significant bandwidth, with full redundancy, if remote tower air traffic control (r-TWR) is to be introduced.

### **3.9.5 Stormwater**

With an average annual rainfall of 1.43m, storm water management must always be a significant consideration when planning civil works at the WCA.

This applies particularly to the proposed new ATO apron expansions as all rainfall collected in the above-ground open drains in this vicinity flows towards and beyond the terminal on the eastern side of the rental vehicle's car park.

### **3.9.6 Perimeter fencing**

An 1800mm high cyclone fence is provided around the perimeter of the airside to deter unauthorised access. It is maintained and fit for purpose.

It is suggested that for any future fence replacement along Lascelles Ave between the railway tracks and ARRFs road, the outer fence is positioned as close to the roadside as is practical. This will ensure that any future development in that area starts at the roadside edge of the block and can be uniformly positioned, allowing maximum utilisation of the land inside, as opposed to the layout of the existing GA area.

### **3.9.7 Fire fighting**

There are four resupply hydrants on airport, one positioned airside outside the baggage break-down area and the other 3 at the ends and central to the terminal. They are fed from 2x dedicated 195,000 litre water tanks located adjacent to the Administration building and Pump sheds.

The Fire Control Panel is located just inside the main central doors of the terminal.



## 4. Legislative Context

The proposed development of WCA discussed in this Master Plan has been considered relative to Commonwealth, State, Regional and Local Government requirements including planning regimes, policies and applicable legislation and standards. This section has been consolidated (over the 2015 Plan) to include planning, environmental and economic considerations.

There are a number of strategic and statutory documents that either offer a planning perspective on WCA, or that require consideration during the assessment process of any proposed developments for on, or around, the WCA. The key documents are discussed in summary following.

### 4.1 National Rules And Standards

As the aerodrome certificate holder, WRC is by definition the aerodrome operator at WCA. The aerodrome operator is bound by legislation to ensure that the airport is maintained and operated in accordance with all applicable Commonwealth legislation including the Civil Aviation Act, Civil Aviation Safety Regulations (CASR's) and the Aviation Transport Security Act and Regulations.

The Part 139 Manual of Standards (the MOS) is made pursuant to CASR 139 and sets out the detailed standards and operating procedures for aerodromes used in air transport operations in Australia. This is the key reference document for all proposed infrastructure design and operations at the WCA.

#### 4.1.1 National Airports Safeguarding Framework (NASF)

The NASF is a national land use planning tool developed with input from all levels of government and is focused on improving community amenity and safety incomes. It provides 6 guidelines for managing risk at airports including:

- Guideline A: Measures for Managing Impacts of Aircraft Noise
- Guideline B: Managing the Risk of Building Generated Windshear and Turbulence at Airports
- Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports
- Guideline D: Managing the Risk of Wind Turbine Farms as Physical Obstacles to Air Navigation
- Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports
- Guideline F: Managing the Risk of Intrusions

The NASF is directly relevant to the WCA planning considerations for both airside and landside developments.

#### 4.1.2 Environment Protection and Biodiversity Conservation Act

The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and



manage nationally and internationally important flora, fauna, ecological communities and heritage places - defined in the EPBC Act as matters of national environmental significance.

The EPBC Act comes into play when a proposal has the potential to have a significant impact on a matter of national environmental significance. This includes the adoption or implementation of a plan for aviation airspace management involving aircraft operations that have, will have or are likely to have a significant impact on the environment.

Delivery of the proposed developments in this Master Plan should include an assessment of the EPBC Act applicability.

## **4.2 State Planning**

### **4.2.1 State Planning Policy**

Queensland's State Planning Policy (SPP) July 2017 outlines the state Governments interests in land use planning and development for Queensland. It identifies and seeks to protect through the planning framework key state infrastructure, including strategic airports and aviation facilities.

The WCA has been declared within the SPP as an airport of strategic importance, ensuring that the state's interests are reflected in the WRC local government planning regime, specifically, within the Whitsunday Planning Scheme 2017.

### **4.2.2 The Whitsundays Tourism Destination Plan (2019-2024).**

Jointly prepared by Tourism Whitsundays, Tourism and Events Queensland and WRC this Plan outlines the strategy for growing tourism in the region.

The plan recognises the WCA role as increasing frequency and flight sectors for domestic traveller's and improving connectivity to international gateways. It suggests the airport should be positioned to handle international charters.

This plan is in alignment with the WCA Vision and Objectives.

## **4.3 Regional Planning**

The Whitsundays forms part of the Mackay, Isaac and Whitsundays region, an area of over 90,000 square kilometres with an estimated population of c181,000 people.

### **4.3.1 Mackay Isaac Whitsunday (MIW) Regional Plan**

The MIW Regional Plan establishes a vision and direction for the region through 2031. Of particular significance to the WCA within this plan is the recognition that;

- The MIW region currently has limited capacity for air freight and
- The effective integration of roads with rail, ports and airports is essential for sustaining economic growth and strengthening the resilience and diversity of the region.

This Master Plan proposes the development of multi transport mode catering freight related infrastructure that supports the desired outcomes of the MIW Regional Plan.



#### **4.3.2 Mackay Isaac Whitsunday Regional Transport Plan 2018**

The MIW Transport Plan was prepared by the Department of Transport and Main Roads (TMR) to set out regional transport priorities and actions for the region.

- This plan discusses the need for a distribution hub connected to port and airport development opportunities as well as the need to improve air freight capacity.
- It goes on to discuss the opportunity to increase tourism and agricultural exports through direct international airport access.

This Master Plan proposes infrastructure that would support the desired outcomes of the MIW Regional Transport Plan.

#### **4.3.3 Mackay Isaac Whitsunday Natural Resource Management Plan (2014-2024)**

Prepared by the Mackay Isaac Whitsunday Communities the Natural Resource Management Plan (NRMP) is intended to guide investment and activity in natural resource management across the region.

The sustainable development elements within the Infrastructure Report supports the vision of the NRMP.

### **4.4 Local Government Planning**

In the local context the Whitsundays region covers an area of 23,876 square kilometres with a population base of 38,506 residents. Whitsunday Regional Council provides a number of plans and policies relevant to the WCA.

#### **4.4.1 WRC Community Plan**

The WRC Community Plan was developed to ensure that Council has a clear appreciation of the needs and priorities of its residents with a shared vision for the future.

The WCA's contribution under this Plan is to Movement and Access as part of the interconnected and efficient transport services, supporting Councils undertaking to provide well maintained transport infrastructure and service industries.

#### **4.4.2 WRC Corporate Plan.**

The Corporate Plan recognises the WCA as one of its business activities and outlines the application of a quadruple bottom line methodology measured across the pillars of Financial, Environmental, Social and Governance performance.

The WCA is operated in this manner and held accountable through the use of performance indicators that are developed as part of the Annual Operational Plan and reviewed within the Annual Report.

#### **4.4.3 WRC Regional Economic Development Strategy 2022-2025**

This document formalises WRC's economic development strategy based on the delivery of more investment and more jobs as the pathway to the region's economic and environmental sustainability.

Specific reference to the WCA refers to its potential to contribute to the strategy as a freight handling facility. It is noted that the WCA role in this strategic plan to provide a Freight Distribution Centre (FDC) has already been achieved.



Moving forward this Master Plan outlines the infrastructure required to allow for the growth of the FDC as well as opportunities to cater for dedicated freight aircraft both at the FDC and in the proposed multimodal hub.

#### **4.4.4 Whitsunday Planning Scheme 2017 (version 4.7)**

Prepared in accordance with the Sustainable Planning Act 2009 and reviewed every 10 years, the Whitsunday Planning Scheme 2017 (the Scheme) sets WRC's policy direction for the future and appropriate development of the Whitsunday region over the next 20 years to 2036. Within the Strategic Framework, the policy intent of the Scheme is collectively represented by five themes:

1. Liveable communities and housing
2. Economic growth
3. Environment and heritage
4. Safety and resilience to hazards; and
5. infrastructure

Each theme is structured to include clarity on its strategic intent, proposes a strategic outcome and describes a land use strategy for achieving those outcomes.

While the Strategic Framework should be considered in its entirety to appreciate the full policy intent of the Scheme, the WCA features specifically within the themes of Economic Growth, Environment and heritage and Infrastructure.

##### **Economic Growth**

As part of Council's policy to protect the region's economic resilience, the WCA location is identified in this theme as an area that could support new, major industrial expansion.

##### **Environment and heritage**

This theme focusses on the preservation of cultural heritage and the conservation and enhancement of ecological systems. As an urban gateway the WCA is identified in this theme as a core landscape value, each of which are nominated for protection and where possible, enhancement.

##### **Infrastructure**

The strategic outcome for this theme is that the service supporting capacities of WRC infrastructure are coordinated, efficient and orderly and that infrastructure provision and operation are financially sustainable.

As land use strategy it is proposed that within the vicinity of the WCA location, an international airport, remote mine operations centre, air freight and supporting education and industry activities are established.

##### **The Airport Environs Overlay Code (SPP Mapping)**



A key inclusion within the Scheme is the provision of the Airport Environs (AE) overly which can be accessed at WCA Overlay map. The AE Map identifies critical aspects of the airport's operation that must be protected during any related development application assessment.

These aspects include:

- the obstacle limitation surface (OLS) including the approach surfaces which impacts on the potential height and locality of any proposed new developments,
- the Australian Noise Exposure Forecast (ANEF) which provides guidance on aircraft noise levels based on the vicinity of the runways and flight paths and
- buffer zones for wildlife and external lighting to ensure any air safety risks associated with proposed developments.

The mapping tool also provides useful overlays for acid sulphate salts, flood, heritage and bushfire threat assessment.

FINAL DRAFT

## 5. Growth Forecasts

This section is focused on air transport operations (ATO's) with general aviation (GA) and freight discussions following at Sections 5.7 & 5.8 respectively.

### 5.1 Background

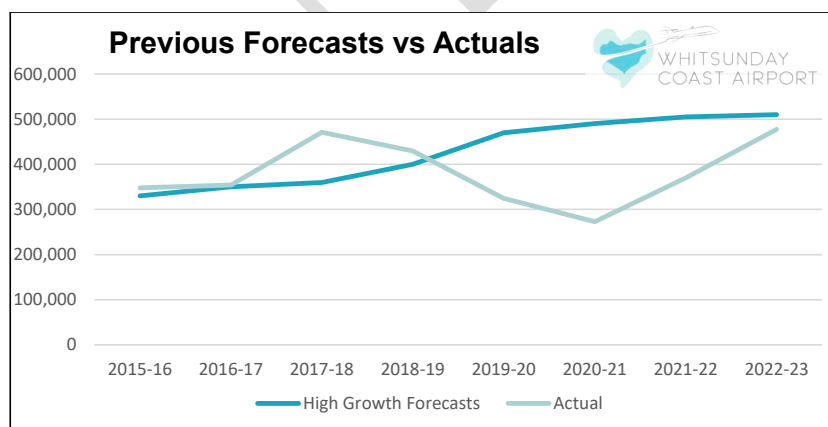
Forecast passenger numbers, freight and aircraft movements are used to ensure that appropriate airport infrastructure is provided, ideally on a just-in-time basis.

Forecasting is not an exact science, as is clearly demonstrated by the following unforeseeable events that significantly skewed WCA forecasts over the last 7 years.

1. 2017 - Cyclone Debbie hit and effectively shut the region down, the same week that Jetstar were scheduled to introduce additional MEL and SYD capacity.
2. 2020 - The withdrawal of Tiger Air services and Virgin Australia going into voluntary administration soon after.
3. 2019-22 - The COVID 19 pandemic.

Despite these negative impacts, passenger numbers at the WCA have proven resilient as demonstrated by the following data that shows the 2023/23 actual passenger numbers were almost back to the High Growth forecast levels of the 2015 Master Plan.

Figure 10: Actual passenger numbers vs high growth forecast numbers



Between September-2021 and December 2023, the airport successfully introduced 4 new routes and 3 new airline partners.

In April 2024, the untimely demise of Bonza Airlines took Sunshine Coast, Newcastle and Gold Coast connectivity temporarily off the table. However, the upside of this is that the WCA now has a significant amount of verified passenger load factor data that will be invaluable as future negotiations with replacement airlines progress. Cairns services (introduced Sept 2021) continue to operate with success and a new Adelaide service is already on sale for a September 2024 commencement. In keeping with



WCA's strategy of actively pursuing new city pairings, airport management has advised that further opportunities are also being pursued with various airlines.

The net result of this activity culminated in a new passenger number record through the airport in the 2022/23 FY and even with the loss of Bonza back in April, the 2023/24 FY will undoubtedly set another new record for the airport.

Importantly in addition to this domestic growth, international visitation (through existing capital city routes) will continue to grow with pre-COVID international passenger visitors not anticipated to fully return until FY2026<sup>1</sup>.

Despite Australia's economic growth having slowed to below average rates and the succession of shocking global events in recent years, the outlook for the WCA remains extremely positive and this is shown in the forecasts that follow.

## 5.2 Forecast Methodology

Due to the airport's demonstrated success in driving growth, the supply model was selected as the most appropriate and accurate forecasting methodology.

To this end, current schedules were used to create a schedule baseline which was extrapolated within low, medium and high growth scenarios. In the high growth scenario, all opportunities currently under negotiation or consideration are realised over time. The low growth scenario best demonstrates growth left to its own devices with existing opportunities missed and generic growth based on CAGR. Within the medium growth forecasts some but not all new opportunities are realised.

The forecasts were prepared in consultation with WRC and its partner airlines, and also considered reviews of;

- historical traffic, including long-term patterns.
- existing infrastructure
- current schedules, aircraft mix and load factors.
- potential economic drivers and
- proposed capacity increases and
- new route development.

The aircraft movement forecasts should be reviewed with consideration that the high growth scenario anticipates the introduction of A321NEO, E190 and A220 aircraft resulting in increased seat capacity, from similar frequency.

All scenarios reflect that following the current period of accelerated growth from 2020/21, the numbers will reach a plateau and growth will become less significant.

<sup>1</sup> Airservices Australia – Aviation Network Overview FY2023 discussing Australian international inbound.

## 5.3 Supply Modelling Considerations

In preparing the ATO passenger and aircraft movement forecasts we have taken the following points into consideration.

### 5.3.1 Growth Strategy

The 2015 Master Plan correctly identifies that passenger growth at WCA has historically responded well to supply, i.e. in most cases the addition of aircraft capacity has had a sustainable impact on airline load factors and yield. The recent and successful introduction of 4 new routes driven by the WCA, supports this approach and the successful continuation of this strategy forms the basis of the high growth forecast modelling.

### 5.3.2 Fleet upgrades

There are some possible aircraft up-gauging and/or potential new route development opportunities for WCA with the Qantas Group currently embarking on their fleet renewal program.

The high growth scenario adopts WCA securing A321 NEO, E190 and A220 aircraft introductions on domestic routes, with the A321XLR pencilled in for international operations.

Table 7: Table of known fleet upgrades in near future (Source: Jetstar and QANTAS media center's).

| Aircraft | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E190     | <b><u>QANTAS (mainline).</u></b> <ul style="list-style-type: none"> <li>Regional jet - up to 94 seats depending on configuration</li> <li>Positioned by size between the B717 (125 economy seats) and B737 (174 seats) – both with alternate seating configurations available</li> <li>Operated in partnership with Alliance Airlines</li> <li>Including up to 10 business class seats</li> <li>Range of 4537 km's</li> </ul>                                                                                                                                                                                                |
| A220     | <b><u>QANTAS (mainline).</u></b> <ul style="list-style-type: none"> <li>Replacing aging B 717 aircraft</li> <li>Note the Q400 replaced 717's on the WCA BNE route</li> <li>29 A220 aircraft are on order – 1 delivered to date</li> <li>Has 137 Seats (55% more than the Q400)</li> <li>Has a 6000km range</li> <li>25% fewer carbon emissions and is significantly quieter than 717</li> </ul> Can operate now at the WCA                                                                                                                                                                                                   |
| A321 NEO | <b><u>Jetstar.</u></b> <ul style="list-style-type: none"> <li>Replacing A320's</li> <li>18 aircraft on order – first delivered mid 2022</li> <li>232 seats (46 more seats than the A320)</li> <li>Uses 15% less fuel and is 50% quieter than A320.</li> <li>A Nov 2023 study completed by APES confirms the A321NEO can operate at its nominated operational weight of 85 tonne (equivalent of WCA to MEL) for 4,400 movements p/a without causing significant pavement damage.</li> <li>Is the critical aircraft for this Master Plan – all new infrastructure proposed will accommodate the A321 NEO by design.</li> </ul> |





|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A321 XLR</b> | <b><u>Jetstar.</u></b> <ul style="list-style-type: none"> <li>• 20 on order – first arrives mid 2024</li> <li>• Can fly nonstop for 8,700kms (i.e. WCA to southeast Asia)</li> <li>• Can operate on the existing RWY length but actual aircraft operating weights would be required to understand potential impacts on pavements. Should be considered for next pavement overlay design.</li> <li>• Airfield will require some works including upgrade from single to double sided PAPIs (aircraft landing guidance lighting).</li> </ul> |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### 5.3.3 International Operations

As with the 2015 Master Plan, the high growth forecast reflects WRC's long-term ambition to attract direct international operations. It allows for a potential start date in FY27 at a rate of 2 services week (destinations still to be evaluated).

The aircraft nominated for the purpose of forecasting is the A321XLR (See s.5.3.2 Fleet Upgrades above). This is a narrowbody Code C aircraft with a massive range of 8,705 km's, with either a 175 or 200 seat configuration.

Selection of a specific destination will determine whether or not the performance of this aircraft would require additional runway length at WCA to accommodate the total departure weight, including fuel requirements for a mid-summers day, with no wind assistance. Regardless of the possibility that the runway may require extension, the costs of apron and international terminal expansions, plus fit out for Boarder Force attendance will be significant and would require partnership and support at both state and federal level.

Without any pre-emption, also supporting this aircraft selection is the fact it is Jetstar purchasing the A321XLR's. Jetstar is a well-established WCA airline partner providing up to 62% of all passengers (as at May 2024). They currently fly into a range of southeast Asian destinations including Cambodia, Singapore, Phuket and Bangkok.

The following table provides examples of the long-haul destinations that an A321 XLR can, theoretically, fly from the WCA.

*Table 8: Cities within the nominated 8,705km range of the A321XLR*

| Country     | City         | ICAO | NauticalMiles | KM's | Est flight time |
|-------------|--------------|------|---------------|------|-----------------|
| Singapore   | Changi       | SIN  | 2958          | 5423 | 6hrs 52 mins    |
| Malaysia    | Kuala Lumpur | KUL  | 2089          | 5720 | 7hrs 13 mins    |
| Hong Kong   | Hong Kong    | HKG  | 3266          | 6049 | 7hrs 36 mins    |
| Japan       | Tokyo        | HND  | 3400          | 6296 | 7hr 52 mins     |
| China       | Shanghai     | PVG  | 3460          | 6408 | 8hrs            |
| Thailand    | Bangkok      | BKK  | 3488          | 6460 | 8hrs 5 mins     |
| South Korea | Seoul        | ICN  | 3683          | 6821 | 8hrs 31 mins    |
| China       | Beijing      | PEK  | 4040          | 7481 | 9hr 18 mins     |

Visually the potential international destinations present as follows.

Figure 11: Range of A321 XLR



The proposed FY27 introduction of WCA international flights is supported by Airservices Australia recent advice to industry (Aviation Network Overview FY23) that international operations will return to pre-covid numbers in FY 26. This timing is also supported by the intended pavement overlay budgeted for in the 2027FY.

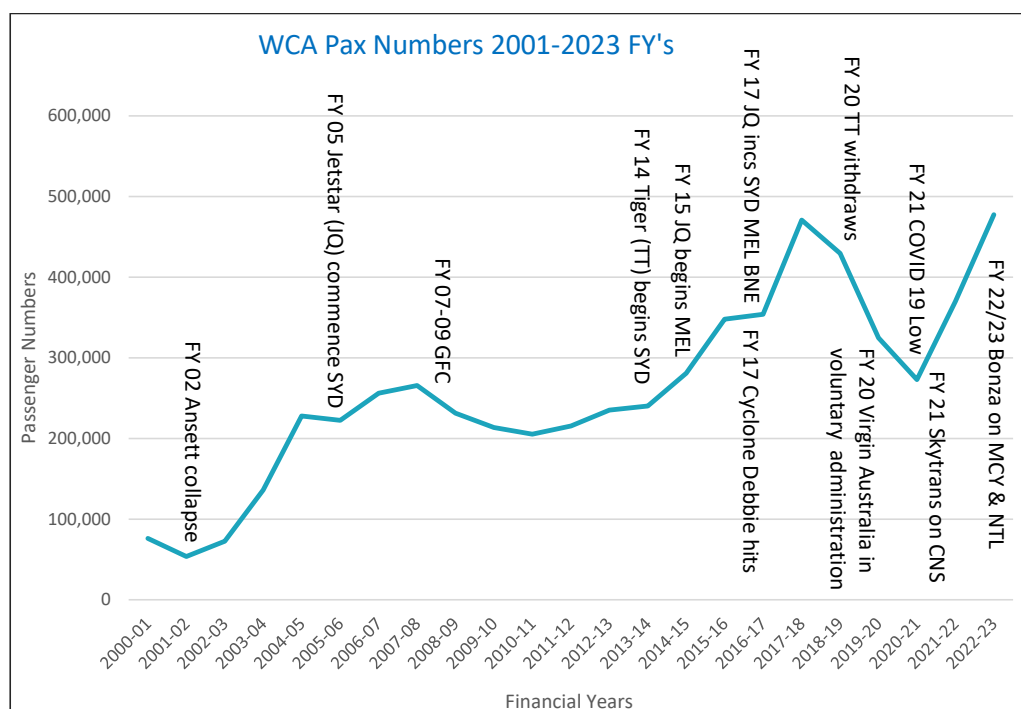
Until direct international flights to WCA commence there remains the ongoing opportunity to supplement domestic tourism by continuing to hub and spoke international visitors out of WCA's expanded number of capital and major city pairings. This approach is supported by the Whitsundays Tourist Destination Plan.

## 5.4 Historical WCA Traffic Drivers

To appreciate the many highs and lows of the WCA's historical passenger traffic it is of benefit to understand that a single 737 service, operating one day per week at an 80% load factor can gain or lose an airport c15,000 passengers per annum. In a regional airport these results are highly visible and have a significant impact both on the airport business and the region it serves.

The following graph shows the impacts on traffic outcomes resulting from various historical drivers at WCA, both positive and negative.

Figure 12: Passenger Numbers and Drivers – 2001 – 2023 FY's



While it is impossible to pre-empt and prepare for every possible negative traffic driver, the airport has done a good job of mitigating the potential impacts of the negative events by:

- creating new route pairings (opening new markets and fresh customer bases)
- increasing its number of airline partners (reducing the potential impacts of an individual airline collapse)
- Investing in the creation of the new WCA Freight Distribution Centre (to capitalise on underutilized aircraft hold space and reduce the airline's reliance on just pax revenues).

Whitsunday Regional Council has also recently adopted a new governance structure that ties Tourism and Aviation. This strategically positions the WCA to contribute to its sustainability through managing its own marketing partnerships and investment. This has already proven to be a winning approach for the WCA, most easily demonstrated by last FY's record passenger numbers and several industry awards over recent years.

Together these initiatives combined help to reduce the potential impacts of the negative drivers to as low as reasonably practical (ALARP).

## 5.5 Current Traffic Analysis

This section is focused on air transport operations (ATO). General aviation and freight are discussed separately following.

At the time of writing WCA had 4 ATO airline partners servicing 4 destinations. The WCA schedule is difficult to summarise given the large amount of additional capacity that is temporarily added during peak



periods. To combat this, aggregates taken over extended periods were used, but these also became problematic as new routes commenced operation and Bonza services withdrew.

The following data was compiled from the OAG database to provide an example of monthly traffic. Note the pre COVID numbers highlighted in yellow and provided for comparison.

**Table 9:** Current traffic data– inbound only.

(Taken from Jan 24 Schedule)

| No.                                              | Destination           | Airline  | Weekly Services Inbound | Monthly Services Inbound | Aircraft Type | No of Seats | Seats / month Inbound |
|--------------------------------------------------|-----------------------|----------|-------------------------|--------------------------|---------------|-------------|-----------------------|
| 1.                                               | Brisbane              | Jetstar  | 12                      | 51                       | A320          | 186         | 9,486                 |
|                                                  | Brisbane              | Qantas   | 5                       | 20                       | Q400          | 74          | 1,480                 |
|                                                  | Brisbane              | Virgin   | 11                      | 38                       | 737-800       | 176         | 6,688                 |
| 2.                                               | Cairns                | Skytrans | 4                       | 16                       | Dash 8        | 36          | 576                   |
| 3.                                               | Melbourne             | Jetstar  | 7                       | 31                       | A320          | 186         | 6,882                 |
| 4.                                               | Sydney                | Jetstar  | 6                       | 28                       | A320          | 186         | 5,208                 |
|                                                  | <b>Total</b>          |          | 45                      | 184*                     |               |             | 30,320                |
|                                                  | <b>Pre COVID nos.</b> |          | <b>22</b>               | <b>88</b>                |               |             |                       |
| *Additional flights were added during the month. |                       |          |                         |                          |               |             |                       |

### 5.5.1 Busy Months Analysis

As a leisure destination WCA is a seasonal port with the busy period usually at peak for the school holidays. The airport actively works with its tourism partners to reduce the fringe period troughs through collaborative marketing and supporting/promoting various regional events throughout the year.

Review of data from 1 Jul 2014 to 30 June 2023 has established that the following months are the busiest by aircraft movements:

1. December
2. January
3. October
4. April
5. November

Interestingly, post COVID (1 July 2022 to 30 June 2023) the top 5 remain, but in 2023, April became the busiest month on record with 427 movements. It is anticipated that this will change again following the summer school holiday period.

### 5.5.2 Busy Day Identification

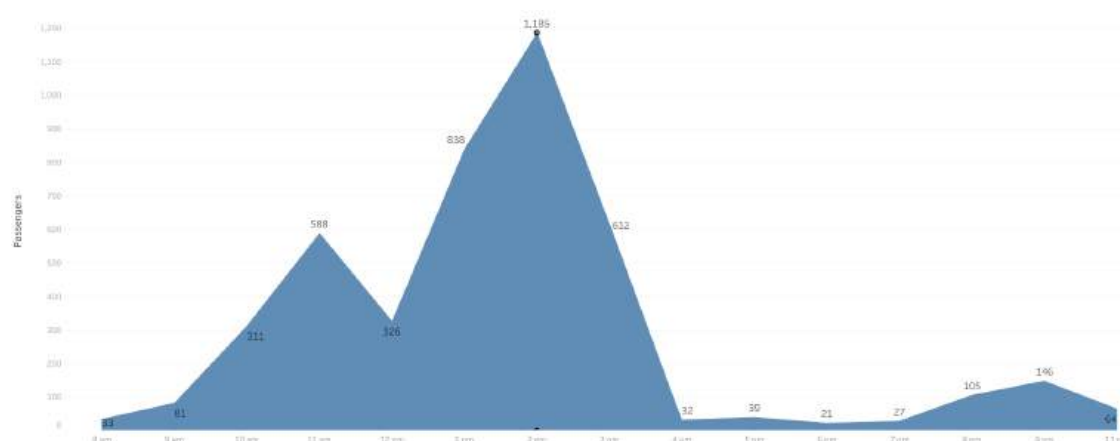
The busy days by average at WCA are currently Saturdays, Sundays, Mondays and Thursdays with 6 ATO arrivals each (12 movements) in the confirmed June 2024 schedule.

### 5.5.3 Busy Hour Analysis

The below chart shows that the most current data available (Jan 2024) weekly busy hour peak occurs at 1400 where an average of 1,185 passengers per week pass through the terminal.

At this time, it is common to have 3 aircraft operating simultaneously, noting that 2 simultaneous operations was the design ceiling of the terminal for the last upgrade development.

Figure 13: Weekly Busy Hour Trend (Jan 2024 0800-2300).



Note that the hours either side of 1400 are also comparatively busy. This condensed busy period (1300-1500) lends itself to severe congestion issues when there are even minor aircraft delays.

While the terminal becomes severely congested at this time, the most significant impact on operations can be seen on the apron as aircraft can be forced to circle while waiting for one of the 4 parking bays to free up. It is important to remember that this is double the planned capacity of the existing terminal which was designed for 2 simultaneous operations.

## 5.6 Forecasts

The following pax forecasts reflect the withdrawal of Bonza services and include the confirmed addition of the JQ Adelaide services commencing September 2024.

All forecasts demonstrate that in time growth will plateau, potentially as the region runs out of available bed nights. [This Master Plan introduces a new WCA accommodation precinct as a potential solution to this issue].

With the average load factor of all airlines, on all routes sitting strongly at 81% (May 2024) it is unlikely that the airport is in jeopardy of losing any of its' existing services.

It is recommended that these forecasts are reviewed and updated on an annual basis.

### 5.6.1 Low Growth Forecast Scenario

Disregarding any of the many potential traffic disrupters, this forecast is considered worst case and demonstrates a shift away from the airport's current strategy of pro-actively and successfully, pursuing



all potential aviation opportunities. It reflects the pending introduction of ADL flights and the recent up gauging from Q400 to E190 aircraft for QF on BNE.

With regards to the provision of infrastructure even the low growth forecast utilising the current schedule and minimal growth requires significant expansion of the terminal and an apron expansion.

### **5.6.2 Medium Growth Forecast Scenario**

The medium growth forecasts reflect the pending introduction of ADL flights and the recent up gauging from Q400 to E190 aircraft for QF on BNE. It also includes incremental reinstatement of Gold Coast, Sunshine Coast and Newcastle routes. It includes the addition of two new domestic routes (but introduced later than the high growth forecasts) but disregards the potential for international operations. It reflects a minimal up gauging of A320 to A321NEO aircraft.

### **5.6.3 High Growth Forecast Scenario**

Given the purpose of this forecasting exercise is to understand what future infrastructure may be required at the WCA, all known commercial aviation opportunities have been assumed to be successfully implemented in the high growth forecast scenario.

The high growth forecast estimates the WCA will be close to providing a million seats per annum in 10 years time (3033/34 FY) through realising the following opportunities:

- Going to regular daily MEL and SYD services
- Up gauging from A320 to A321NEO's on SYD, MEL and BNE
- Negotiating the introduction of A220 and further E190 aircraft.
- The reinstatement of Newcastle, Sunshine and Gold Coast routes
- The introduction of an additional 3 new domestic routes (including ADL in Sept 2024)
- The introduction of narrow body international operations from July 2029

The forecasts are provided as a graph following.



Figure 14: WCA ten-year Passenger Forecast data showing Low Medium and High scenarios.

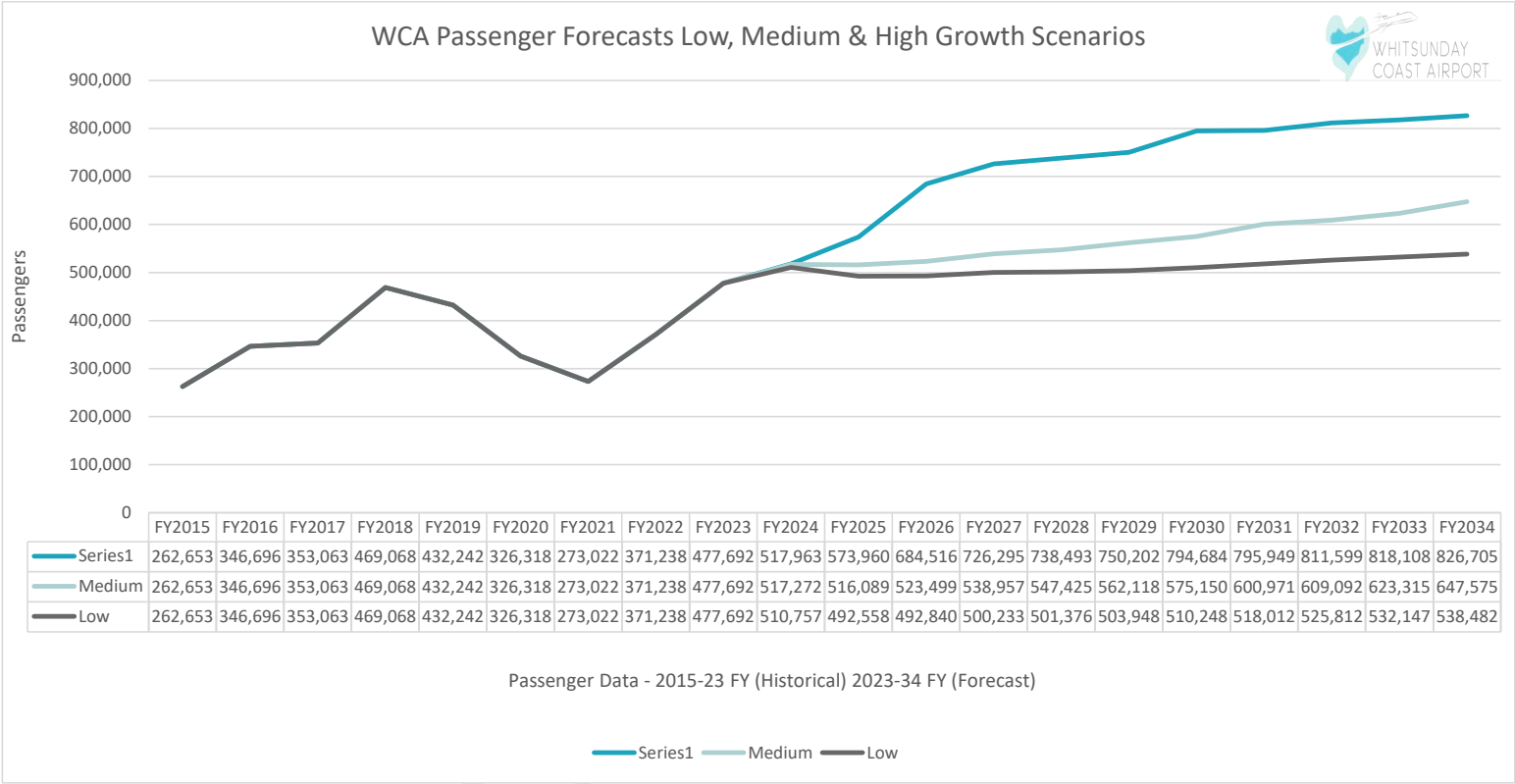


*Table 10: Aircraft Movement Forecasts Step Growth (Years 1, 5 and 10).*

| Financial Year      | Low Growth       | Medium Growth | High Growth |
|---------------------|------------------|---------------|-------------|
| 2023/24 (This year) | 4000 (estimated) | -             | -           |
| 2027/28 (5yrs)      | 3958             | 4276          | 5404        |
| 2033/34 (10yrs)     | 3996             | 4936          | 5814        |

Note that the forecasts allow for the eventual replacement of the A320's with the A321 NEOs (186 seats vs 232) and the Q400 with the E190 (76 seats vs 97) bringing growth with no reflected increase in frequency.

## 5.7 General Aviation

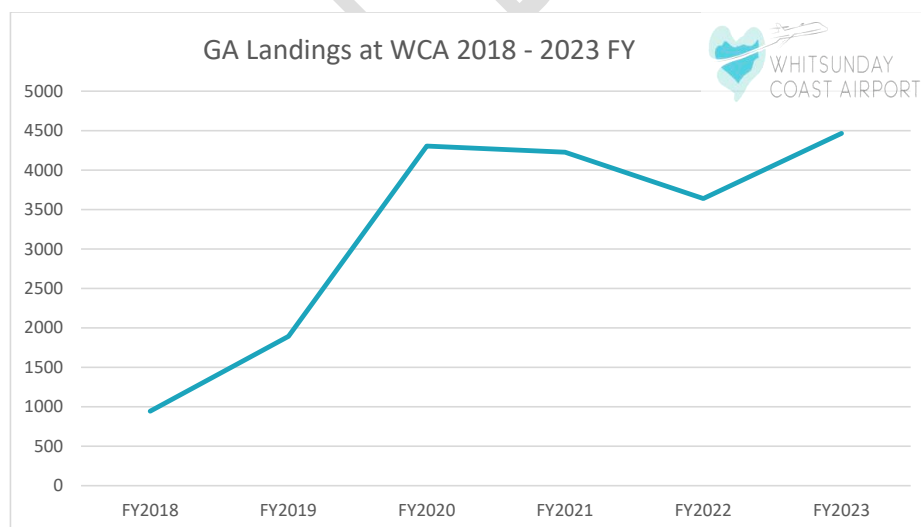
In this section the term general aviation (GA) is used generically to cover all aviation activity other than ATO. Specifically, that includes recreation, aeromedical, charter, military, and local based flights.

GA activity at the WCA primarily occurs at the northern end of the GA access taxiway, (TWY B) and is inclusive of the GA sealed and grass aprons, local operators and hangers, as well as the AVGAS refuelling facility.

### 5.7.1 Historical GA Movement Numbers

The following chart shows the total GA aircraft landings per annum at WCA through FY2017/18 to FY2022/23.

*Figure 15: General Aviation Landings at WCA 2018-2023 FY's.*



Close to 70% of the 2023 FY landings were made by just 3 local commercial aviation companies including the local scenic charter operator, LAME (aircraft engineering) service provider and flight training schools.



### 5.7.2 GA Development Opportunities

The future of GA at the WCA needs strategic consideration. GA generally is struggling to secure upgraded facilities at many Australian airports, simply because delivering new aviation infrastructure is expensive and GA commercial returns are comparatively (to ATO), low. Where grant money is available for development from time to time, few Councils are in a position to co-fund aviation infrastructure that isn't, at the least, operationally cost neutral.

There are also risks to consider relating to mixing ATO and GA traffic at a busy port where there is no air traffic control (ATC) provided. While this will change in the next few years as ATC is introduced, there are existing incident reports of operational conflicts between GA and ATO movements at WCA.

WRC owns and operates the certified airport at Bowen. While it would not likely suit existing commercial GA users of WCA, Bowen should always be considered as a viable alternative for private GA operators looking for a base in the region. It has excellent existing infrastructure, (including 4 RWY options), is ideally located near the township and has land suitable for both aviation and non-aeronautical development.

Having said that, WCA is in an enviable position with 10,000 m<sup>2</sup> of land already committed to GA with another massive c500,000 m<sup>2</sup> available for development, should appropriate opportunities materialise.

A range of GA development possibilities at WCA have been considered and these include:

- Upgrading TWY B to open the GA precinct to a greater variety of aircraft
- Provision of land for additional hangarage
- Additional itinerant and aeromedical aircraft parking
- Provision of a dedicated freight and FBO serviced apron
- Development of a vertiport to cater for vertical take-off and landing (VTOL) aircraft ie drones for personal taxis and or freight carriage.

To explore these possibilities further please refer to the accompanying Infrastructure Report.

## 5.8 Freight Operations

The expansion of air freight services at WCA is specifically recognized as required in each of the MIW Regional Plan, the MIW Regional Transport Plan and the WRC Regional Economic Development Strategy. It is inferred less directly in almost every other reviewed economic development strategy, at state or regional level, that speaks to the WCA.

Furthermore, the MIW Regional and Transport Plans outline the need for the integration of road, rail, airport (and seaport) and the Whitsundays Destination and MIW Transport Plans both outline the potential benefits to regional agriculture and tourism from direct international access.

These documents remain relevant and go a long way to crystallizing the potential for freight operations at WCA.

The WCA made significant progress in realising its freight ambitions with the successful creation and opening of the WCA Freight Distribution Centre in 2022.

### 5.8.1 Historical Performance

At Nov 2023 the FDC is facilitating an average of 2.1 tonne of freight per month, reflecting a seasonal peak of nearly 3.8 tonne in May 23. To maintain perspective, it should be acknowledged that up until recently, there was zero freight uplift at the WCA.

84% of freight moved is outbound and 92% of this to date has been seafood. At Nov 2023 the most common inbound freight is live animals.

The following charts show the volumes of moved freight since April 2023.

Figure 16: Outbound freight totals by month Apr – Nov 2023.

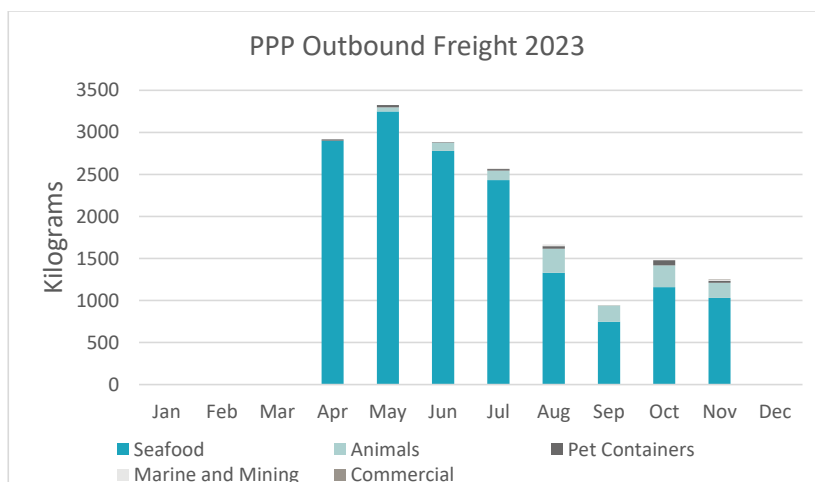
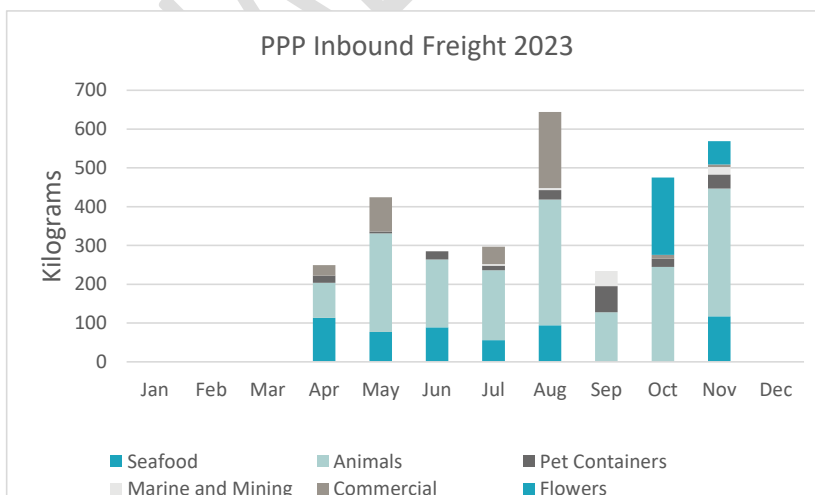


Figure 17: Outbound freight totals by month Apr – Nov 2023.



### 5.8.2 Underbelly Freight Potential

As a result of the FDC development two of the four airlines currently servicing WCA are now carrying freight in the hold of their ATO aircraft. Commercial negotiations with the other established airlines continue and at the time of writing are close to finalization.

With all its' commercial agreements in place the FDC will begin a targeted marketing campaign highlighting its point of difference from other airports in the region, the 4 destinations serviced directly.

In 2015 it was estimated by schedule and aircraft type that there was 4,483 tonnes of airfreight capacity per annum passing through WCA.

Using the same methodology but based on the November 2023 schedule (annualised), there is now an estimated 6,240 tonnes of underbelly capacity available.

There is clearly significant room for freight tonnage to grow on the back of further investment in the FDC, at the appropriate time.

### 5.8.3 Freight Infrastructure Requirements

With the development of the FDC in the existing grounds maintenance building, the airport has established itself cost effectively for this first stage in its development as a freight facility.

As freight numbers grow so will the spatial requirements of the FDC. At some future point it is anticipated that the grounds maintenance team, will be relocated out of the primary FDC building.

This Master Plan goes on to support the increase of freight movement by including in the Infrastructure Report the following conceptual infrastructure development:

- A new aircraft parking apron (servicing corporate charter, aeromedical and freight aircraft) efficiently positioned near the FDC
- Commercial development of the GA precinct to bring more potential aviation related freight opportunity (ie. customers) to the airport
- A massive redevelopment of the FDC to the north of the airfield bringing rail, air and road together (the existing satellite FDC terminal would remain to service ATO aircraft).
- Development of a significant new aircraft apron at the future FDC designed for large (up to A321) sized dedicated freighters.

It is anticipated that a fully developed FDC will encompass road, rail and air and be developed at the north end of the airport property.

Future freight development concepts can be viewed in the Infrastructure Report.

## 6. SCOT Analysis

| SCOT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 Strengths                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 6.2 Challenges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <ul style="list-style-type: none"> <li>The Whitsunday region is recognized both nationally and internationally as an iconic tourist destination.</li> <li>Domestically the regions iconic status grew significantly over the COVID period.</li> <li>The airport has successfully adopted user pays principals and is commercially viable.</li> <li>The airport passenger numbers are strong with pre-COVID international visitation still returning.</li> <li>There are large amounts of land adjacent to the airport site that can be commercially developed.</li> <li>A growing population catchment from Townsville to Mackay</li> <li>The Terminal is designed to expand incrementally.</li> <li>There is no residential development nearby which minimises noise conflict.</li> <li>Strong industry relationships, broad networks, and significant in-house marketing and tourism knowledge</li> </ul> | <ul style="list-style-type: none"> <li>Increasing aircraft movements placing additional pressure on airport infrastructure.</li> <li>Apron expansion is required to cater appropriately for current schedules.</li> <li>The runway will need to be strengthened for long haul international flights.</li> <li>Direct international flights will require investment in terminal as well as Customs and Quarantine facilities.</li> <li>The existing schedule highlights weaknesses in the airport's infrastructure capacity.</li> <li>Car parking capacity and rental car availability will need increasing if full potential of airport is to be reached.</li> <li>Currently there is a lack of suitable and/or enough accommodation in the region to match demand.</li> <li>Airlines may utilise WCA as a domestic network airport rather than implement new international services due to existing links in Cairns and Brisbane.</li> </ul> |



| SCOT                                                                                                                                                                                                                                                |                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.3 Opportunities                                                                                                                                                                                                                                   | 6.4 Threats                                                                                                                                              |
| <ul style="list-style-type: none"> <li>Increased PAX volumes will continue to drive airport revenue providing funding for, among other critical expenses, attracting new routes and increased capacity.</li> </ul>                                  | <ul style="list-style-type: none"> <li>Current world conflicts could escalate further impacting the global economy.</li> </ul>                           |
| <ul style="list-style-type: none"> <li>Becoming an overnight base for aircraft could bring additional revenue into the region (accommodation, food &amp; transportation for flight crews) as well as provide an early morning departure.</li> </ul> | <ul style="list-style-type: none"> <li>Natural disasters such as Cyclone Debbie</li> </ul>                                                               |
| <ul style="list-style-type: none"> <li>The amount of flat, underutilized WCA land lends itself to any amount of aviation and non-aeronautical development.</li> </ul>                                                                               | <ul style="list-style-type: none"> <li>A repeat similar to the COVID pandemic.</li> </ul>                                                                |
| <ul style="list-style-type: none"> <li>A number of projects in the region have the potential to significantly increase passenger numbers.</li> </ul>                                                                                                | <ul style="list-style-type: none"> <li>The collapse of a partner airline, such as Tiger in 2020</li> </ul>                                               |
| <ul style="list-style-type: none"> <li>There is opportunity to leverage off strong established international flows with domestic connections.</li> </ul>                                                                                            | <ul style="list-style-type: none"> <li>Delays to the proposed airport upgrades lead to missing out on new or losing existing services.</li> </ul>        |
| <ul style="list-style-type: none"> <li>Opportunity to create an expanded Freight Distribution Centre taking advantage of existing rail spur, highway frontage, and airport.</li> </ul>                                                              | <ul style="list-style-type: none"> <li>Attracting and keeping high quality staff</li> </ul>                                                              |
| <ul style="list-style-type: none"> <li>The upgrading of aircraft fleets could lead to increased capacity and new routes for the WCA.</li> </ul>                                                                                                     | <ul style="list-style-type: none"> <li>Other airports in and around region diversifying their business operations reflecting WCA's intentions</li> </ul> |
| <ul style="list-style-type: none"> <li>Direct international flights to Asia have the opportunity to create freight export opportunities for local agriculture and aquaculture producers.</li> </ul>                                                 | <ul style="list-style-type: none"> <li>Increased competition from similar domestic destinations.</li> </ul>                                              |
| <ul style="list-style-type: none"> <li>Rising income levels will likely stimulate travel.</li> </ul>                                                                                                                                                | <ul style="list-style-type: none"> <li>Increased competition from a growing international market.</li> </ul>                                             |
| <ul style="list-style-type: none"> <li>There is a shortage of commercial / industrial land in the region, which provides an opportunity for development at the airport.</li> </ul>                                                                  | <ul style="list-style-type: none"> <li>Any decrease in the airports' ability to respond nimbly to opportunities as they present.</li> </ul>              |
| <ul style="list-style-type: none"> <li>Aviation hub for region including servicing the island destinations.</li> </ul>                                                                                                                              |                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>Given the volume of road traffic through the airport (hire cars, GTO and private pick up &amp; drop off, staff etc) there may be an opportunity to attract a refueling service provider.</li> </ul>          |                                                                                                                                                          |

## 7. Planning Parameters

The key planning parameters adopted for the preparation of the Infrastructure Report that accompanies this Master Plan are as follows.

### 7.1 Design Aircraft

Selection of the design aircraft is vital to understanding infrastructure requirements.

#### 7.1.1 Background

The design aircraft for both the 2015 Master Plan and the 2017 pavement rehabilitation works included a combination of the Code C Boeing 738 aircraft and the Airbus A330-300, a Code E widebody aircraft.

The A330 was selected as, at that time, it was considered the most likely aircraft to enable direct flights from Asia return. These aircraft are now near the end of their serviceable life and are being replaced with new, more fuel-efficient Code E widebody aircraft such as the 787 Dreamliner or A350. The smaller Code-C Airbus A321 XLR, is an exciting prospect for the WCA as it can also reach Southeast Asia from the WCA (see Section 5.3.3).

#### 7.1.2 The 2024 Design Aircraft

For the purpose of this planning review the A321 Neo was selected as the critical design aircraft based on the following considerations:

- The much larger A321 only weighs 15.5 tonne more and is 6.9m longer than the A320 aircraft currently used.
- The A321 holds 232 passengers, c 50 more than current Code C aircraft (depending on configuration).
- Jetstar (JQ) have recently acquired a fleet of 18x new A321 aircraft.
- JQ currently provide 60% of all ATO aircrafts movements at WCA (the remaining 40% is spread across 3 other airlines).
- JQ have indicated its desire to utilise A321's at the WCA.
- The A321 is the largest available ATO aircraft type that can use the WCA RWY without an extension.
- An engineering pavement assessment has confirmed the A321 can operate at 85 tonnes at the WCA for the 20 year planning horizon without any significant negative impact on the existing pavements.
- The A321NEO is part of the same aircraft family as the A321XLR that has been identified as the most suitable aircraft to commence international operations at the WCA.

At this time the WCA pavement movement areas are A321 NEO ready but as identified in the Infrastructure Report, many known and potential operational pinch points require addressing prior to the introduction of regular and concurrent A321NEO operations.

## 7.2 Peak Periods

Understanding the WCA future peak hour traffic is critical to informing both airside and landside infrastructure design.

To assist with this we have used the IATA Level of Service Guidelines focused on Optimum design which is midway between Sub-Optimum and Over-Design specifications.

For design purposes we have adopted a typical future peak hour from the high growth forecast (see Section 5.6.3), catering for 4x simultaneous operations of the design aircraft.

The reasoning behind this is:

- The planning parameters are aligned with the Airports vision to be a world class facility focused on the future.
- WCA's demonstrated success in and current pursuit of, securing new routes and airline partners.
- Most airlines operate their business services before turning to leisure markets causing the schedules to congest early to mid-afternoon. Without the possibility of slot time arrangements, the airlines dictate when they want to operate and often, all want access at similar times.
- The 2017-18 terminal upgrade took an extremely conservative approach to development (i.e. 2x simultaneous aircraft operations) which has lasted just over half its expected capacity life (5 out of 10 years).
- The planning parameters take into consideration the likelihood and impacts of aircraft operational delays and ensures these passengers will be as comfortable as is realistically possible.
- There is not much difference between the low passenger growth infrastructure requirements and high growth, with the notable exception being the allowance for future international operations.

Discussion of terminal and apron peak hour capacity follows.

### 7.2.1 Terminal peak hour capacity

Expanding the terminal to comfortably cater for 4x simultaneous A321 NEO aircraft operations is realistic and will meet the airport's requirements into the long term.

In calculating the size of the terminal expansion required we have utilised the IATA Airport Design Reference Manual (ADRM) with the Optimum Design requirement of 2.0 - 2.3m<sup>2</sup> per person for public spaces.

Based on the A321NEO operating at 85% load factors and including all staff, meeters and greeters etc. it is estimated that the terminal will accommodate 1,834 people during the future busy hour and based on the Optimum Design require some 3668m<sup>2</sup> of public area to comfortably accommodate them.

The current public area provided is 2,266m<sup>2</sup>, a shortfall of around 1,402m<sup>2</sup>.

The proposed terminal expansion is based on the Option 5 International swing gate concept prepared by STEA architects that designed the original terminal and last upgrade.

The departure halls are planned on two levels providing significant additional room for passengers as well as further food and beverage (F&B) and retail opportunity's, including a possible common use lounge facility, as well as supporting future aerobridge installation.

The resulting increases in public area capacity are in the following table. \*Note that the proposed 2 staged baggage make up area (BMA) expansions are not public areas and therefore excluded in the calculations for the public area requirements.

Table 11: Existing and proposed terminal square meterage.

| Terminal Square meterage                         | Existing<br>M <sup>2</sup> | PRIORITY 1<br>M <sup>2</sup>      | PRIORITY 2<br>M <sup>2</sup> | PRIORITY 3<br>M <sup>2</sup>        | TOTALS              | NOTES                             |
|--------------------------------------------------|----------------------------|-----------------------------------|------------------------------|-------------------------------------|---------------------|-----------------------------------|
| BMA expansion *[Not a public area]               |                            | *336                              |                              |                                     |                     |                                   |
| BMA duplication *[Not a public area]             |                            |                                   | *504                         |                                     |                     |                                   |
| Departure Hall expansion - 2 Levels              | 840                        | 1,977                             |                              |                                     |                     |                                   |
| Check in expansion                               | 510                        | 192                               |                              |                                     |                     |                                   |
| Baggage collection area expansion                | 916                        |                                   |                              | 480                                 |                     |                                   |
| International arrivals hall expansion - 2 Levels |                            |                                   |                              | 1080                                |                     |                                   |
| International Dept processing                    |                            |                                   |                              | 85                                  |                     |                                   |
| Walkways                                         |                            |                                   |                              | 40                                  |                     |                                   |
| <b>Sub-totals</b>                                | 2,266m <sup>2</sup>        | +2,169m <sup>2</sup>              |                              | +1,685m <sup>2</sup>                | 3,854m <sup>2</sup> | =Additional public m <sup>2</sup> |
| Total (existing 2,266m <sup>2</sup> + proposed)  |                            | <b>4,435m<sup>2</sup></b>         |                              | <b>6,120m<sup>2</sup></b>           |                     |                                   |
| Desired square meterage:                         | 3,668m <sup>2</sup>        | +767m <sup>2</sup> or<br>21% over | *[Not a<br>public area]      | +2,452m <sup>2</sup> or<br>67% over |                     |                                   |

The terminal design and a breakdown of the high-level costings are provided at the Infrastructure Report that accompanies this Master Plan.



### 7.2.2 Apron Capacity

The high growth forecasts for aircraft movements suggests an estimated increase to 5,764 movements per annum in the 10-year time frame.

*Table 12: Ten-year maximum forecast aircraft movements*

| Aircraft movements | No.   |
|--------------------|-------|
| 2033/34 FY         | 5,814 |
| Averaged per week  | 112   |
| Average daily      | 16    |

Despite using a 4 simultaneous aircraft operation planning parameter, the apron expansion proposed in the Infrastructure Report will simultaneously accommodate 6x A321 aircraft, or 7 if 2x smaller aircraft are on the alternative makings on bay 6.

It is anticipated that this will be adequate to handle the high growth forecast aircraft movements.

The ATO apron expansion is discussed in depth in the Infrastructure Report.

## 7.3 Runway Parameters

RWY 11/29 is a Code 4 instrument non precision approach (INPA) runway. The RWY TWY A and the ATO apron were rehabilitated in 2017 resulting in the following pavement strength rating PCN 53/B/1400/T and with current RWY dimensions of 2073m x 45m and a RWS of 150m.

### 7.3.1 Runway strength/condition.

Selection of the A321 NEO introduced a new design aircraft type for the WCA. Being heavier and longer than aircraft currently operating at the airport, AIMS commissioned Airport Pavement Engineering Specialists (APES) to undertake an engineering assessment to better understand the potential pavement impacts from regular use of the A321.

The APES assessment used the following parameters:

- An indicated maximum aircraft departure weight of 85 tonnes as identified by Jetstar and based on the existing MEL-WCA route.
- Consideration of up to 4,500 annual departures over a 20-year structural pavement design life.
- A CBR of 15% (As was adopted for the 2017 pavement rehabilitation).

In short, the APES review determined that the A321 NEO could be used for up to 4,500 departures p/a, as long as it remained at, or under, the proposed 85 tonne maximum departure mass. More than this weight may see the pavements exhibit accelerated distress, over time.

There are some existing longitudinal cracks in the runway pavements which are continuously monitored, and bitumen sealed against moisture by the ARO's as part of ongoing maintenance.

At some point in the short term (currently budgeted for 2027) it is anticipated that a pavement overlay will be required as part of the pavement maintenance program. Actual timing will depend on influences

such as weather, aircraft frequency and type. This scheduled maintenance is the only foreseeable RWY related works for WCA in the short term.

In the mid to longer term, should WCA wish to introduce the utilisation of Code E aircraft, significant additional infrastructure works are required including a 327m extension to the west. The full scope of these works has been provided previously in separate presentations by Airwork's and APES and these documents remain available for review.

### 7.3.2 Critical RWY and surfaces data

The following 4 tables provide the current data on takeoff and approach parameters, and transitional surfaces.

Table 13: Take off parameters (RWY 11 and 29)

| RWY 11/29 Take off |        | Take Off Parameters         |        |
|--------------------|--------|-----------------------------|--------|
| RWY Code           | Code 4 | Inner edge width            | 180m   |
| RWY Length         | 2073m  | Inner edge elevation RWY 11 | 16.12m |
| Clearway (CWY)     | 60m    | Inner edge elevation RWY 29 | 18.59m |
| Stopway (SWY)      | 60m    | Splay angle                 | 12.5%  |
| TODA               | 2133m  | Final width                 | 1800m  |
| TORA               | 2073m  | Final length                | 15000m |
|                    |        | Desired gradient            | 2.00%  |

Table 14: Approach parameters (RWY 11 and 29)

| RWY 11 Approach Data  |        | Approach Parameters                 |        |        |
|-----------------------|--------|-------------------------------------|--------|--------|
| RWY Code              | Code 4 | Inner edge width                    |        | 300m   |
| Instrument Procedures | INPA*  | Inner edge elevation (AHD)          |        | 16.12m |
| RWY Length            | 2073m  | Distance from THR                   |        | 60m    |
| Clearway (CWY)        | 60m    | Divergence                          |        | 15%    |
| Stepway (SWY)         | n/a    | First segment                       | Length | 3000m  |
| TODA                  | 2133m  |                                     | Slope  | 2.00%  |
| LDA                   | 2073m  | Second segment                      | Length | 3600m  |
|                       |        |                                     | Slope  | 2.50%  |
|                       |        | Third segment                       | Length | 8400m  |
|                       |        |                                     | Slope  | 0%     |
|                       |        | Total length                        |        | 15000m |
|                       |        | Max permitted slope                 |        | 2.00%  |
|                       |        | * Instrument non-precision approach |        |        |

Table 15: Transitional surface parameters (RWY 11 &amp; 29 TKOF based)

| Transitional surface parameters |              |
|---------------------------------|--------------|
| Slope                           | 1:7 or 14.3% |
| Height                          | 45m          |
| Overall RWS width               | 150m         |

| Inner horizontal surface Parameters |        |
|-------------------------------------|--------|
| Height                              | 45m    |
| Radius                              | 4000m  |
| Reference elevation (RWY 11 TKOF)   | 16.00m |
| Reference elevation (RWY 29 TKOF)   | 17.00m |

| Conical surface parameters |            |
|----------------------------|------------|
| Slope                      | 5% or 1:20 |
| Height                     | 100m       |

## 7.4 TWY B Codes

Two design aircraft were chosen to demonstrate the upgrades that might be considered for TWY B. For the initial 300m's of TWY B heading away from TWY A, the Gulfstream 8 corporate jet was selected. Beyond the c300m intersection, the King Air B360 used by RFDS was selected as the critical aircraft.

## 7.5 Other

There are some quite significant concepts presented in the Infrastructure Report that involve infrastructure development. With regards to the planning parameters for these they are based primarily on guidance taken from CASR Part 139 Manual of Standards Aerodromes and Australian Standards where applicable.

**END MASTER PLAN.**





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FINAL DRAFT



## Executive Summary

This Infrastructure Report has been prepared to accompany the Whitsunday Coast Airport (WCA) Master Plan 2024. It takes into consideration the key Planning Parameters of the Master Plan document including the design aircraft selection, terminal peak hour and apron capacity and the passenger and aircraft movement forecasts.

It is provided as a stand-alone document to conveniently separate the identification of the issues in the Master Plan with the actual and conceptual solutions provided here in the Infrastructure Report.

The infrastructure works discussed within this document are split into 3 levels of priority, with Priority 1 works being most urgent. Priority 2 and 3 works provide conceptual solutions to emerging issues. A fourth category, 'Other Works' outlines opportunities that would only be undertaken when a sound business case can be tabled demonstrating an acceptable return on investment.

The most urgent of the Priority 1 works include expansions of the aircraft parking apron and passenger terminal. 'For Construction' drawings and specifications for the apron upgrade have been prepared pre-empting a tender process. The domestic terminal expansion design is also well developed and ready for detailed design work.

Priority 2 works provide concept solutions to the road traffic congestion issues that would come with the high growth forecasts, as well duplication of the baggage make up area. These projects have been given high level cost estimates by a Quantity Surveyor.

Priority 3 Works reflect the Whitsunday Regional Councils (WRC) vision of becoming an international port by reviving the STEA architects international swing gate international terminal concept for the WCA. The design has been further refined and is ready to go to back to key stakeholders for continued consultation. It is anticipated that the proposed international terminal works will coincide with the need to introduce a dual taxiway (TWY) system to provide better apron access and aircraft manoeuvring options.

'Other Works' in this report identifies potential development opportunities for freight and general aviation. In this regard, land for a new Corporate Apron has been identified to cater for any or all of, vertical take-off & landing (VTOL) corporate, military and aeromedical aircraft operations and to further free up the ATO apron.

The possible development of new commercial and hanger lease lots to the east is explored using an extended TWY B and the multi modal freight hub proposed in 2015 has been further refined as the fully developed Freight Distribution Centre.

A parcel of WCA land has been identified for a new accommodation precinct in response to the regions decreasing bed night availability.

As part of this Executive Summary a complete cost estimate follows at Table 1 and for the ease of identification, while Figure 1 shows each area of priority by colour, (Priority 1 is red, Priority 2 is purple and Priority 3 is yellow).

Detailed discussion on each works category including 'Other Works' is included within this report.



Figure 1: WCA priority works identified by colour.



**PRIORITY 1 Works (\$31.77m)**  
**Urgent.**

- Expand Apron Bay 1
- Construct Apron Bays 5 & 6
- Expand Departures Lounge
- Expand Check in Area
- Extend BMA
- Apron Lighting
- Fuel Facility Provision
- Sewerage Treatment Plant upgrade

**PRIORITY 2 Works**  
**Short term < 4 years est**

- Duplicate BMA.
- Vehicle access, circulation and parking works.

**PRIORITY 3 Works (\$47.31m)**  
**Driven by demand and traffic\***

- Construct satellite international arrivals terminal and processing area.
- Construct additional TWY systems.



Table 1: Summary of cost estimates by priority and area.

| No.                                                          | Description                                       | Priority 1 Urgent Works | Priority 2 Concept Works   | Priority 3 Concept Works | Totals (\$m)       |
|--------------------------------------------------------------|---------------------------------------------------|-------------------------|----------------------------|--------------------------|--------------------|
| <b>PAVEMENT WORKS</b>                                        |                                                   |                         |                            |                          |                    |
| 1.                                                           | Bay 1 expansion (including night works allowance) | 2.6                     |                            |                          | 2.6                |
| 2.                                                           | Bays 5 and 6 construction                         | 4.8                     |                            |                          | 4.8                |
| 3.                                                           | Preliminaries for apron works                     | .24                     |                            |                          | .24                |
| 4.                                                           | Dual and Link TWY system                          |                         |                            | 29.71                    | 29.71              |
| 5.                                                           | Apron flood lighting                              | .61m                    |                            |                          | .61                |
| 6.                                                           | <b>Pavement Totals</b>                            | <b>\$8.25m</b>          |                            | <b>29.71m</b>            | <b>\$37.96m</b>    |
| <b>TERMINAL WORKS</b>                                        |                                                   |                         |                            |                          |                    |
| 7.                                                           | Departure lounge expansion                        | 18.4                    |                            |                          | 18.4               |
| 8.                                                           | Baggage make-up area (BMA) Extension              | 2.2                     |                            |                          | 2.2                |
| 9.                                                           | Check in area                                     | 1.73                    |                            |                          | 1.73               |
| 10.                                                          | CUSS bag drops x 2                                | .32                     |                            |                          | .32                |
| 11.                                                          | Baggage make-up area (BMA) Duplication            |                         | 5.9                        |                          | 5.9                |
| 12.                                                          | International arrivals & processing area          |                         |                            | 17.6                     | 17.6               |
| 13.                                                          | <b>Terminal Totals</b>                            | <b>\$22.65m</b>         | <b>5.9m</b>                | <b>17.6m</b>             | <b>\$46.15m</b>    |
| <b>VEHICLE ACCESS, CIRCULATION AND PARKING WORKS CONCEPT</b> |                                                   |                         |                            |                          |                    |
| 14.                                                          | New loop road and coach parking/set down          |                         | 11.36                      |                          | 11.36              |
| 15.                                                          | New rental car park                               |                         | 2.44                       |                          | 2.44               |
| 16.                                                          | Public car park extension                         |                         | 4.62                       |                          | 4.62               |
| 17.                                                          | Reseal existing car park                          |                         | 2.33                       |                          | 2.33               |
| 18.                                                          | Premium car park                                  |                         | 4.18                       |                          | 4.18               |
| 19.                                                          | Staff Car Park Works                              |                         | 4.85                       |                          | 4.85               |
| 20.                                                          | Site preparation<br>Future parking expansion      |                         | 2.02                       |                          | 2.02               |
| 21.                                                          | Site preparation<br>New accommodation precinct    |                         | .78                        |                          | .78                |
| 22.                                                          | <b>Vehicle Works Total</b>                        |                         | <b>\$32.58m</b>            |                          | <b>\$32.58m</b>    |
|                                                              | <b>SEWERAGE TREATMENT PLANT</b>                   | <b>\$1.1m</b>           | Funded by<br>Works for QLD |                          | <b>\$1.1m</b>      |
| <b>FUEL FACILITIES</b>                                       |                                                   |                         |                            |                          |                    |
| 24.                                                          | Aviation                                          | .35                     |                            |                          | .35                |
| 25.                                                          | Vehicular                                         | .5                      |                            |                          | 1.03               |
| 26.                                                          | <b>Fuel Area Works Total</b>                      | <b>\$ .85m</b>          |                            |                          | <b>.85m</b>        |
|                                                              |                                                   | <b>Priority 1 Works</b> | <b>Priority 2 Works</b>    | <b>Priority 3 Works</b>  | <b>Grand Total</b> |
|                                                              | <b>TOTALS:</b>                                    | <b>\$31.75</b>          | <b>\$38.48</b>             | <b>\$47.31</b>           | <b>\$117.54m</b>   |





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## Introduction

This Infrastructure Report was prepared based on the following information provided in the Whitsunday Coast Airport (WCA) Master Plan 2024:

- the stakeholder consultation process,
- the results of the SWOT analysis,
- the agreed Planning Parameters and
- the passenger and aircraft movement forecasts.

The Infrastructure Report supplements the Master Plan by providing more detail on the opportunities and issues identified through the master planning process. It provides infrastructure-based solutions to issues categorised in an order of priority 1 – 3, with priority 1 issues being most urgent.

A fourth category, 'Other Works', are works that would only be undertaken when a sound business case can be tabled demonstrating demand and an acceptable level of return on investment. In summary each of the categories cover the following:

**Priority 1 Works (Required urgently, advance planning undertaken - identified in red).**

- Air transport Operation (ATO) apron expansion (tender documentation prepared)
- Terminal expansion works (concept design refined for cost estimate)
  - Check in.
  - Screening Points.
  - Departures hall.
  - Baggage Make up Area (BMA) extension.
- Sewerage Treatment Plant upgrade.
- Provision of fuel facilities.

**Priority 2 Works (Recognises an issue and provides a concept solution - identified in purple).**

- Vehicle Access, Circulation and Parking focussed on:
  - GTO Operations and loop road.
  - Rental Cars.
  - Public Parking Areas.
  - Staff Parking Areas.
  - Site Preparation (expansion for parking plus accommodation precinct).
- Terminal expansion focussed on:
  - Baggage Make up Area (BMA) duplication.



**Priority 3 Works (Required in time to meet demand, identified in yellow).**

- Terminal
  - International arrivals hall and processing areas
- Taxiways
  - Construction of dual and link taxiways (TWYS)

**Other Works (concepts for discussion purposes).**

- Freight Distribution Centre expansion
- Corporate Apron construction
- General aviation expansion to the east

Where practical, cost estimates are provided for proposed works and the background to these estimates are detailed following.

## Infrastructure Design & Costings

All the conceptual designs and drawings provided in this Infrastructure Report were prepared with reference to the Planning Parameters described in Section 7 of the Master Plan 2024 and with regards to the ATO apron expansions, these are compliant with applicable designs and standards.

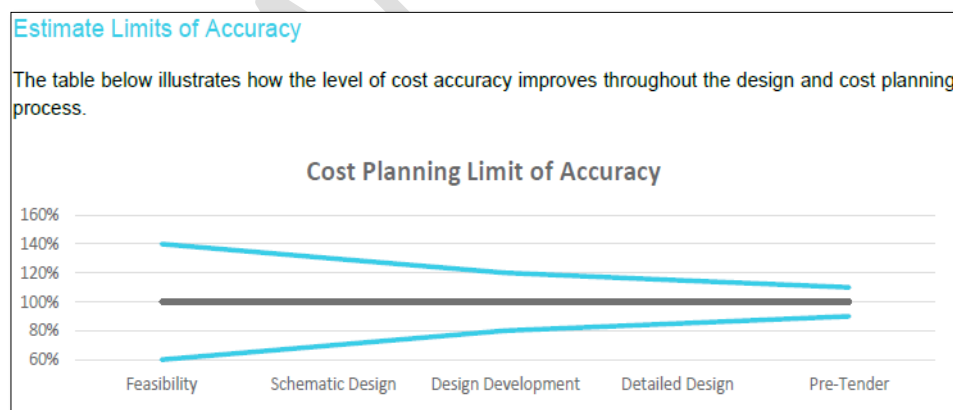
Cost estimates on proposed upgrades for this project have been acquired through a number means and these are discussed following.

1. Kamen Engineering is an Australian aviation pavements engineering firm with significant experience in both the design and construction of airfield pavements. Kamen were engaged to complete the pavement design and provide preliminary costings for the apron expansion proposed in this report.
2. The Sewerage treatment plant and WCA Fuel site preparation were cost estimated in consultation with Whitsunday Regional Council (WRC) using current industry rates.
3. The apron flood lighting cost estimate was prepared by A.K Electrical.
4. The Cost Plan Group (Quantity Surveyors) were involved in the 2017 expansion of the airport terminal. Given their familiarity with the airport they were re-engaged to provide all other cost estimates including the terminal and other concepts.

The Cost Plan Group have provided the following graph “Estimate Limits of Accuracy” which gives guidance on the range of accuracy to be expected in each stage of the design process.

Note that with the exception of the apron expansion all proposed works discussed in this report are currently at the Feasibility stage.

Figure 2: Estimates of accuracy -Cost Plan Group.



The next step to further refine cost estimate accuracy for the domestic terminal works is the engagement of architects and engineers (civil, electrical etc) to progress to detailed design. These costs are included in the estimates provided within this report, as Professional Fees.

With regards to the International Terminal upgrade the pathway forward now requires input from key stakeholders such as Boarder Force to ensure that the proposed design is operationally feasible.

The Cost Plan Group Report provides clarity on what has been included in their cost estimate documents.

# 1. PRIORITY 1 WORKS

Priority 1 works are required to both relieve existing congestion and provide for the forecast growth in passenger numbers and aircraft movements. Priority 1 Works are considered urgent, and planning and design should continue post adoption of this Infrastructure Report.

Each of the Priority 1 works are discussed in detail over the following sections.

## 1.1 ATO Apron

There are currently 4 air transport operation (ATO) aircraft parking bays, numbered 1 to 4, right to left, as you enter the apron on TWY A. Bay 1 utilisation is problematic as it is restricted by design to smaller aircraft only accommodating the current Skytrans service.

Congestion on the ATO apron is a serious issue and this has been identified through SWOT analysis as a potential threat to the continuing growth of aircraft movement and passenger numbers, if not addressed.

## 1.2 ATO Apron Congestion Analysis.

Busy hour analysis of the current WCA flight schedules identified regular occurrences of 2x simultaneous Code C aircraft requiring apron parking for servicing.

[Note that this was a design parameter of the terminal expansion completed in 2017, an expansion considered at that time to be appropriate for the 10-year growth horizon].

Prima facie this scenario might appear manageable with 3.5 bays, (remembering that Bay 1 is restricted). However, if minor operational delays are brought into consideration by viewing the busy period to include an hour either side of the busy hour (such as 1230-1430 Saturdays, Sundays Mondays & Thursdays), the likelihood of 3 aircraft requiring simultaneous apron access is extremely high. Adding to the issue, under the current schedules, another aircraft also arrives just outside this current busy period, at 1435.

The situation where no appropriate (this often excludes Bay 1) parking bays are available occurs under the existing schedules with regularity (estimated as once a monthly by WCA). At worst, this results in aircraft having to fly circuits until a parking bay is vacated.

There are also a number of additional scenarios that can and do severely exacerbate the existing apron congestion issues.

- When one or more aircraft go unserviceable for an extended period (a situation made worse when it occurs on one of the unrestricted Bays 2-4).
- The increased number of flights scheduled, including the new ADL services and the double daily's from MEL and SYD that regularly occur in peak periods and
- Parking requests from aero-medevac, itinerant and military operators for aircraft too large to use the general aviation (GA) area. [It is understood that the airport regularly has to refuse access to non ATO traffic due to the lack of parking bays].

In addition to the lack of parking bays, the current apron congestion also creates aircraft manoeuvring issues whereby departing aircraft are required to backtrack the RWY behind aircraft that have just landed to allow that aircraft to access their vacated bay.

## 1.3 ATO Apron Congestion Solutions

The following options were investigated as possible solutions to the apron congestion situation.

### 1.3.1 Procedural.

WCA staff already work collaboratively with the airlines and ground handlers to try to coordinate schedules and allocate bays to minimise apron congestion. When apron congestion becomes unavoidable, the Aerodrome Reporting Officers (ARO's) coordinate the most effective parking of aircraft, including at times the need to request aircraft stay in the air and hold. However, once the apron is full, there are simply no other options for parking aircraft which no amount of procedure will remedy.

### 1.3.2 Technological.

The introduction of a nose in guidance option to enable power in and push back aircraft parking was reviewed. This option would have significant operational impacts for the ground handling agency (GHA) as well as require additional financial investment by the WCA.

While these issues are not insurmountable, the power in - push back (PI-PB) solution was disregarded as a short-term solution when it was confirmed through modelling that even with PI-PB, the airport would still only be able to accommodate 4 parking bays and that Bay 1 will remain restricted without physical expansion.

The investigation of PI-PB at WCA was a worthwhile exercise and this may still be introduced at a future point in conjunction with apron and terminal works that support the introduction of aero-bridges.

### 1.3.3 Infrastructure

Investigation has confirmed that infrastructure development is the only way to effectively resolve the current aircraft parking and manoeuvring issues.

With this understanding, Airwork's aviation draftsmen were engaged to prepare several apron design options with all parties coming to agreement on a plan that provides 6x A321 NEO unrestricted bays, or 7 aircraft, with a combination of smaller aircraft types (up to Q400).

The new 6 bay apron configuration we will achieved by

1. Extending Bay 1 to allow for unrestricted A321 NEO aircraft operations.
2. Constructing additional parking bays 5 & 6 on the western side of the apron.

With up to 7 aircraft parking bays, WCA will be able to meet the Master Plan 2024 design parameter of 4 simultaneous operations in the busy hour, (double current schedules) plus provide redundancy for operational delays that occur in the busy period.

Based on the forecast aircraft movements this arrangement should be adequate for ATO services into the long-term catering for up to and including the high growth forecasts.

## 1.4 ATO Apron Works

Using the revised apron plan, AIMS engaged Kamen Engineering to investigate, design and deliver the Technical Specifications necessary to enable Whitsunday Regional Council (WRC) to facilitate a procurement process for the proposed apron works.

The Technical Specification and associated plans have been collated as a tender documentation package and delivered to WCA.

As part of this process, we have had cost estimates prepared that include all site preparation, pavement construction, apron ground and flood lighting and line marking. The cost estimates were provided by Kamen Engineering (pavements and apron ground lighting) and AK Electrical (supply and installation of apron floodlighting).

These follow at Table 2.

*Table 2: Apron expansion cost estimates*

| Item | Project                                                    | Cost \$m       |
|------|------------------------------------------------------------|----------------|
| 1.   | Bay 1 Expansion                                            | 2.6            |
| 2.   | Construct Bays 5 & 6                                       | 4.8            |
| 3.   | Preliminaries                                              | .24            |
| 4.   | Apron flood lighting upgrade to service new bay alignments | .61            |
| 5.   | Inclusions: apron ground lighting and line marking         |                |
| 6.   | <b>Total:</b>                                              | <b>\$8.25m</b> |

An apron layout plan depicting the proposed new ATO Apron follows.





Figure 3: Proposed apron expansion





## 1.5 TERMINAL

The WCA terminal was doubled in size over 2018 -19 to cater for 2x simultaneous Code C aircraft operations.

As discussed in the Master Plan 2024, there are now regularly 3x large Code C aircraft simultaneously on the ground and as with the apron, there is significant congestion in the terminal. This issue has been identified by Strengths, Challenges, Opportunities and Threats (SCOT) analysis as a threat to the future growth of the airport if not addressed.

As the terminal is made up of many different areas these are each discussed individually for clarity in the following sections.

- Check in
- Aviation Security Screening
- Departures Hall
- Gates
- Baggage Make up area
- Baggage break down (collection)

A plan of the full scope of the proposed terminal works is provided on the following page at Figure 4. It identifies works required in the short term as Priority 1 in yellow, the medium term (within 4 years) as Priority 2 in purple, with Priority 3 works triggered by demand and opportunity, and identified in yellow.

The proposed designs were prepared with reference to the IATA Design Reference Manual reflecting the Optimum Design requirement of 2.3m<sup>2</sup> (see Section 7 – Planning Parameters of the Master Plan 2024).

The designs provided are conceptual but are detailed enough to allow high level cost estimates to have been prepared by the Cost Plan Group. Architectural and engineering design works to verify proof of concept and refine cost estimates are the next stage to progress to these works.

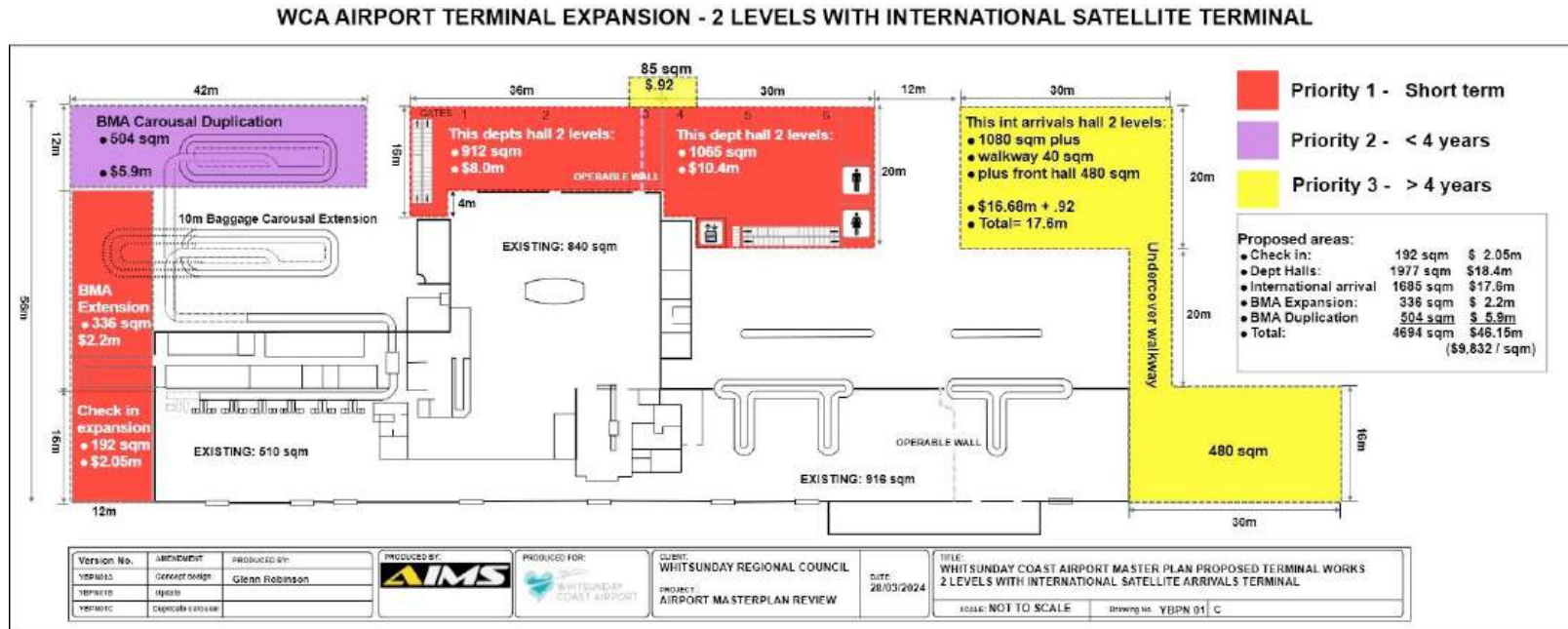
A summary of costs by area and priority follow below.

*Table 3: Terminal works cost estimates by priority level and area.*

| Item | Project                             | Priority 1<br>Cost \$m | Priority 2<br>Cost \$m | Priority 3<br>Cost \$m | TOTAL           |
|------|-------------------------------------|------------------------|------------------------|------------------------|-----------------|
| 1.   | Departures Halls                    | 18.4                   |                        |                        |                 |
| 2.   | BMA extension                       | 2.2                    |                        |                        |                 |
| 3.   | Check-in area (including bag drops) | 2.05                   |                        |                        |                 |
| 4.   | BMA Duplication                     |                        | 5.9                    |                        |                 |
| 5.   | International arrivals              |                        |                        | 17.6                   |                 |
| 6.   | <b>Sub-totals</b>                   | <b>\$22.65</b>         | <b>\$45.9</b>          | <b>\$17.6</b>          | <b>\$46.15m</b> |



Figure 4: Proposed terminal expansion concept.



## 1.6 Check in area.

The check in area regularly suffers from severe congestion in the busy period (see Master Plan 2024 Section 5.5 - Current Traffic Analysis). With existing congestion and the high growth passenger forecast identifying almost 1 million annual passenger seats by the 2034FY, a physical expansion of the check in area is required now.

The entire terminal is designed to be easily extended in either 4, 6 or 8 metre width bays and for the purpose of the check in area extension a 16 x 12m / 192 m<sup>2</sup> extension is suggested that will abut a proposed expansion in the baggage make up area (see Section 1.9 following).

In addition to the physical expansion to the check in area, we investigated the pros and cons of common use self-service (CUSS) kiosks and common use passenger processing (CUPPS) options to possibly aid with speeding up the check in process and relieving queue congestion.

Kiosks can be purchased for between \$15k (smaller fixed units) to \$25k (battery powered portable units) plus installation and freight (typically 20-25% of capital costs). There are also ongoing charges for maintenance, subscriptions between \$2-3k / month and consumables such as generic bag tags, boarding passes etc to consider.

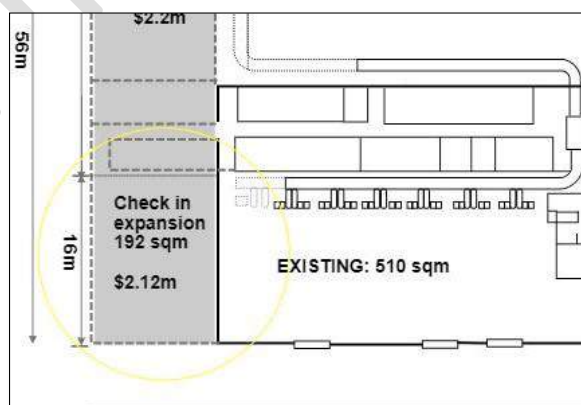
Kiosks are being used less for check in these days, given the advance of mobile phone and airline applications (Apps). However, bag drops with baggage tag printing capability would be highly effective in combination with a physical expansion of the check in hall to provide space and reduce queues. The addition of the bag tag printing capability at the bag drop would be a better option than standalone kiosks to make the best use of the additional hall area provided.

To this end it is proposed that two new common use baggage drops are installed at the eastern end of the expanded check in area. This will assist with reducing queues and will speed up the check in process.

Two bag drops have been estimated along with an extension of 4m to the existing collector belt at a total estimated cost of \$315, 525. This cost has been added to the cost of the check in area expansion provided by the QS.

The proposed works were costed at \$2.12m.

Figure 5: Check in area expansion concept (16m x 12m)



## 1.7 Aviation security screening

The expansion of the departure halls proposed at Section 1.8 will significantly increase the landside security zone (sterile area) at WCA. The biggest related impact on the screening service provider will be the increased time required to establish the sterile area prior to commencing screening and early engagement with the service provider will assist with their preparedness.

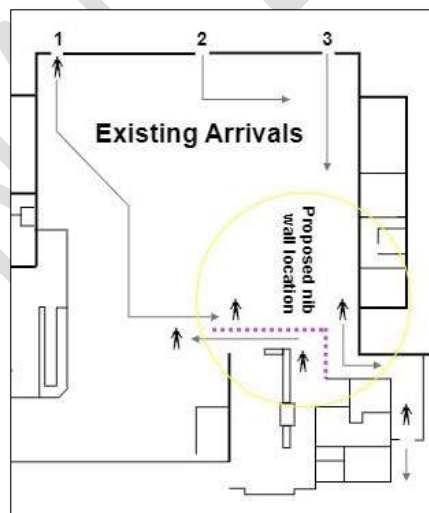
The existing passenger screening point is single lane however there is enough space available to revert to a dual lane when queuing times become unacceptable. IATA Level of Service guidance suggests 5-10 mins as an acceptable time range for passing through a screening point. Given WCA is a leisure destination where a positive passenger experience is paramount, the shortest possible period is the preference. The WCA already record and monitor queueing times for this purpose.

The passenger screening point is subject to arriving passenger interference as they enter from the arrival gates (particularly Gate 1) and transit through the pass back. This will be relieved with the additional Gates in the proposed expansion which will provide alternative entrances to the terminal, negating the need to use Gate 1. In the longer term, the eventual addition of the proposed international arrivals satellite terminal at Section 3.1 will provide direct 'inside' access from at least aircraft Bays 5, 6 & 7, by-passing the departure hall altogether.

If the arriving passenger issue continues to impact the screening point, there is an opportunity to provide an attractive nib wall c1.4m high designed to divert incoming passengers around the screening point. With thoughtful design this wall could also provide a shelved area for passengers to repack their items.

The proposed location is shown in purple below, but has not been costed.

Figure 6: Proposed feature nib wall to separate arriving pax from screening traffic.



No issues were identified with the checked baggage screening arrangement. There should be no impact from the proposed existing belt extension in the immediate term. However, there will be a systemic change to outbound baggage processing that will come with the proposed installation of a second loop belt as proposed in Section 2.1.

## 1.8 Departures Hall (Domestic)

As is discussed in the WCA Master Plan 2024 (see S.7 Planning Parameters) there are existing and significant congestion issues in the Departures Hall.

Figure 7 shows the proposed expansion of the Departures Hall which includes a 12 x 36m extension of the existing terminal frontage and the addition of a second hall measuring almost 30 x 20m square and providing 2 additional gates on the lower floor. Both extensions are 2 levels.

The proposed new hall can be separated from the expanded existing hall via an operable wall, as per the original STEA Architects Option 5 International Swing Gate terminal design. This provides the ability to facilitate future international operations via the 85m<sup>2</sup> processing hall positioned airside between Gates 3 and 4.

*Note: Facilitating international operations hinges on the construction of the International Arrivals Hall as seen on Figure 19 and marked as Priority 3 works.*

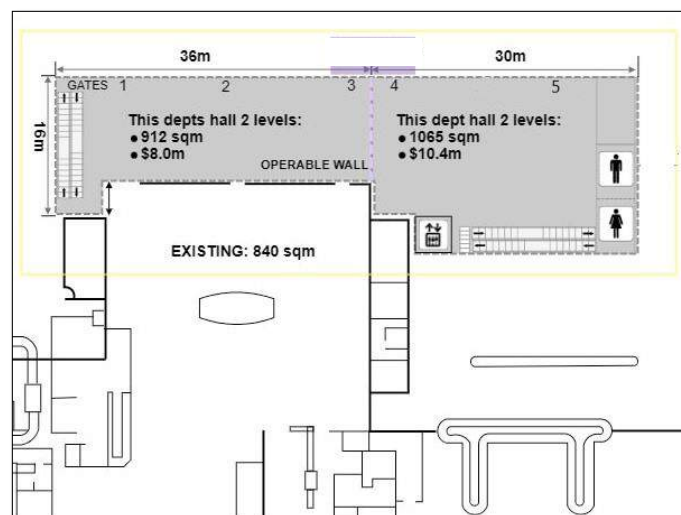
In a departure from the STEA Option 5 design, both the existing hall expansion and new hall are proposed to be 2 levels. This is recommended for a number of reasons.

- It will provide additional redundancy over the anticipated public space requirements in this area well into the long term.
- Building only one level now will make construction of the second level in the future extremely difficult to manage (operationally) and much more costly.
- When the proposed international swing gate lounge is in operation a significant amount of area will become unavailable for domestic use. With the second level option, upstairs can be used as required to accommodate whichever passenger stream has the greatest operational need by use of the operable walls.
- The operable walls will allow flexibility in way the terminal is generally utilised ie opening and closing of areas, in addition to facilitating international operations.
- In the longer term the second level can provide direct aerobridge access and additional gate options.
- The upstairs expansion out the front of the existing departure gates is suitable for an airline or common use lounge.
- The increased space provided would also accommodate additional food and beverage and/or retail options.
- Second level access is provided via a combination of lift and travelator.

To maintain operational capability, it is proposed that the new arrivals hall to the west would be constructed and completed first. When it is opened all arrivals and departures would transit through the new hall while the expansion of the existing hall is completed. It is anticipated that once these works are completed, existing external wall will come down in a night, to open into the expanded area the following day.



Figure 7: Proposed departures hall expansion concept.



### 1.8.1 Departure Hall Gates

When considering the scope of the Departures Hall expansion common user equipment arrangements were considered at the gates to allow for some flexibility of gate use between airlines.

Initial discussions with services providers identified that the associated costs were in the vicinity of:

- 6 x gate stations \$180,000 (3x double desks at each gate)
- 6x ongoing costs \$1,200/month (subscription etc)
- Installation, cabling, internet access etc (TBC)

Given the proposed Departures Hall expansion will provide a total of 5 lower-level gates the additional and ongoing costs of switching to common use were considered to be better utilised providing dedicated airline gates.

## 1.9 Baggage Make Up Area (BMA)

The BMA baggage belt is often full preventing the ground handling agent (GHA) access for their tugs and baggage carts. This situation will only worsen as more flights come on.

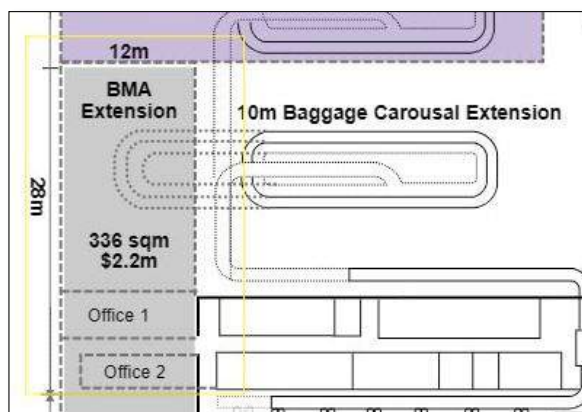
A two-stage approach is proposed to relieve the BMA congestion. The first is identified as a Priority 1 works and this is to extend to existing baggage carousel belt. [The second stage is to install a second pellet loop belt and associated infrastructure, this is identified as a Priority 2 works and discussed in Section 2.1].

It is proposed WCA install a 10m belt extension as the initial upgrade to the BMA. This approach will:

- delay timing pressure to install and maintain a costly second carousel.
- economically provide an increase in access to the belt that will cater for up to four simultaneous aircraft operations.
- introduce the connecting terminal structure required to house the second carousel.

The 336m<sup>2</sup> under roof expansion that is proposed to cover the extended belt will also deliver two rooms suitable for airline or airport offices in the terminal back of house, and abut the check in area extension proposed at Section 1.6

Figure 8: Carousal extension and BMA expansion concept.



## 1.10 SEWERAGE TREATMENT PLANT (STP)

Upgrading the existing sewerage treatment plant (STP) has been already identified as one of the key infrastructure issues requiring urgent resolution at WCA.

WCA already have a plan in place to duplicate the capacity of the existing plant and are currently working closely with the Department of Environment and Science to resolve final design and compliance issues. This plan will be completed as soon as practical.

Estimated STP costs are at Table 4 below with the proposed location shown in Figure 9.

Table 4: Sewerage treatment plant works – estimated costs

| Item | Project                              | Cost \$m |
|------|--------------------------------------|----------|
| 1.   | Sewerage Treatment Plant (STP) Works | 1.1m     |

[Authors Note: In the time since the Working Draft of this Report was finalised WRC have managed to secure funding assistance from the Works for Queensland Program].



Figure 9: Expanded Sewage Treatment Plant (STP) within proposed new staff car park.



Note: the expanded STP falls within the proposed new Staff Car Park Area adjacent to the existing hire car parking area.

1.11 FUEL FACILITIES

Two additional areas at the airport have been reserved for the purpose of establishing new fuel facilities.

1.11.1 Aviation Fuel

Long prior to the master planning consultation process, the Airlines were indicating to WCA that they would benefit from the introduction of competition for fuel supply. The recent end of the existing fuel supply contract provided an opportunity to introduce this competition, as well as a commercial opportunity to assist WCA in reducing any reliance on passenger fees and charges.

The proposed facility site and development costing and location follows.

Table 5: Preparation of new aviation fuel depot area– estimated costs

| Item | Project                                                                | Cost \$m |
|------|------------------------------------------------------------------------|----------|
| 1.   | New aviation fuel depot area. Site preparations and all-weather access | .35m     |

Figure 10: Proposed new IOR aviation fuel depot site.



### 1.11.2 WCA Fuel

A proposed new automated vehicle refuelling facility is proposed for location on the south side of Lascelles Drive, near the Freight Distribution Centre (FDC) (see

Figure 11).

This facility is required for the convenience of those visiting or returning vehicles to the airport. It is also opportunity for the airport to lessen its reliance on passenger fees keeping the WCA impact on airfare prices as low as practical and in turn, the destination as competitive as possible.

The concept design allows for 30,000L self-bunded tank such as that WRC have previously installed at their Proserpine Works Depot.

It has had a high-level cost estimate as follows.

Table 6: Preparation of new vehicular fuel depot area— estimated costs

| Item | Project                                                               | Cost \$m |
|------|-----------------------------------------------------------------------|----------|
| 1.   | New service station area.<br>Site preparations and all-weather access | .5m      |

Figure 11: Proposed new vehicular service station site



## 2. PRIORITY 2 WORKS

Priority 2 works include the proposed:

- 1 Duplication of the baggage make up area (BMA) &
- 2 Vehicle access, circulation and parking upgrades.

While the design for the BMA area duplication was investigated, designed and costed, the road traffic solution is a concept designed to offer solutions for the emerging traffic issues that will come with the high growth forecasts. These are discussed following.

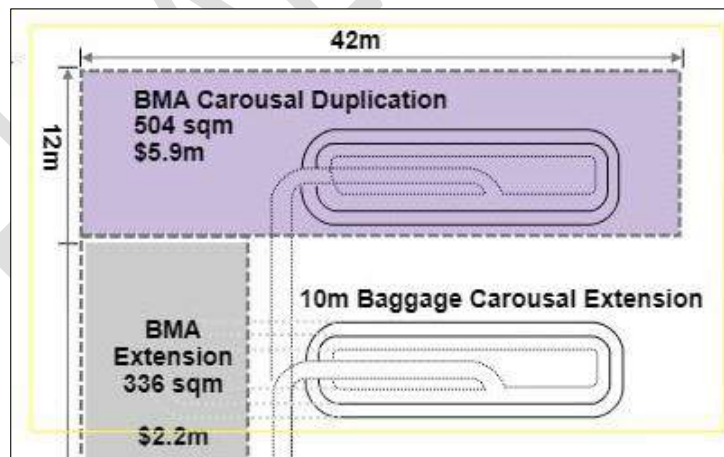
### 2.1 BMA - Duplicate Carousel

The proposed extension of the baggage carousel discussed earlier at Section 1.9 provides an economical way to delay the costly exercise of adding, operating and maintaining this second carousel.

However, it is expected that a duplicate pellet loop belt arrangement will be required to accommodate the longer-term forecast growth in passenger numbers. A high-level cost estimate for these works comes in at **\$5.9m** and this work has been given a Priority 2 level based on the interim carousel extension discussed as Priority 1 Works at Section 1.9.

The installation of the second belt will be assisted by the fact that the works completed for extension of the existing belt will have already laid many of the building and ground foundations for the works required, (ie moved the existing fence and gate, expanded the concrete footprint and bought the intersecting terminal structure out).

Figure 12: BMA carousel duplication concept.



## 2.2 VEHICULAR ACCESS, CIRCULATION AND PARKING

This section considers car parking expansion and options, vehicle circulation and ground transport operations.

A broad concept design solution has been developed that has taken into account all of the issues raised through the consultation process and that caters for high growth forecast increase in passenger numbers.

At this stage as a concept design, the cost estimates provided by the Quantity Surveyor make the undertaking of all the proposed works in this section cost prohibitive. However, planning in this area should continue as it is anticipated that additional facilities will be required within the next 4 years.

Specifically, it examines:

- Public parking (short, long and premium options)
- Rental Cars parking and operations
- Set down and pick up areas
- Coach and bus with trailer access and parking
- Options to access to the proposed accommodation precinct
- Staff car parking
- Circulation of traffic with consideration of buildability
- Longer term expansion

Budget is included in the cost estimates to engage traffic movement specialists to refine the concept design.

The entire concept is shown at Figure 13 following and discussed in detail throughout this section.



Figure 13: Vehicle access, circulation and parking upgrades – concept design.





## 2.3 Ground Transport Operations and Loop Road

The existing coach, bus & minivan GTO area regularly suffers from congestion in peak periods.

This conceptual solution provides dedicated parking for 15 coaches (up from 7) with duplicated parking shown on the backside (western side) of the loading area for long term future growth - (this is not included in the cost estimate).

There is an opportunity to improve traffic flow by introducing a loop road that will separate GTO operations from the public traffic, as well as provide access to the public rental car park and proposed new accommodation precinct. Passenger safety and security is enhanced by providing lit covered walkways with solar panels on top, from the terminal to the GTO loading area.

Other notable points of this concept design include:

- Minimising the infrastructure investment needed by working within or near to the current parking areas and using existing boom gate locations.
- Provision of an increased taxi staging area with shelter.
- An additional footpath set down area is provided to allow up to 4 buses with trailers to pull up without having to reverse.
- Introduction a e-Tag readers for ease of GTO and taxi charging.

Table 7: GTO and loop road development concept – cost estimate

| Item | Project                                   | Cost \$m     |
|------|-------------------------------------------|--------------|
| 1.   | Loop Road and Coach / Taxi set down areas | 11.36        |
|      | <b>Total</b>                              | <b>11.36</b> |

Figure 14: Loop road and GTO area set down concepts (in yellow).



2.4 Rental Cars

The volume of rental cars now required to meet the demand at the WCA sees many hire car operators relying on informal parking at loosely designated grassed areas around the airport. While fees are charged for this service, the arrangement is visually unattractive, and many of these areas will be required for other purposes if concepts from this Infrastructure Report are pursued.

Grouping all hire cars in a new single dedicated C200 bay area (up from 94 and including 40 premium ready bays) will be more convenient for the operators and users, easier for the airport to control and be more visually appealing for visitors arriving and departing down Lascelles Ave.

Also, it is known that the existing wash bays are not equipped to capture the water used for washing cars and this concept solution provides a dedicated wash bay/maintenance precinct just to the northwest of the rental car parking bays.

*Note: In this costing we have only allowed for clearing and road access to the proposed new wash bay maintenance shed sites.*

Table 8: Rental car parking concept estimated costs.

| Item | Project               | Cost \$m |
|------|-----------------------|----------|
| 1.   | Rental Car Park Works | \$2.44m  |



Figure 15: New Rental Car Park and Maintenance Facilities.



## 2.5 Public Parking Areas

### 2.5.1 General

The public car park only operates at high occupancy levels during peak holiday periods and with the withdrawal of Bonza it is anticipated that expansion works originally proposed for the car park within the next 2 years can be safely deferred out to 4.

This proposal includes a necessary reseal to the existing public car park as well as expanding the number of bays to c430 (from c350). It also allows for additional future expansion with a cost estimate provided for this site preparation (clearing) at Section 2.7, Table 11 following, provided to give the option of completing all required site preparation in one effort.

In this concept the design utilises all the existing facilities (boom gates etc) in their current locations. The price estimate includes 15x EV charges, footpaths and covered walkways with solar on top, as well as CCTV coverage for safety and security.

### 2.5.2 Premium

This Report proposes to move the rental car operators to a new location and use their existing site which would be extended to provide a c110 bay premium parking facility.

The premium parking option would be undercover with solar roofs and a security fence around the perimeter to control access. The price estimate includes the provision of 5 EV charges, footpaths and covered walkways with solar on top, as well as CCTV coverage for safety and security.

Table 9: Public parking expansion and development concept – estimated costs

| Item                               | Project                                     | Cost \$m      |
|------------------------------------|---------------------------------------------|---------------|
| 1.                                 | Public Car Parking –Expansion               | 4.62m         |
| 2.                                 | Public Car Parking –Reseal of existing      | 2.33m         |
| 3. 3                               | Public Car Parking – Premium parking option | 4.18m         |
| <b>Total Public Car Park Works</b> |                                             | <b>11.13m</b> |

Figure 16: Expanded public car parking options.



## 2.6 Staff Car Parking.

With more airlines bringing more flights, there are more people coming to work at the WCA. As such consideration must be given to the provision of an increased staff car parking area.

Given the premium location of the existing staff car park at the eastern, or check-in end of the terminal, it is proposed that this area is reserved and kept largely unimproved, for future terminal expansion. A staff car park provides a very easy and economical option to disassemble when the time comes to implement a more permanent & higher use for the existing area, (consider: additional check-in and BMA extensions).

An alternative staff car park is proposed for establishment in the area across Lascelles Avenue, currently used to park overflow hire cars and identified in Figure 17 that follows. This location also allows significant opportunity for future growth to the north towards the proposed accommodation village should it be required in the distant future.

Development of this site will also assist in the required doubling of the sewage treatment plant (STP) site, by clearing the surrounding land and providing a sealed and controlled access point.

For safety appropriate nighttime lighting and a covered walkway to the terminal are provided. For security, boom gates and CCTV are included, plus an e-tag reader for better control of this area. 4x EV charges are also provided in the cost estimates.

Table 10: Staff car park concept – estimated costs

| Item                              | Project              | Cost \$m     |
|-----------------------------------|----------------------|--------------|
| 1.                                | Staff Car Park Works | 4.85m        |
| <b>Total Staff Car Park Works</b> |                      | <b>4.85m</b> |

Figure 17: Proposed new staff car park area.



## 2.7 Site Preparation (Accommodation Precinct and Car Park Expansion)

Site preparation for each of the car park related elements already discussed has been included in their individual cost estimates.

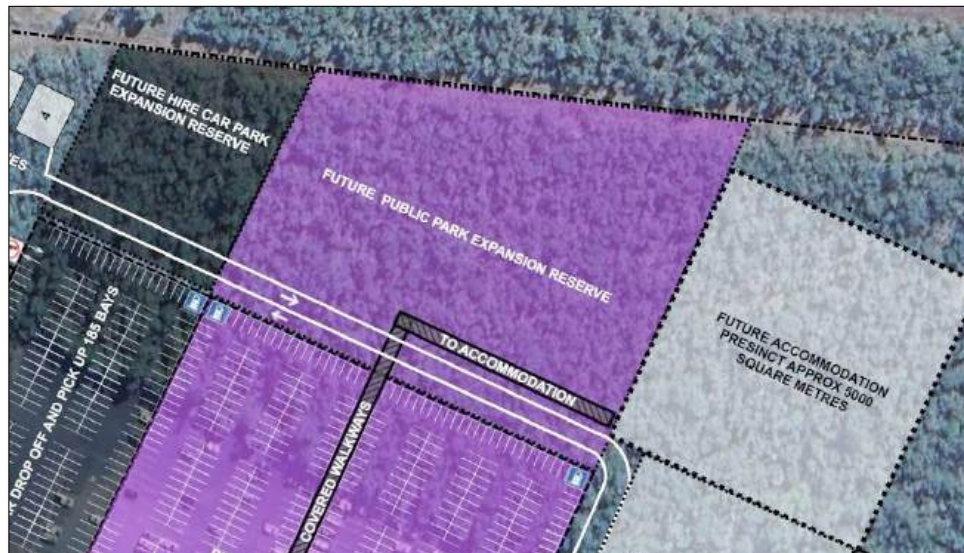
Given the plant and equipment would already be on site it is proposed that the site preparation for the long-term car park growth expansion area and the proposed accommodation precinct (neither of which are proposed for development at this time) take place while other works proposed in this section are under way.

See Figure 18 that follows to identify these sites.

Table 11: Site preparation for future expansion – estimated costs

| Item                              | Project                                               | Cost \$m     |
|-----------------------------------|-------------------------------------------------------|--------------|
| 1.                                | Site Preparation – Future Hire Car and Public Parking | 2.02m        |
| 2.                                | Site Preparation – Future Accommodation Precinct      | .78m         |
| <b>Total Staff Car Park Works</b> |                                                       | <b>2.80m</b> |

Figure 18: Site Preparation – areas Included in cost estimates.





### 3. PRIORITY 3 WORKS

#### 3.1 International Arrivals Hall

In keeping with the STEA Architects Option 5 design for international operations, a 2 level international arrivals satellite hall and departing passenger facility have been proposed for construction. This area has been identified as Priority 3 works (triggered by demand) and is identified with yellow fill at Figure 19 below.

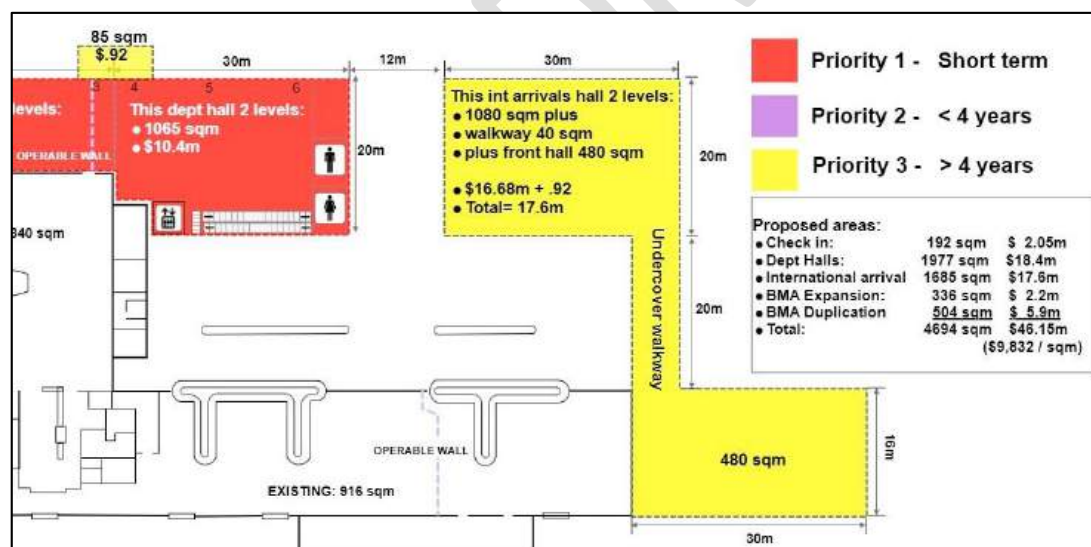
The appropriate separation of international passengers from domestic is achieved through the use of operable walls. For departures passengers will pass through the screening point with additional LAGS screening to be carried out in a purpose-built processing area between Gates 3 & 4.

The next step in this process is engagement with key stakeholders to confirm the operational capability of the design. Once confirmed the engagement of architects to refine the design is the next step forward.

When not being used as an international hall this hall can be used as an arrivals hall conveniently located for aircraft parking Bays 5 & 6.

The 2x international processing halls have been costed by the Cost Plan Group at \$17.6m.

Figure 19: International arrivals and departure processing halls (in Yellow Priority 3)





## 3.2 Revised Taxiway Systems

### 3.2.1 Dual Taxiways

It is proposed that a second perpendicular TWY linking the RWY to the proposed western expansion of the ATO apron (see Figure 3 of this Report) would be an effective means of improving aircraft manoeuvrability on the ground at WCA. This arrangement is referred to as a dual TWY system.

ICAO considers that a dual TWY system works well for airports with up to 25 movements within the busy hour. Given their comparatively low cost when compared to a full parallel TWY, it is an attractive solution to future congestion brought about by increased aircraft movements. It could be particularly effective if constructed in unison with the parallel link TWY proposed at Section 3.2.2 following.

This dual TWY system will provide WCA:

- The ability for 2 aircraft to simultaneously taxi between the apron and RWY.
- The benefit of an earlier exit off the RWY following a landing from the south-east (RWY 29).
- The introduction of intersection departure points (for some aircraft types)
- A spread of operational wear and tear over 2 TWY's.
- Apron access redundancy if one TWY needs to be closed for repair or maintenance.
- An additional emergency parking bay (once appropriately closed)

### 3.2.2 Parallel Link TWY

The construction of a parallel (to the RWY) TWY linking TWY A to the proposed second perpendicular TWY would provide significant additional manoeuvring area for aircraft.

The potential to use this link TWY for short term/emergency parking should be considered when finalising the design for the second perpendicular TWY, to ensure significant clearances are maintained between aircraft on the link TWY and aircraft using the dual TWY's.

The dual perpendicular TWY with parallel link concept can be seen at Figure 20 following.

The proposed new TWY system is costed collectively as it is anticipated that they would be constructed simultaneously to reduce costs and operational interruptions.

Table 12: Construction of dual and link TWY's cost estimates

| Item                                                                                                                                 | Project                                  | Cost \$m |
|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------|
| 1.                                                                                                                                   | QS estimate for dual and link TWY system | \$29.71m |
| <b>Inclusions:</b> site preparation, stormwater solutions, pavement construction, line-marking, wayfinding (MAGS) signage, lighting. |                                          |          |

Figure 20: Proposed perpendicular and link taxiways.



### 3.2.3 Movement Area Guidance Signs

The introduction of a more complex TWY system (such as discussed in the previous section) should be supplemented by information movement area guidance signs (MAGS).

This would for example, reduce the risk of a pilot mistakenly turning down TWY A instead of TWY C (assuming this is the designation given to the proposed perpendicular TWY)

MAGS are a MOS requirement (S8.79 (6)) if intersection departures are to be formalised in the AIP. In anticipation of the future introduction of ATC, MAGs with Instructions should be considered in the context of nighttime illumination (ie provision of electrical feeds).



## 4. OTHER WORK (CONCEPTS)

### 4.1 Corporate Apron

As part of the master planning process a location for a fourth aircraft parking apron option has been identified to the east of the ATO apron and west of the two GA aprons (see Figure 21 that follows).

For discussion purposes this apron is conceptually known as the Corporate Apron.

The proposed site for the corporate apron is approximately 2 metres below the height of the adjacent ATO apron to the immediate west. Construction of the corporate apron is proposed at its existing ground level given the significant amount of fill that would be required to bring it up to the ATO apron height.

This approach will also negate the need to raise the adjacent servicing landside area for future hanger or access road construction.

These are not insignificant works, but they would present the following opportunities:

- Additional larger aircraft parking options, off the ATO apron.
- The potential to attract corporate aircraft and their high yield passengers.
- The possibility of attracting new commercial tenants such as a fixed based operator (FBO).
- The ability to service dedicated small Code C freight aircraft, in efficient proximity to the Freight Distribution Centre.
- Use as a vertiport facility if/when advanced air mobility and unmanned aerial vehicles (UAV's), become common use as Taxi's or freight deliverers (appropriate charge stations should be considered for future electric aircraft)
- The ability to cater for a large range of Defence Force aircraft.
- The ability to move larger aeromedical operations off the ATO apron.
- The ability to provide an isolated heavy helicopter parking bay.

To access the corporate apron with larger aircraft approximately 300m of TWY B would need to be upgraded from Code A to Code C design with a new link TWY required between the upgraded TWY B and the Corporate Apron.

For the purpose of cost estimations, the Gulfstream 8 aircraft was selected as the critical aircraft for the Code C pavement design for TWY B. ie 15m wide with a weight bearing of up to 47.5 tonne.

Of course, this development like all others proposed for the airport would have to be assessed on its merits and ability to offer an adequate return on investment before detailed planning occurs.

It would most likely gain momentum if a significant anchor tenant, such as a Fixed Base Operator (FBO) could be attracted to service regular corporate aircraft movements and their high income passengers into the region.

Cost estimates for the construction of an upgraded TWY B, link TWY and corporate apron follow at Table 13.

Figure 21: Proposed Corporate Apron concept.



Table 13: Corporate apron construction cost estimates

| Item          | Project                                                                                                                                                                                                           | Cost \$m          |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|               | <b>Inclusions:</b> site preparation and earthworks for TWY B, link TWY, corporate apron and drainage, demolition of existing TWY B, all pavements and preparation of the hanger and car park lot and access road. |                   |
| 1.            | • 300m upgrade of TWY B to Code C design                                                                                                                                                                          | <b>12.358m</b>    |
| 2.            | • Link TWY from TWY B to the Corporate Apron                                                                                                                                                                      | <b>2.052</b>      |
| 3.            | • Corporate Apron (8,800sqm) and 7,870 sqm of chip sealed area for hanger site and access from road frontage.                                                                                                     | <b>17.029</b>     |
| 4.            | <b>Total:</b>                                                                                                                                                                                                     | <b>\$31.439m*</b> |
| <b>NOTES:</b> | Also includes, line marking, signage, AGL and power supply.                                                                                                                                                       |                   |

\*This is an indicative price based on the concept drawing above. To reduce costs the size of the corporate apron could be further refined and developed in stages. The landside area could also be developed in stages as required, beginning with a simple access road and parking bays designed to service Corporate Apron users.

## 4.2 Freight Distribution Centre Expansion

In alignment with both the WCA Objectives and the WRC Regional Economic Development Strategy (2022-2025), WCA opened its' Freight Distribution Centre (FDC) in 2022.

The FDC is poised to expand its freight operations significantly as negotiations with the remaining airlines not yet contracted for freight come to an anticipated successful conclusion.



The current plan for short term FDC expansion is to move the co-sharing grounds maintenance team's plant and equipment to a near-by purpose-built facility.

In the long term it is anticipated that the future FDC will add rail and road capability as originally envisioned in the 2015 Master plan as the International Export Hub. The existing FDC building would remain operational as the distribution point for all ATO carried freight.

The fully expanded FDC is anticipated to reflect the concept design following. This concept was not costed.

Figure 22: Fully developed Freight Distribution Centre (FDC) concept drawing



### 4.3 GA Expansion to the east

TWY B is currently a Code A, 7.5m wide x 760m long TWY, with no ground lighting and is limited to aircraft below 5,700 kg's maximum take-off weight (MTOW).

The initiation of any proposed aviation developments to the east hinges on TWY B as the pavement link between the general aviation (GA) area and RWY 11/29.

The opportunities that an upgraded TWY B could bring the WCA are many, but they all come with significant cost. Not surprisingly, the more new infrastructure provided, the more opportunities that present, but even the "do-nothing" option requires a pavement overlay in the short term, and this maintenance alone does nothing to diversify or expand the usability of the GA area.

Given the previous conflicts between GA and ATO aircraft operations at the WCA it may be practical to consider any new GA development be undertaken at WRC's certified airport at Bowen, (this is discussed at Section 5.7.2 - GA Development Opportunities in the Master Plan 2024)



However, in the other extreme, the following drawing at Figure 23 is one concept of what a fully developed GA area might look like at the WCA. It is provided to generate discussion and for use to showcase possible layouts in response to future commercial development enquiries made to the airport.

The opportunities identified in Figure 23 would require the following upgrades to TWY B.

- 300m upgrade to Code C
- a realignment upgrade to Code B and 1200m extension:

These works will provide

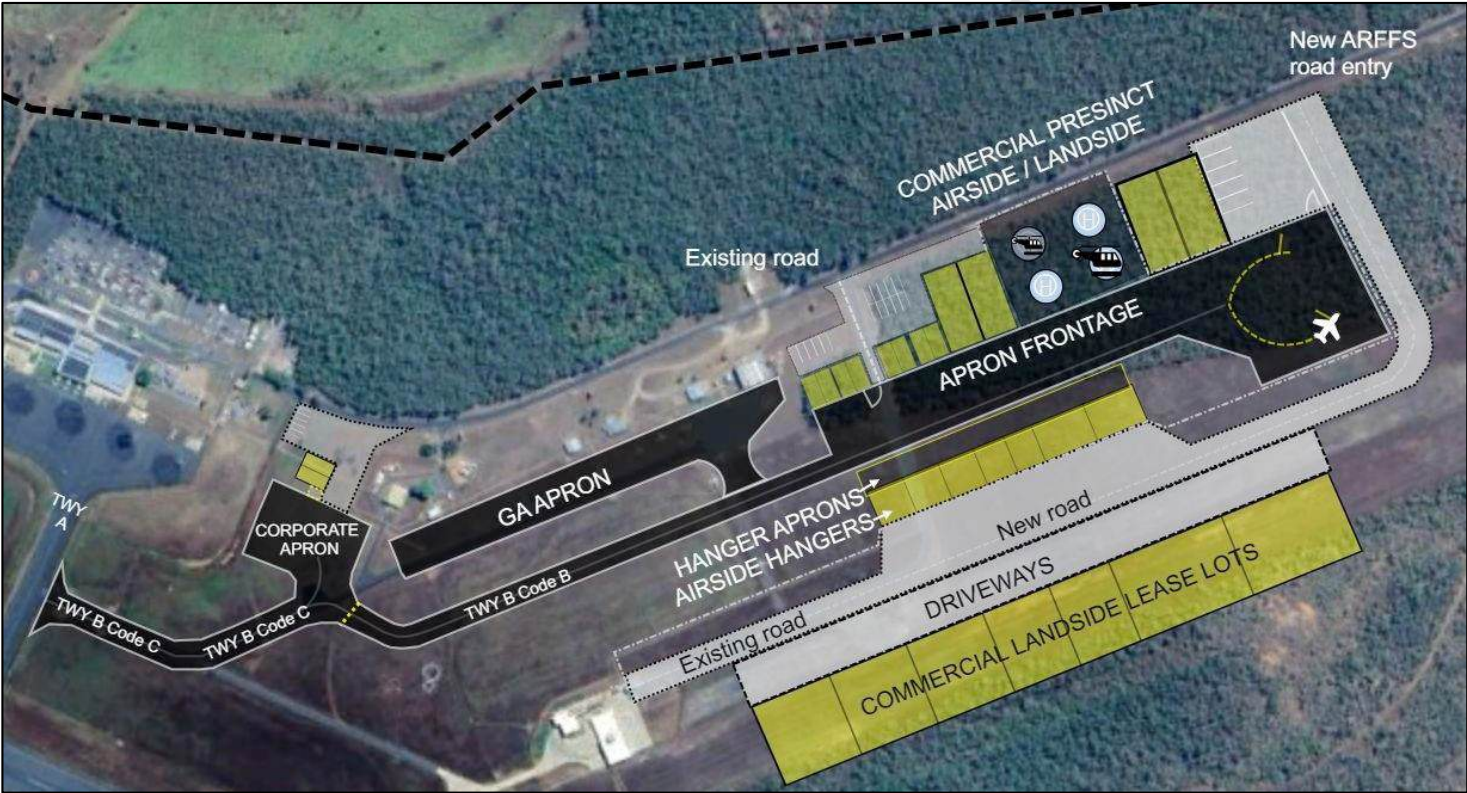
- (i) Access to a proposed new Corporate Apron for servicing:
  - dedicated freighters
  - corporate jet
  - drone use (taxi, freight etc)
  - medivac and
  - defence force
- (ii) A commercial precinct with airside/landside access for aeronautical related development.
- (iii) A landside commercial precinct providing lower cost lots for non-aeronautical development.
- (iv) A GA precinct providing hanger lots for development by tenants.
- (v) An extended GA and drone parking area (utilising the old TWY B)
- (vi) A dedicated helicopter precinct
- (vii) A realigned ARFF road to enable the expansion of the airside area and provide access to landside developments.
- (viii) Dedicated freight aircraft direct access to the fully developed Freight Distribution Centre
- (ix) A strengthened TWY for unrestricted use by the ARFFS tenders.

An artistic impression of these potential developments follows at Figure 23.

Note that a high cost estimate was provided for these works that came back at an estimated \$260m.



Figure 23: Possible results of a TWY B upgrade



## 11.10 - Councillor Related Policies Review

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager - Governance and Administration Services

**AUTHORISING OFFICER:** Director Corporate Services

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### PURPOSE

To review the Councillor related policies in alignment with Council's recently adopted Policy Framework.

### EXECUTIVE SUMMARY

Council has undertaken a complete review of all its Councillor related policies, and the policies are being presented for Council's consideration. Some policies have no changes, some have changes which are identified in the report and some policies are being recommended for deletion.

The policies that are recommended for adoption were workshopped with Councillors and independently reviewed by Local Government Association Queensland to ensure practicality and adherence to legislative requirements.

The proposed policies were also reviewed by Council Lawyers to ensure compliance to legislation.

### OFFICER'S RECOMMENDATION

That Council

1. Adopt the following policies
  - a. Councillor Acceptable Requests Guidelines, as shown in **Attachment 1**
  - b. Councillor Expenses and Resources Policy, as shown in **Attachment 2**
  - c. Entertainment and Hospitality Policy, as shown in **Attachment 3**
  - d. Councillor Conduct Investigations Policy, as shown in **Attachment 4**
  - e. Social Media Policy, as shown in **Attachment 5**
  - f. Media Relations Policy, as shown in **Attachment 6**
  - g. Councillor Roles in development matters, as shown in **Attachment 7**
2. Rescinds the following policies
  - a. Gifts, Benefits Policy, as shown in **Attachment 8**
  - b. Related Party Disclosure Policy, as shown in **attachment 9**
  - c. Confidentiality for Councillors Policy, as shown in **attachment 10**
  - d. Private Email and Social Media Platforms, as shown in **attachment 11**

### BACKGROUND

The Quadrennial Local Government elections were conducted in March 2024, and a new Council was elected for the 2024-28 term. As one of its priorities Council reviewed and adopted a new policy framework and committed to review all the Councillor related policies to set the tone and protocols for the rest of the term for Council. The Councillor related policies have been reviewed and are presented for Council's consideration.

## DISCUSSION/CURRENT ISSUE

In undertaking this review the following approach was taken:

- Obtaining Clear Council Direction.
- Statutory (Legislation) driven – Head of Power.
- Utilised Department of Local Government and LGAQ policy models templates (where available).
- Followed Local Government best practice.
- Separated Councillors related matters and employees related matters.
- Consolidated policies where possible

### Policies with no changes

The Councillor Roles in development matters has been reviewed and there are no recommended changes other than formatting changes. This policy is to be re-adopted under the new framework, with only minor formatting changes and no changes to the content or application of the policy:

### Policies with changes

The following policies have been reviewed in consultation with the Councillors and the suggested changes are detailed below:

#### Councillors Acceptable Request Policy, refer to **Attachment 1**

**Purpose:** Section 170A (7) of the Act requires that Council adopts Acceptable Requests Guidelines about the way in which a Councillor may ask local government employees for advice to help them carry out their responsibilities under the Act. Section 170A (7) (a) Sets out the guidelines for requests for assistance, advice or information by Councillors to local government employees to assist Councillors to carry out their responsibilities under the Act. Section 170A (7) acceptable requests guidelines are guidelines, adopted by resolution of the local government.

#### Proposed Changes

- Contact point for Councillors aligned with Functional Lead within Council who has overall ownership and responsibility of the relevant function.
- Removal of reference to non-existent Council positions
- Removal of appendix 2 which contained Council roles and positions
- Response times aligned with legislative timeframes

#### Councillor Expenses and Resources, refer to **Attachment 2**

**Purpose:** To meet the requirements of section 250 of the Local Government Regulation 2012 which requires that Council adopt an expenses reimbursement policy. Parameters to authorise payment of reasonable expenses incurred, or to be incurred, by Councillors; and provide resources including administrative support to assist Councillors to discharge their duties and responsibilities. S 250 (1) of the LGR, A local government must adopt an expenses reimbursement policy. S250 (2) LGR A local government may, by resolution, amend its expenses reimbursement policy at any time.

#### Proposed Changes

- Clarification of Head of Power



- Defined Policy Statement
- Clarification of councillor administrative resource
- Inclusion of legal costs coverage and reimbursement
- Expansion of 'Council business' definition to include community external groups meetings/events
- Addition of requirement to align Purchasing cards and financial delegations
- Expansion of Council vehicles usage into neighbouring Councils for Council business

#### Entertainment and Hospitality, refer to **attachment 3**

The purpose of this policy is to ensure compliance with section 196 of Local Government Regulation 2012 (the Regulation) and that Council's expenditure in relation to entertainment or hospitality is reasonable and appropriate. To ensure that public sector standards of accountability are maintained and that there is consistency in the way that entertainment and hospitality expenditure is administered.

Under section 196 of the LGR - A local government must prepare and adopt a policy about the local government's spending on entertainment or hospitality (an entertainment and hospitality policy). All entertainment and hospitality expenditure must meet reasonable community expectations of an effective local government advancing the common good. A local government may spend money on entertainment or hospitality only in a way that is consistent with its entertainment and hospitality policy.

#### Proposed Changes

- Alignment to model template
- Clarification of Head of Power
- Approvals for spending as follows:
  - a. Council officers may not authorise their own spending
  - b. Spending by a Council officer must be authorised by the officer's supervisor/manager
  - c. Spending by the Chief Executive Officer must be authorised by a member of the Executive Leadership Team or the Mayor
  - d. Spending by a Councillor must be authorised by the Mayor, Chief Executive Officer, or the appropriate Director
  - e. Appropriate documentation must be supplied when claiming reimbursement for expenses incurred (e.g. tax invoices, receipts etc.); and
  - f. Where there is some doubt about the validity of claiming particular spending, the principles of this policy should be used to make the determination.

#### Councillor Conduct Investigations, refer to **Attachment 4**

**Purpose:** Section 150AF of the Local Government Act 2009 identifies how Council deals with suspected inappropriate conduct of Councillors referred by the Office of the Independent Assessor (OIA) to the local council. It states the process for investigating suspected inappropriate conduct of councillors referred to council by the OIA. And further states the circumstances in which an entity other than council may investigate the conduct.

#### Proposed Changes

Department of Local Government provides a template for this policy, and this template was recently updated as follows:

- any recommendations from the IA made under section 150AC(3)

- the investigation policy itself, where it is not inconsistent with the IA's recommendation (section 150AF(2)(a))
- any other way of investigating that the local government decides by resolution (section 150AF(2)(b))
- section 150AF(3) requires that the resolution states the decision and reasons for the decision to conduct the investigation in another way.

#### Social Media Policy, refer to **Attachment 5**

**Purpose:** The Public Records Act 2002, Information Privacy Act 2009, Local Government Act 2009 all identify a policy is needed. This is to set out the standards of behaviour expected in relation to professional use of social media on behalf of Council, and the use of social media by Council employees and Elected Members

#### Proposed Changes

- Alignment to Department of Local Government policy template
- Removal of procedural information from policy
- Rescind Private Email and Social Media Platforms Policy, and content incorporated into this policy

#### Media Relations, refer to **Attachment 6**

**Purpose:** This Policy is required under the Local Government Act, section 9, to establish protocols for managing communication between the Council and the media to ensure coordinated, coherent, accurate and reliable presentation of Council information, so that Council maintains credibility, integrity and customer confidence, and Council's corporate values and brand are reinforced.

#### Proposed Changes

- Alignment to Department of Local Government policy template
- Scope redefined
- Inclusion of record keeping and compliance requirements

#### Policies to be deleted

The following policies have been reviewed and are not required as the content in the policies is considered to be adequately covered by legislation and represents duplication of matters covered in legislation:

- Gifts, and Benefits Policy – covered by legislation (to be rescinded)
- Related Party Disclosure Policy – covered by legislation (to be rescinded)
- Confidentiality for Councillors Policy – covered by code of conduct (to be rescinded)
- Private Email and Social Media Platforms – incorporated into Social Media policy (to be rescinded)

## **FINANCIAL IMPLICATIONS**

All Councillor spending associated with the proposed policies, is budgeted for in the 2024-25 budget

## CONSULTATION/ENGAGEMENT

Councillors  
Director Corporate Services  
Director Community Services and Facilitation  
Director Infrastructure Services  
Director Regional Strategy and Planning  
Chief Executive Officer  
Local Government Association of Queensland  
McCullough Robertson Lawyers

## STATUTORY/COMPLIANCE MATTERS

*Section 9(1) Local Government Act 2009*, A local government has the power to do anything that is necessary or convenient for the good rule and local government of its local government area.

## RISK ASSESSMENT/DEADLINES

It is important to regularly update and review policies to ensure they remain current. During the review risk is mitigated by referring to the latest legislation, standards and guidelines relevant to Council business.

Once this review is complete and policies are updated, policy owners are responsible for:

- Communicating changes
- provide all Councillors and employees with access to the updated documents
- arrange training, as needed and if required

Outdated policies can leave Council at risk. Old policies may fail to comply with new laws and regulations. They may not address new systems or technology, which can result in inconsistent practices.

## STRATEGIC IMPACTS

Corporate Plan Reference:

Lead and coordinate the organisation's corporate governance and risk management, in addition to the delivery of efficient and customer focused administration support for the organisation to ensure high levels of performance and compliance.

Support the organisation in ensuring appropriate compliance with legislation and to support the elected council in its decision-making processes and obligations as a local government.

## ATTACHMENTS

1. Councillors Acceptable Request Policy [11.10.1 - 8 pages]
2. Councillor Expenses and Resources Policy [11.10.2 - 10 pages]
3. Entertainment and Hospitality Policy [11.10.3 - 6 pages]
4. Councillor Conduct Investigation Policy [11.10.4 - 21 pages]
5. Social Media Policy [11.10.5 - 8 pages]
6. Media Relations Policy [11.10.6 - 4 pages]
7. Councillor Roles in Development Matters [11.10.7 - 9 pages]
8. Gifts and Benefits Policy [11.10.8 - 9 pages]
9. Related Party Disclosure Policy [11.10.9 - 4 pages]
10. Confidentiality for Councillors Policy [11.10.10 - 5 pages]
11. Private Email and Social Media Platforms Policy [11.10.11 - 4 pages]



## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

Endorsed by Council

8 June 2022

## 1. Purpose

- 1.1 This policy establishes the way in which Councillors are expected to interact with Employees. This Policy also incorporates the acceptable requests guidelines as required by section 170A(7) of the *Local Government Act 2009 (Qld)*.
- 1.2 Councillors and Employees must be able to interact to deliver positive outcomes for the community. However, the divide between Councillors and the Council organisation comprised of Employees established by the LGA must be respected.
- 1.3 It is important that the right balance is achieved to ensure:
  - 1.3.1 constraints on the flow of information are not unduly onerous;
  - 1.3.2 Council Employees' time and resources are appropriately respected;
  - 1.3.3 appropriate controls are in place to protect both Council Employees and Councillors; and
  - 1.3.4 the principles of good governance are respected.

## 2. Scope

- 2.1 This policy applies to all Councillors and Employees.
- 2.2 However, nothing in this policy overrides or derogates from the Mayor's power to direct the CEO pursuant to section 170 of the LGA.

## 3. Policy Statement

### Acceptable Requests Guidelines Outline

- 3.1 Councillors may seek advice or information from Employees in order to perform their responsibilities under the LGA.
- 3.2 To maintain the integrity of the relationship between the elected and administrative elements of Council, this policy specifies:
  - 3.2.1 the way in which Councillors may request advice or information from Employees, including the reasonable limits on requests that a Councillor may make;
  - 3.2.2 the Employees who may respond to requests; and
  - 3.2.3 the manner in which Employees are to respond to Councillor requests.

### General Requirements For Requests

- 3.3 When asking for advice or information, Councillors must:





## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

Endorsed by Council

8 June 2022

3.3.1 act in accordance with the LGA (particularly section 170A), Local Government Principles and Code of Conduct for Councillors in Queensland;

3.3.2 not direct, or attempt to direct an Employee to do anything;

**[Note: Section 170(3) prohibits a Councillor directing an Employee, other than the Mayor directing the CEO. It is misconduct to breach this prohibition.]**

3.3.3 not behave towards an Employee in an overbearing or threatening manner;

3.3.4 not coerce or entice, or attempt to coerce or entice an Employee to do anything that does not comply with these Guidelines;

3.3.5 not unduly disrupt or burden an Employee in the undertaking of that Employee's routine employment obligations;

3.3.6 not place, or attempt to place, an Employee in a position that would create a conflict of interest for that Employee, or that would compromise the integrity and honest performance of that Employee;

3.3.7 comply with all laws that apply to Council, as well as Council's policies, procedures and guidelines;

3.3.8 not breach or request an Employee directly or indirectly breach any confidentiality obligations under legislation, particularly in circumstances where information is not to be disclosed by Councillors (for example, the *Information Privacy Act 2009*, *Crime and Corruption Act 2001*, *Public Interest Disclosure Act 2010* and the *Workers Compensation and Rehabilitation Act 2003*);

3.3.9 during the caretaker period not request advice or information that involves or relates to major policy decisions of Council or which will result in or be likely to result in any inappropriate political gain or advantage for the Councillor (as per sections 90A – 90D of the LGA);

3.3.10 act in good faith; and

3.3.11 be respectful, reasonable and professional.

3.4 Councillors should be aware that any request for advice or information and response provided may be subject to disclosure if an application for access is made under the *Right to Information Act 2009*.

3.5 Councillors may request advice or information with assistance from an allocated Councillor Support Officer. However, when doing so, the Councillor Support Officer should not be utilised in a way to deliberately circumvent the requirements of this policy.

### How A Councillor Can Make A Request For Advice Or Information

3.6 A Councillor may ask:





## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

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- 3.6.1 for information - the CEO (only) for information that Council has access to, relating to Council; or
- 3.6.2 for advice - the CEO or relevant Function lead for advice to assist the Councillor to carry out his or her responsibilities under the LGA.
- 3.7 A Councillor may ask for advice or information by lodging the request either:
  - 3.7.1 via a Councillor Support Officer;
  - 3.7.2 via email;
  - 3.7.3 via telephone; or
  - 3.7.4 in person.
- 3.8 The CEO or Function Lead may require that the request be made (or remade) in writing to ensure that the request is able to be fulfilled and meets the requirements of this policy and the LGA.

#### Process For Requests

- 3.9 Requests for advice or information will be managed by assigned Councillor support staff and sent to the most appropriate Employee for response.
- 3.10 Requests will be acknowledged by the relevant employee and responses should be provided in accordance with section 170A of the LGA, being:
  - 3.10.1 within 10 business days of receiving the request; or
  - 3.10.2 if it is not practicable to comply with the request within 10 business days, within 20 business days after receiving the request. For complex matters, an interim response (to the extent possible) should be provided within 10 business days.

#### Service Requests

- 3.11 Service requests made by residents or by Councillors on behalf of residents are not considered requests for advice or information.
- 3.12 Where the Councillor has made a request on the status, and/or the process to be followed for the actioning of a service request, this is considered a request for advice.

#### Reasonable Limits On Requests For Advice Or Information

- 3.13 A Councillor may not ask for information:
  - 3.13.1 that is capricious or which will place an unreasonable burden on Council's resources;
  - 3.13.2 that is a record of the conduct tribunal or former conduct review body;







## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

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- 3.13.3 if disclosure of the information to the Councillor would be contrary to an order of a court or tribunal;
- 3.13.4 that would be privileged from production in a legal proceeding on the grounds of legal professional privilege;
- 3.13.5 that would disclose personal information, including employees' bank accounts details, child support deductions or tax file number;
- 3.13.6 which is protected under legislation, including information that:
  - 3.13.6.1 relates to a public interest disclosure under the *Public Interest Disclosure Act 2010*;
  - 3.13.6.2 is confidential information under the *Crime and Corruption Act 2001*;
  - 3.13.6.3 is about matters relating to the conduct of any councillor pursuant to Part 3, Chapter 5A of the LGA; and
- 3.13.7 that is a record in relation to an Employee's recruitment and performance with the exception of the recruitment and performance of the CEO.

### Provision Of Documents Or Information In Response To Requests

- 3.14 In line with Council's commitment to the environment and a reduction in paper usage, access to electronic copies of documents only will be provided wherever possible. However, there may be circumstances where it is appropriate for Council to provide a paper copy only, including for documents where no electronic copy exists, or due to the sensitivity of the document.
- 3.15 Councillors must be aware of their responsibilities under the Act regarding the sharing or further distribution of advice or information. The right of Councillors to have access to information is for the purpose of exercising the roles and responsibilities of a Councillor. It does not carry with it the right to disclose any information obtained by a Councillor to another person, unless the information is already publicly available.
- 3.16 While not every document will be considered 'Confidential', Councillors should be aware that information provided may contain confidential material and should be handled appropriately to ensure that Council maintains its reputation and good standing within the community.

**[Note: Section 171 of the LGA makes it an offence to use information acquired as a Councillor to gain a financial advantage for the Councillor or another, or to cause detriment to Council. It is misconduct to release information that a Councillor knows, or should reasonably know, is information that is confidential to Council.]**

- 3.17 Providing details of discussions held with Employees regarding Council projects, internal policy considerations or technical opinion with third parties is prohibited.







## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

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3.18 Councillors must not by-pass the provisions of the *Right to Information Act 2009* by providing members of the public with information made available to a Councillor as an elected representative that is not already publicly available.

*[Note: The Right to Information Act 2009 provides important safeguards for the release of Council information, including exemptions, public registers of released documents and cost recovery. The purpose of this restriction is not to prevent the release of information, but to ensure information is released in accordance with Council's processes.]*

3.19 Councillors should ensure that hardcopy documents provided by Council are kept secure at all times and securely destroyed when the documents are no longer required.

#### Provision Of Documents Or Information Relating To Reports To A Committee Or Council

3.20 Where a request for the provision of advice or information relates to a matter on an upcoming agenda of a committee or Council meeting, the response must be provided to all members of the relevant committee or Council.

3.21 The timing of responses to requests in relation to items on an agenda of a committee or Council should have consideration to the meeting date and prioritise providing the advice or information in advance of the meeting.

#### 'View Only' Access To Documents

3.22 Council may have documents which, due to their nature, cannot be shared (electronically or in hardcopy) with Councillors, but can be viewed by Councillors.

3.23 Where 'view only' access to documents is the preferred option available for requested documents, Councillor Support Officers will organise a suitable time in a meeting room.

3.24 Appropriate reasons to only allow 'view access' to a Councillor include if:

- 3.24.1.1 a document is of historical significance and could be damaged if copied or scanned;
- 3.24.1.2 copying or scanning a document would unreasonably divert the resources of Employees (e.g. due to length or complexity);
- 3.24.1.3 a document cannot be copied or reproduced by law or agreement;
- 3.24.1.4 the contents of the document are considered by the CEO to be of such a confidential or sensitive nature, that a risk could arise in the provision of the document in hardcopy or electronic format.

#### Request A Review

3.25 If a Councillor is not satisfied with a response to their request for advice or information, the Councillor may ask the CEO for a review. That review shall be undertaken by CEO's nominee under Council's Complaints Management Policy.





## STRATEGIC POLICY: Elected Members

### Councillors Acceptable Request Policy

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- 3.26 Councillors must not directly contact an Employee regarding a complaint about a request for advice or information. All complaints must be directed to the CEO.

#### Customer Requests

- 3.27 Where a community member/customer is unwilling or unable to contact Council directly, a Councillor may submit a request for support on their behalf via Councillor Support Staff.
- 3.28 Community members/customers will not receive preferential treatment by lodging service requests via Councillors. Any requests raised through this channel will be processed in accordance with usual service level standards.
- 3.29 Council must endeavour to keep the requesting Councillor informed of how the request is being dealt with to the extent possible.

#### Raising A General Operational Matter With Council

- 3.30 If a Councillor has identified an ordinary operational matter, (e.g. reporting a pothole, missed bin service or submitting an application) that requires attention, the Councillor may raise this request via any existing channels available to external customers and also via the allocated councillor administrative support.
- 3.31 In these circumstances the Councillor is considered to be a customer. The same service level standards that apply to external community members/customers will be applicable for these issues.

#### Complaints Regarding Operational Performance

- 3.32 Feedback from the community regarding operational performance is an important aspect of a Councillors legislated role of monitoring the performance of Council.
- 3.33 If a community member raises a concern with the performance or service provided by Council, the Councillor should in the first instance raise the concern with the CEO or Function Lead.
- 3.34 Councillors must be mindful of adopted service response standards when monitoring service requests. Under no circumstances is it acceptable for a Councillor to directly contact an Employee regarding a complaint about operational performance.
- 3.35 Where the complaint is about a decision or action taken by Council's administration, the complainant should be directed to make a complaint under Council's General Complaints Management Policy.

#### Emergency And After Hours Service

- 3.36 Councillors should use the after-hours emergency service process if they become aware of an after hours emergency. This will ensure the effective operation of the afterhours service as well as duty of care for on call Employees.





## STRATEGIC POLICY: Elected Members

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3.37 When an issue arises after-hours that is not an emergency, but is of such urgency that to delay contact would bring harm to Council or damage the reputation of Council, Councillors may contact the CEO or relevant Function Lead.

#### Suspected Breaches Of Policy

3.38 A breach of this policy by a Councillor may constitute a breach of the Code of Conduct for Councillors in Queensland. The Office of the Independent Assessor is the responsible agency for complaints about the performance or conduct of a councillor in Queensland.

3.39 A breach of this policy by Employees may constitute a breach of the Employee Code of Conduct is and is reported to the relevant Director who is to handle the complaint in accordance with adopted Council process.

## 4. Related Policies and Legislation

*Crime and Corruption Act 2001 (Qld)*

*Information Privacy Act 2009 (Qld)*

*Local Government Act 2009 (Qld)*, in particular sections 4, 12, 13, 170, 170A, 170AA, 171 and 171A

*Public Interest Disclosure Act 2010 (Qld)*

*Public Sector Ethics Act 1994 (Qld)*

*Right to Information Act 2009 (Qld)*

*Workers Compensation and Rehabilitation Act 2003 (Qld)*

Code of Conduct for Councillors in Queensland

Council's Employee Code of Conduct;

General Complaints Management Policy

## 5. Definitions

**Advice** means advice to assist a Councillor to carry out his or her responsibilities under the LGA.

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Councillor Support Officer** means an Employee whose primary roles is to support a Councillor regardless of position title and includes the Executive Assistance to the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Function Lead** means an employee nominated by the CEO as the responsible officer for a service or function.





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**Information** means information relating to Council that the local government has access to. It includes records and documents (in printed and electronic form) that Council possesses or can access.

**LGA** means the *Local Government Act 2009* (Qld).

**Local Government Principles** has the meaning given by the LGA.

**Requests** refers to any request by a Councillor for information or advice.

| COUNCIL POLICY          |                                                |                    |               |
|-------------------------|------------------------------------------------|--------------------|---------------|
| Date Adopted by Council | 8 July 2020                                    | Council Resolution | 2020/07/08.06 |
| Effective Date          | 8 July 2020                                    | Next Review Date   | June 2022     |
| Responsible Officer(s)  | Manager Governance and Administration Services | Revokes            | LSP_OMCEO_04  |





## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

8 July 2020

## 1. Purpose

- 1.1 Section 250(1) of the Local Government Regulation 2012 (Qld) requires Council to adopt an expenses reimbursement policy. Section 249(2) of the LGR states that an expenses reimbursement policy provides for the following:
  - 1.1.1 payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;
  - 1.1.2 provision of facilities to councillors for that purpose.
- 1.2 This policy responds to the requirement of sections 249 and 250 of the LGR and in doing so, provides a basis for supporting Councillors and reimbursing them for expenses reasonably and legitimately incurred in performing their roles as the elected members of the Council.

## 2. Scope

- 2.1 This policy applies to Councillors and sets out specific guidelines for the reimbursement of legitimate expenses incurred or to be incurred by a Councillor while carrying out Council Business. It also deals with the provision of administrative support to enable Councillors to discharge their duties and responsibilities.
- 2.2 This policy does not provide for, or add to, the remuneration received by Councillors for the performance of their roles. Councillors remuneration is determined by the Local Government Commission and as such, falls outside the scope of this policy.
- 2.3 Where a Councillor has special needs or suffers from some form of impairment, the special access and equity needs of the Councillor may result in the provision of additional support or other changes to this policy as required.

## 3. Policy Statement

- 3.1 Council is committed to ensuring that Councillors are not financially disadvantaged in the conduct of their role. This policy underpins that commitment by providing that reasonable expenses incurred by Councillors in carrying out their duties and responsibilities will be reimbursed. This policy also sets out the facilities and resources that Council will provide to Councillors.
- 3.2 The payment or reimbursement of expenses and the provision of facilities and resources for Councillors will be:
  - 3.2.1 open and transparent;
  - 3.2.2 financially responsible and accountable;



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

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- 3.2.3 based on ensuring economy and efficiency;
- 3.2.4 subject to budget provisions; and
- 3.2.5 in accordance with all statutory requirements.

3.3 This policy has been written to reflect the following underpinning principles:

- 3.3.1 the use of public money must be in the public interest;
- 3.3.2 the allocation of Council resources must be fair and reasonable;
- 3.3.3 public disclosure of policy and resolutions promotes transparent decision making; and
- 3.3.4 Councillors must accept accountability for their expenditure and use of facilities.

## 4. Guiding Principles – General

### Budget Provisions

- 4.1 An entitlement budget will be allocated to each Councillor each financial year for reasonable expenses incurred under this policy.
- 4.2 Budget allocations are available for one financial year only. Unspent funds in a single financial year will not be carried over to the next financial year.
- 4.3 All entitlements under this policy are subject to Council's budgetary constraints.

### Professional Development

- 4.4 Councillors are encouraged to undertake relevant Professional Development, including conferences, seminars and training.
- 4.5 Council will organise and pay for business costs for Professional Development where the activity level is reasonable, and the activity is:
  - 4.5.1 directly related to a Councillor's official duties; or
  - 4.5.2 organised by a government agency or an industry body (e.g. LGAQ, ALGWA).
- 4.6 Requests by Councillors to attend Professional Development are to be made in writing to the CEO outlining the details of the event and the benefits to Council.
- 4.7 Any funds expended at the event on personal pursuits will be payable by the Councillor from private funds.

### Council Business

- 4.8 To be entitled to reimbursement under this policy, expenses must be incurred conducting Council Business.



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

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- 4.9 Any expenses of a personal nature are not reimbursable. Expenses of a personal nature include, but are not limited to:
- 4.9.1 tourism related costs;
  - 4.9.2 social events;
  - 4.9.3 in-flight and in-house movies;
  - 4.9.4 Mini bar purchases;
  - 4.9.5 Airline club fees;
  - 4.9.6 Alcohol not consumed as part of a meal; and
  - 4.9.7 Payment of costs associated with the return of personal items which have been left behind.

## 5. Guiding Principles – Travel Expenses

### Travel Expenses Generally

- 5.1 Council will reimburse travel expenses where travel is undertaken for Council Business.
- 5.2 All requests for travel are to be made in sufficient time to gain the required approval and to take advantage of travel discounts and deals.
- 5.3 The following approval required to incur travel expenses:
  - 5.3.1 local and interstate travel – CEO approval;
  - 5.3.2 international travel – a resolution of Council
- 5.4 Economy class air travel is the standard. Where flight time exceeds five hours, the Mayor is eligible for Business Class travel and other Councillors are eligible for Premium Economy class (or equivalent).
- 5.5 Councillors are required to travel by the most direct and cost effective route available.

### Meals

- 5.6 Council will reimburse the actual cost of meals associated with Council Business, when:
  - 5.6.1 the Councillor incurs the cost personally;
  - 5.6.2 the councillor can produce original documents sufficient to verify the actual meal cost (e.g. tax receipt); and
  - 5.6.3 the expenses are reasonable.





## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

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- 5.7 Reimbursement will be limited to a maximum of the ATO guidelines for meal allowance except for in exceptional circumstances (e.g. entertaining in an unusually expensive location outside the region) and approved by the CEO.
- 5.8 The prior approval of the CEO must be obtained for the reimbursement of costs of alcohol consumed with a meal. The CEO may place conditions on approval (e.g. financial limits).
- 5.9 Tips and gratuities are not reimbursable unless the meal is in a foreign country and there is a recognised cultural expectation that a tip will be provided. The prior approval of the CEO must be obtained for the reimbursement of tips and gratuity costs.

*[Note: Such approval is expected to be sought when travelling to countries with a tipping culture, e.g. the United States of America.]*

#### Accommodation

- 5.10 Councillors are entitled to accommodation when it is necessary having regard to the length of travel for Council Business. Councillors are entitled to stay in accommodation to a standard of 3/4 stars or equivalent. However, where practical, Council will book accommodation offered as part of a conference package (which may exceed the 3/4 star standard).
- 5.11 Council will book and pay for accommodation in accordance with this policy.
- 5.12 Where a Councillor chooses to stay with friends or family, no accommodation expenses will be paid.
- 5.13 Councillors may be reimbursed for reasonable incidentals associated with accommodation in accordance with this policy, up to a maximum of the ATO guidelines.

#### Parking and transport

- 5.14 Councillors may be reimbursed for parking or transport (public transport, taxis, etc.) when conducting Council Business outside the Whitsunday Region.

*[Note – vehicles for travel within the Whitsunday Region are dealt with separately in this policy]*

- 5.15 Any fines or infringements issued while undertaking such activities are the personal responsibility of the Councillor incurring the fine.

#### Spouses, partners and family members

- 5.16 Councillors are not entitled to reimbursements for expenses incurred for spouses, partners or other family members without the prior approval of the CEO.
- 5.17 Where Council has incurred unapproved costs for spouses, partners or other family members for the sake of expediency (e.g. booking flights), the expense associated with



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

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spouses, partners or other family members must be reimbursed to Council within 10 business days.

## 6. Guiding Principles – Other expenses

### Advertising

- 6.1 Councillors are not entitled to be reimbursed or provided with funds, services or facilities for advertising purposes.

### Alcohol

- 6.2 Councillors are not entitled to be reimbursed or provided with funds for the purchase of alcoholic beverages without the prior approval of the Chief Executive Officer.

### Other exclusions

- 6.3 Expenses related to functions and activities requested or organised by Council will be made from the relevant approved departmental budget.
- 6.4 It is reasonable that expenses associated with advocacy and representative activities undertaken by Councillors on behalf of Council should be adequately funded from existing budgets. Such expenses should not be a charge against the approved budget allocation for the Councillor

### Operational Support

- 6.5 Each Councillor may be provided with an administrative and operational support officer to assist them in the performance of their duties, and to undertake Council Business. Such officers are employees of Council and are subject to Council's usual terms and conditions of employment and reporting lines.
- 6.6 Councillor support officers and administrative support are not permitted to assist councillors with matters other than Council Business.
- 6.7 Communication support is provided on a professional basis to support or further the interests of Council, not those of an individual Councillor.
- 6.8 The arrangements for provision of operational support will be reviewed on a periodic basis and shall be subject to budgetary and operational parameters.

### Office Accommodation and Assets

- 6.9 Councillors have access to office accommodation and meeting rooms located in Council premises. These assets should be booked through Council's ordinary processes.



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

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#### Business and Communication Tools

- 6.10 Councillors will be issued with business and communication tools to assist them in performing their duties and undertaking Council Business. These tools should be utilised in accordance with any relevant policies, procedures, conditions of use and guidelines
- 6.11 Councillors must transact all Council Business using a Council supplied device connected to Council's information technology network. Councillors must not conduct Council Business on private electronic devices nor utilise private mail or messaging accounts for Council Business. Any incidental use of private electronic devices for Council Business (e.g. unprompted contact from the community) should be redirected to official channels, and captured as a public record.
- 6.12 All business and communication tools are procured by Council and are of the same standard as those available to senior management.
- 6.13 All business and communication tools remain the property of Council and must be accounted for during any audit and returned at the end of the Councillor's term of office.
- 6.14 Councillors are expected to comply with the same conditions of use, policies, guidelines and processes for business and communication tools that apply to Employees.
- 6.15 Business and communication tools will be replaced at the end of their working life.
- 6.16 Councillors may make incidental personal use of business and communication tools, but excessive or unreasonable personal use costs (as determined by the CEO) must be reimbursed by the Councillor.
- 6.17 Requests for additional or alternate business and communication tools will be assessed on their merit and determined by the CEO.

#### Vehicles

- 6.18 To acknowledge the fact that the role of Mayor requires extensive 'after hours' work, the Mayor shall be provided with a Council vehicle with full private use.
- 6.19 Councillors other than the Mayor may elect to either:
  - 6.19.1 use a Council provided vehicle to attend Council Business. Council will make a suitable 'pool' vehicle available for priority use of a Councillor, garaged at a Council facility; or
  - 6.19.2 use their personal vehicle for Council Business and claim an allowance for the kilometres travelled. Such allowance will be the rate set by the ATO for vehicle usage and be based on a log kept by the Councillor that records the purpose of each trip and distance travelled.



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

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- 6.20 Council will meet all operating costs and provide fuel cards for Councillors driving a Council-owned vehicles.
- 6.21 Councillors must complete a logbook when using Council vehicles and must specify if any of the kilometres driven were for private use. Any private use by a Councillor shall be reimbursed by the Councillor using the ATO's business use of motor vehicle cents per kilometre method applicable at the time of travel.
- 6.22 Vehicle expenses for private vehicle use shall only be reimbursed for Council Business, in accordance with ATO guidelines.

#### Corporate Wear, Personal Protective Equipment and Name Badges

- 6.23 An annual professional attire allowance of \$500 will be provided to Councillors to purchase professional attire or uniforms from the approved corporate uniform supplier.
- 6.24 Councillors will be provided with all necessary safety equipment and are expected to observe the appropriate Workplace, Health and Safety measures when at any workplace.
- 6.25 Councillors will be provided with business cards, name badges and access cards.

#### Use of Corporate Cards

- 6.26 The CEO may authorise the provision of corporate cards to Councillors to enable them to make incidental expenses in accordance with this policy. Councillors must perform a monthly reconciliation and provide tax invoices to match expenditure.

#### Asset Maintenance Costs

- 6.27 Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities that fall under Council's asset replacement program.

#### Hospitality

- 6.28 Council recognises that Councillors may have occasion to incur hospitality expenses while conducting Council Business, in addition to entertainment or hospitality organised by Council under the Entertainment and Hospitality Policy.
- 6.29 The Mayor may incur hospitality expenses up to the value of \$4,000.00 per annum where it is deemed necessary (by the Mayor) in the conduct of Council Business.
- 6.30 Each Councillor other than the Mayor may incur hospitality expenses up to \$500.00 per annum for hospitality expenses deemed necessary (by the Councillor) in the conduct of Council Business.



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

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- 6.31 Any hospitality expense in excess of these amounts will require the prior approval of the CEO.
- 6.32 Reasonable alcohol costs may be included as a hospitality expense where any Councillor attends a function or dinner for the purposes of professional networking or in relation to Council business, with the prior approval of the CEO; and
- 6.33 All hospitality expenses shall be reimbursed only where such expenses are otherwise consistent with Council's Entertainment and Hospitality Policy.

#### Legal costs and Insurance Cover

- 6.34 Council may decide, by resolution, pursuant to section 107 of the LGA, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of their duties.
- 6.35 Councillors will be covered under Council insurance policies while discharging their duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors liability, personal accident and/worker's compensation, international and domestic travel insurance (subject to the terms and condition of the travel insurance policy).

#### Caretaker Period under the LGA

- 6.36 Once the caretaker period commences, Councillors shall not use Council facilities for political or election purposes and only be eligible to claim expense reimbursement for costs relating to Council Business (not electoral expenses) or as otherwise approved by Council resolution.

## 7. Reporting

- 7.1 As required by section 186 of the LGR, Council's Annual Report will include details of the expenses incurred by each Councillor during the financial year, as set out in this policy.

## 8. Related Polices and Legislation

Local Government Act 2009 (Qld)  
 Local Government Regulation 2012 (Qld)  
 Public Ethics Act 1994 (Qld)  
 Councillor Code of Conduct  
 Entertainment and Hospitality Policy



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

8 July 2020

## 9. Definitions

**ATO** means the Australian Taxation Office.

**Caretaker Period** has the meaning given in the LGA.

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Council Business** means business conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities or achieve business objectives for the Council. Council Business should result in a benefit being achieved either for Council, the Whitsunday region or the community. Council Business includes functions that are a statutory requirement of the Councillor's role or are officially recorded in minutes or other public records. These might also include attending an event or function to perform duties or as a Council representative such as:

- ceremonial openings of buildings and facilities;
- fetes and carnivals;
- annual or presentation dinners;
- public meetings;
- private meetings arranged through Council administrative channels (i.e. documented in official records or diary) for the purpose of conducting discussions regarding the business of Council; or
- other meetings, events or functions, such as:
  - meetings of Council or of its committees that the Councillor is entitled or asked to attend, or at which the Councillor has business for a resident of the Whitsunday region;
  - inspections, deputations, conferences and meetings at which the Councillor's attendance is permitted by Council;
  - Meetings with stakeholders including individuals, community groups, Councillors and staff;
  - official functions organised for the local government; or
  - meeting with residents for the purpose of local government business.

Expenses of a personal nature are not Council Business.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Expense** means a cost actually incurred.



## STRATEGIC POLICY: Elected Members

### Councillor Expenses and Resources

Endorsed by Council

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**Facilities** refers to 'tools of the trade' provided by Council, required to enable Councillors to perform their duties with relative ease and at a standard appropriate to fulfil their professional role for the community.

**LGA** means the *Local Government Act 2009* (Qld)

**LGR** means the *Local Government Regulation 2012* (Qld)

**Professional Development** means training that improves a Councillor's skills and knowledge relevant to their role as a Councillor and is directly related to Council Business. Examples of this type of training include public speaking development courses or attending a Local Government conference.

| COUNCIL POLICY                |                                       |                    |                                         |
|-------------------------------|---------------------------------------|--------------------|-----------------------------------------|
| Date Adopted by Council       |                                       | Council Resolution |                                         |
| Effective Date                | 8 July 2020                           | Next Review Date   |                                         |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | LSP_OMCEO_10<br>Adopted 11 October 2017 |
| Public Consultation: Yes / No | No                                    |                    |                                         |





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

|                           |                                    |
|---------------------------|------------------------------------|
| Endorsed<br>by<br>Council | 22 November 2022<br>OM2022/11/23.6 |
|---------------------------|------------------------------------|

## 1. Purpose

- 1.1 The purpose of this policy is to ensure compliance with section 196 of the Local Government Regulation (Qld) and that Council's expenditure in relation to entertainment or hospitality is reasonable and appropriate.
- 1.2 Council recognises that there are circumstances where the provision of entertainment or hospitality by Council is appropriate and beneficial. However, as a publicly funded body, Council must ensure that public sector standards of accountability are maintained and that there is consistency in the way the entertainment or hospitality expenditure is administered.

## 2. Scope

- 2.1 This policy applies to all Councillors and Employees and to all entertainment or hospitality expenditure of Council.

## 3. Policy Statement

- 3.1 Council must ensure that all entertainment or hospitality expenditure meets the reasonable community expectations of an effective local government advancing the public good. Expenditure on entertainment or hospitality must be:
  - 3.1.1 open, transparent and available for scrutiny by both internal and external audit processes;
  - 3.1.2 publicly defensible; and
  - 3.1.3 properly documented and otherwise in accordance with this policy.
- 3.2 At times it is appropriate to extend hospitality to representatives of government and government bodies, other local authorities, business or industry, recognised community organisations and individuals with whom Council is undertaking business, along with Councillors and Employees.
- 3.3 Expenditure for entertainment or hospitality must only be incurred if it:
  - 3.3.1 relates to Council business;
  - 3.3.2 advances the objectives of Council;
  - 3.3.3 is in the public interest and beneficial to Council or the community; and
  - 3.3.4 is not excessive, having regard to Council being a public authority.
- 3.4 Council may also incur expenditure to recognise significant contributions to the community by groups or individuals.





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

Endorsed by Council  
22 November 2022  
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- 3.5 Council owned facilities must be prioritised for any hospitality or entertainment.
- 3.6 Whenever a Councillor or Employee claims reimbursement or payment of entertainment expenses, the Councillor or Employee must be able to clearly identify the benefit to Council or the community from the expenditure.
- 3.7 Expenditure for entertainment or hospitality must be properly documented and available for scrutiny by both internal and external audit.
- 3.8 Entertainment expenses may be incurred for the sole purpose of entertaining Employees, only with the prior written approval of the CEO.

## 4. Guiding Principles

### Transparency and Accountability

- 4.1 Expenditure for entertainment or hospitality must only be incurred if it is in the public interest.
- 4.2 Expenditure for entertainment or hospitality must be properly documented to allow scrutiny by both internal and external audit.
- 4.3 The following rules apply to the approval of spending for entertainment or hospitality:
  - 4.3.1 Employee may not authorise their own spending;
  - 4.3.2 Spending by an Employees other than the CEO must be authorised by the Employee's supervisor/manager;
  - 4.3.3 Spending by the CEO must be authorised by a member of the Executive Leadership Team or the Mayor;
  - 4.3.4 Spending by a Councillor must be authorised by the Mayor or CEO;
  - 4.3.5 Spending must be within financial limits approved by delegation;
  - 4.3.6 It is preferable, but not compulsory, that spending be approved in advance;
  - 4.3.7 Appropriate documentation must be supplied when claiming reimbursement for expenses incurred (e.g. tax invoices, receipts etc.); and
  - 4.3.8 Where there is uncertainty about the validity of claiming particular spending, the principles of this policy should be used to make the determination.

### Approved Activities

- 4.4 The provision of entertainment or hospitality is limited to:
  - 4.4.1 business functions;





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

|                           |                                    |
|---------------------------|------------------------------------|
| Endorsed<br>by<br>Council | 22 November 2022<br>OM2022/11/23.6 |
|---------------------------|------------------------------------|

- 4.4.2 official functions; and
- 4.4.3 Employee functions.
- 4.5 Business functions are functions attended by Councillors or Employees for the purpose of Council's ordinary functions, including for example:
  - 4.5.1 internal meetings, workshops, briefings or forums;
  - 4.5.2 training sessions or professional development;
  - 4.5.3 meetings, workshops, briefings or forums between Councillors or Employees and external stakeholders or advisors.
- 4.6 Official functions are functions attended by Councillors or Employees for the purpose of representing Council or recognising, celebrating or sharing achievements of Council or the community in an official capacity, including for example:
  - 4.6.1 awards ceremonies or other celebratory events;
  - 4.6.2 civic functions;
  - 4.6.3 openings of facilities;
  - 4.6.4 functions hosting visiting dignitaries;
  - 4.6.5 fundraisers or charity events;
  - 4.6.6 other 'milestone' events.
- 4.7 Employee functions are functions for Councillors or Employees (or those connected to Councillors or Employees like spouses) that are internal to Council and are in the nature of staff functions, including for example:
  - 4.7.1 Christmas parties;
  - 4.7.2 celebratory events (including for example celebrations of milestones);
  - 4.7.3 other non-specified work functions.
- 4.8 Entertainment or hospitality expenditure should be proportional and appropriate to the type of event being held, and the purpose for holding the event.

#### Business functions

- 4.9 Managers and Directors may approve entertainment or hospitality expenditure for business functions where official business involving Councillors or Employees occurs, and it is reasonable for it to be provided.
- 4.10 Business functions where it is reasonable for entertainment or hospitality expenditure to occur include, but are not limited to:





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

Endorsed by Council 22 November 2022  
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- 4.10.1 functions where official business is engaged in during a meal;
  - 4.10.2 functions where light refreshments, including non-alcoholic drinks, are provided;
  - 4.10.3 functions where they are cost advantages in continuing the event through the normal meal break; and
  - 4.10.4 functions where it is more time efficient to have the attendees remain in the room for meals/refreshments to allow the event to proceed with minimal delays rather than have attendees remove themselves from the meeting venue for meals/refreshments.
- 4.11 Appropriate expenditure for business functions include the provision of tea, coffee, morning/afternoon tea, light refreshments and lunch.
- 4.12 Managers and Directors may approve registration and/or ticket costs to attend functions for the purpose of official business.

#### Official functions

- 4.13 Entertainment or hospitality expenditure is appropriate in circumstances when it is necessary or desirable to facilitate the conduct of Council business and promote the community's interest.
- 4.14 CEO may approve expenditure for official hospitality.
- 4.15 Appropriate expenditure for official hospitality expenses includes offering hospitality to:
- 4.15.1 visitors when the Council has an interest in, or a specific obligation towards, their visit;
  - 4.15.2 representatives of government, business, industry or recognised community organisations; and
  - 4.15.3 civic receptions and functions to recognise significant contributions from groups or individuals to the community.
- 4.16 Appropriate expenditure for official functions includes the provision of tea, coffee, morning/afternoon tea, light refreshments, breakfast, lunch and dinner and registration and/or ticket costs to attend official functions.
- 4.17 The Office of the Mayor and CEO must maintain details of:
- 4.17.1 the purpose of the function;
  - 4.17.2 the number of invitees;
  - 4.17.3 the number of attendees;
  - 4.17.4 a description of the groups that were in attendance; and





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

Endorsed by Council  
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4.17.5 a breakdown of the costs associated with the functions.

#### Employee Functions

4.18 Entertainment or hospitality expenditure can be appropriately spent for employee functions in line with ordinary expectations of workplaces.

4.19 Employee functions play an important role in creating a desirable workplace and positive work culture. However, expenditure must be proportionate and must recognise that public funds should be spent for the public benefit.

## 5. Related Policies and Legislation

*Local Government Act 2009* (Qld)

*Local Government Regulation* (Qld) (in particular, section 196)

Councillor Facility and Expenses Policy.

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Council Business** means work required to be performed as part of normal duties, including, but not limited to, supporting Council objectives and policies, furthering relationships and links with business that are important to the region and the outcomes being delivered by the Council, training and development and other ordinary functions of Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Entertainment or hospitality** means the provision of food, drink, refreshment, amenities, facilities, equipment or labour in a collaborative setting.

**LGA** means the *Local Government Act 2009* (Qld).

**LGR** means the *Local Government Regulation 2012* (Qld).

All other definitions are in accordance with the LGA and LGR.

| COUNCIL POLICY          |                  |                    |                |
|-------------------------|------------------|--------------------|----------------|
| Date Adopted by Council | 23 November 2022 | Council Resolution | OM2022/11/23-6 |





## STRATEGIC POLICY: Elected Members

### Entertainment and Hospitality Policy

Endorsed by Council  
~~22 November 2022~~  
~~OM2022/11/23.6~~

|                               |                                       |                  |                             |
|-------------------------------|---------------------------------------|------------------|-----------------------------|
| Effective Date                | <del>23 November 2022</del>           | Next Review Date | <del>23 November 2024</del> |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes          | <del>LSP_OMCEO_02</del>     |
| Public Consultation: Yes / No | No                                    |                  |                             |





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

## 1. Purpose

- 1.1 This is Council's investigation policy for how complaints about suspected conduct breach by Councillors will be dealt with as required by section 150AE(1) of the *Local Government Act 2009 (Qld)*.

## 2. Scope

- 2.1 This policy applies to investigations and determinations by Council about a suspected Councillor conduct breach, which has been referred by the Independent Assessor. This policy:
- 2.1.1 includes a procedure for investigating the suspected conduct breaches of councillors (see Addendum 2 – Investigation Standards);
  - 2.1.2 states the circumstances in which another entity may investigate the conduct;
  - 2.1.3 is consistent with the principles of natural justice;
  - 2.1.4 requires Council to prepare a report about each investigation (see Addendum 1 - report template and summary report template);
  - 2.1.5 requires a notice about the outcome of investigations be provided to the Independent Assessor, councillor and persons who made complaint about the councillors' conduct; and
  - 2.1.6 includes a procedure about when Council may decide not to start, or to discontinue, an investigation under section 150AEA of the LGA.
- 2.2 This policy requires Council:
- 2.2.1 to give the Subject Councillor information about the suspected conduct, including details about the evidence of the conduct; and
  - 2.2.2 to give the Subject Councillor a notice if an investigation is not started or is discontinued; and
  - 2.2.3 for conduct the subject of a complaint - to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and
  - 2.2.4 to give the Subject Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation (see Addendum 3 – Statement of Preliminary Findings Template); and
  - 2.2.5 to allow the Subject Councillor to give evidence or a written submission to the local government about the suspected conduct and preliminary findings; and







## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

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- 2.2.6 to consider any evidence and written submission given by the relevant councillor in preparing the investigation report for the investigation; and
- 2.2.7 to include in the investigation report:
  - 2.2.7.1 if evidence is given by the Subject Councillor – a summary of the evidence; and
  - 2.2.7.2 if the Subject Councillor gives a written submission – a full copy of the written submission.

### 3. Out of Scope

- 3.1 This Policy does not relate to more serious councillor conduct, such as misconduct or corrupt conduct, which are dealt with under separate legislative provisions.
- 3.2 This Policy also does not deal with unsuitable meeting conduct, or any conduct undertaken in a personal capacity by a councillor, for example, a sitting councillor campaigning for re-election or attending a private social function.

### 4. Policy Statement

- 4.1 Chapter 5A of the LGA prescribes the councillor conduct management system. Section 150CT of the LGA establishes an Independent Assessor to carry out certain functions including the preliminary assessment, dismissal, referral, or investigation of complaints about councillor conduct.
- 4.2 After undertaking a preliminary assessment of a councillor conduct complaint, if the Independent Assessor reasonably suspects a councillor has engaged in a conduct breach, the Independent Assessor may decide to refer a suspected conduct breach to Council to deal with under section 150SD(4)(a) or 150W(b) of the LGA.
- 4.3 Upon receipt of a referral notice of a complaint of suspected conduct breach, Council must deal with the Subject Councillor's conduct as prescribed under section 150AF of the LGA unless a decision is made not to start or to discontinue the investigation under section 150AEA of the LGA. In conducting the investigation, Council must comply with this investigation policy.
- 4.4 Council may decide not to start or discontinue the investigation in accordance with section 150AEA of the LGA.





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

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## 5. Process

### Commencing Investigation

#### Independent Assessor's referral

- 5.1 Council will receive a notice ('referral notice') from the Independent Assessor about the suspected conduct breach of a councillor (LGA s 150AC). The referral notice will:
  - 5.1.1 include details of the conduct and any complaint received about the conduct;
  - 5.1.2 state why the Independent Assessor reasonably suspects that the Subject Councillor has engaged in a conduct breach; and
  - 5.1.3 include information about the facts and circumstances that form the basis of the Independent Assessor's reasonable suspicion.
- 5.2 The Independent Assessor must also give a notice to the Subject Councillor that states the Subject Councillor's conduct has been referred to Council to deal with, and a copy of the referral notice must be attached.
- 5.3 On receipt of a referral notice, the CEO will forward a copy of that referral notice to the Mayor and all councillors, including the Subject Councillor, as a confidential document.

#### Not starting or discontinuing an investigation

- 5.4 Pursuant to section 150AEA of the LGA, Council may decide to not start an investigation, or discontinue an investigation if:
  - 5.4.1 the complaint is withdrawn by the complainant;
  - 5.4.2 the complainant consents to the investigation not starting or being discontinued, (for example, the matter has been resolved and it is unnecessary for the local government to investigate the matter);
  - 5.4.3 there is insufficient information to investigate the conduct;
  - 5.4.4 the complainant refuses to cooperate by providing additional information during the investigation phase and not enough information is available to proceed; or
  - 5.4.5 the office of the councillor becomes vacant for any reason, i.e., the person has resigned or was not re-elected and is no longer a councillor.
- 5.5 If there are circumstances for considering not starting or discontinuing an investigation, the matter will be placed on the agenda for the next Ordinary Council Meeting. Council may decide by resolution to not start, or to discontinue, a suspected conduct breach matter. The resolution must state the decision and the reasons for the decision.





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

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**[Note:** The matters not started or discontinued must be reported in the annual report (including the reasons) and recorded in councillor conduct register].

#### Investigator

- 5.6 The Mayor will manage the investigation process and may either undertake the investigation, or engage a suitably qualified external investigator.
- 5.7 The Mayor is authorised by council to expend money as reasonably needed to engage contractors in accordance with the council's procurement policy.
- 5.8 The Investigator will investigate the suspected conduct breach and prepare an investigation report that includes:
  - 5.8.1 an opinion on whether the Subject Councillor engaged in a conduct breach; and
  - 5.8.2 recommendations on how the conduct breach ought to be dealt with.
- 5.9 The investigation must be conducted in a way that is consistent with this Investigation Policy.

#### Investigation Process

##### Investigation

- 5.10 During the course of the investigation, the Investigator must follow the investigation standards of the local government (see Addendum 2– Investigation Standards).
- 5.11 After having assessed the complaint, the Investigator must prepare a Preliminary Statement of Findings.

**[Note:** See Addendum 3 - Statement of Preliminary Findings Template.]

- 5.12 The Investigator must:
  - 5.12.1 give the Preliminary Statement of Findings to the Subject Councillor before finalising the Investigation Report;
  - 5.12.2 allow the Subject Councillor the opportunity to response to the Preliminary Statement of Findings by providing evidence or submissions (orally or in writing) about the findings contained in the Preliminary Statement of Findings;
  - 5.12.3 consider any evidence or submission given by the Subject Councillor in finalising the investigation report; and
  - 5.12.4 include a summary of the Subject Councillor's evidence and a full copy of any written submission in the investigation report.
- 5.13 Once the investigation is finalised the Investigator will prepare a report (Investigation Report) for Council which includes the following details:





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

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- 5.13.1 any witnesses interviewed;
- 5.13.2 documents or other evidence obtained;
- 5.13.3 a statement of the relevant facts ascertained;
- 5.13.4 confirmation that the Subject Councillor has been provided with an opportunity to respond to the complaint and the evidence compiled;
- 5.13.5 the investigation findings;
- 5.13.6 a statement of any relevant previous disciplinary history of the Subject Councillor;
- 5.13.7 any recommendations about dealing with the conduct; and
- 5.13.8 a record of the investigation costs.

*[Note: see Addendum 1 – Report Template.]*

### **Completion of investigation – Findings and recommendations**

#### **Summary Investigation Report**

- 5.14 Upon receipt of an Investigation Report, a Summary Investigation Report must be prepared by Council.
- 5.15 The Summary Investigation Report:
  - 5.15.1 must include:
    - 5.15.1.1 the name of the Subject Councillor;
    - 5.15.1.2 a description of the alleged conduct;
    - 5.15.1.3 a statement of the facts established by the investigation;
    - 5.15.1.4 a description of how natural justice was afforded to the Subject Councillor during the conduct of the investigation;
    - 5.15.1.5 a summary of the findings of the investigation; and
    - 5.15.1.6 any recommendations made by the Investigator;
  - 5.15.2 must not include:
    - 5.15.2.1 the name of the person who made the complaint of a conduct breach, or any information that could reasonably be expected to result in identifying that person; or
    - 5.15.2.2 the name of any person who provided information to the Investigator as part of the investigation, or any information that could reasonably be expected to result in identifying that person; or





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

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5.15.2.3 any other information that Council is entitled or required to keep confidential under a law; and

5.15.3 must be made publicly available pursuant to section 150AFA(3)(b) of the LGA and associated regulation.

#### Making a decision about the investigation

- 5.16 Council must decide whether the Subject Councillor has engaged in a conduct breach.
- 5.17 In deciding whether the Subject Councillor has engaged in a conduct breach, Council must have regard to the Investigation Report.
- 5.18 A Council meeting may be closed under section 254J(j) of the LGR to consider the Investigation Report (but not make any resolutions in relation to the alleged conduct breach).
- 5.19 If Council decides the Subject Councillor has engaged in a conduct breach, Council must decide what, if any, action it will take under section 150AH of the LGA to discipline the Subject Councillor.

#### Disciplinary action against Councillors

- 5.20 If Council decides the Subject Councillor has engaged in a conduct breach, any of the following orders may be imposed:
  - 5.20.1 an order that no action be taken against the councillor; or
  - 5.20.2 an order that the Subject Councillor must undertake action in accordance with section 150AH(1)(b) of the LGA.
- 5.21 When deciding what action to take, Council may consider:
  - 5.21.1 any previous conduct breach of the Subject Councillor; and
  - 5.21.2 any allegation made in the investigation that was admitted or not challenged and that Council is reasonably satisfied is true.

**[Note: For further information refer to Addendum 4 - Conduct Breach Disciplinary Action Guideline].**

#### Release of Investigation Report

- 5.22 After making a decision about the conduct breach, Council must make the Investigation Report publicly available:
  - 5.22.1 if the decision is made at a local government meeting—on or before the day and time prescribed by the LGR; or
  - 5.22.2 otherwise—within 10 business days after the decision is made.





## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

5.23 The following information contained in the Investigation Report must not be publicly released:

- 5.23.1 the name of the person who made the complaint of a conduct breach, or any information that could reasonably be expected to result in identifying that person, unless the complainant was a councillor or CEO of Council and the persons identify as the complainant was disclosed at the Council meeting at which the Investigation Report was considered; or
- 5.23.2 the name of any person who provided information to the Investigator as part of the investigation, or any information that could reasonably be expected to result in identifying that person;
- 5.23.3 the submission or affidavit of, or a record or transcript of information provided orally by, a person who provided information to the Investigator as part of the investigation, including, for example, a transcript of an interview; or
- 5.23.4 any other information that Council is entitled or required to keep confidential under a law.

5.24 If the complainant was a councillor or the CEO of Council and that person's identify was disclosed at the Council meeting at which the Investigation Report was considered, the publicly released report must contain that information.

#### Notice about the outcome of the investigation

5.25 After an investigation is finalised, (either by not starting or discontinuing, or by Council deciding the outcome of the investigation) Council must give a notice about the outcome of the investigation to:

- 5.25.1 the Independent Assessor;
- 5.25.2 the person who made the complaint about the Subject Councillor's conduct that was the subject of the investigation; and
- 5.25.3 the Subject Councillor.

5.26 The notice must state:

- 5.26.1 the decision; and
- 5.26.2 the reasons for the decision; and
- 5.26.3 if an order is made under section 150AH of the LGA—details about the order.







## STRATEGIC POLICY: Elected Members

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

#### **Miscellaneous**

##### **Conflicts of Interest**

- 5.27 The Subject Councillor and the complainant, if the complainant is a councillor, have a declarable conflict of interest and should manage it in a way that is consistent with the requirements of the LGA.
- 5.28 If the Mayor has a conflict of interest in the matter, the Mayor's powers to manage the investigation must be delegated to the Deputy Mayor, or if the Deputy Mayor is conflicted, another Councillor or the CEO.
- 5.29 Where a Council meeting loses quorum due to conflicts of interest of councillors, then the conduct matter must be delegated to:
- 5.29.1 the Mayor; or
- 5.29.2 if the Mayor is also conflicted, a standing committee constituted to make a decision.
- 5.30 If informed of suspected corrupt conduct, the CEO must give the information to the Crime and Corruption Commission and the Independent Assessor.

*[Note: Corrupt conduct may also be misconduct and should be treated as such. The CEO has obligations to report suspected corrupt conduct under the Crime and Corruption Act 2001 (Qld)]*

##### **Misconduct or Corrupt Conduct**

- 5.31 If during the investigation of the Subject Councillor, the Investigator obtains information indicating the Subject Councillor may have engaged in misconduct, the Mayor and the CEO must be informed and the investigation must cease.
- 5.32 If informed of suspected misconduct, the CEO must give the information to the Independent Assessor.

*[Note: See LGA s 150AF]*

- 5.33 If during the investigation of the Subject Councillor, the Investigator obtains information indicating the Subject Councillor may have engaged in corrupt conduct, the Mayor and the CEO must be informed and the investigation must cease.

##### **Inconsistent Decisions**

- 5.34 If Council makes a decision that is not consistent with the recommendation of the Investigation Report, the reasons for the decision must be recorded in the minutes of the meeting. The minutes must give sufficient information to demonstrate the logic that has been applied to justify a decision not to follow the recommendation of the Investigation Report.







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#### Councillor conduct register

5.35 The CEO must ensure the following decisions are entered into Council's councillor conduct register:

- 5.35.1 any orders under section 150AH of the LGA made about suspected conduct breach of a councillor; and
- 5.35.2 any decision to not start, or to discontinue an investigation of suspected conduct breach under section 150AEA of the LGA.

## 6. Guiding Principles

### Confidentiality

- 6.1 Matters relating to the investigation of a suspected conduct breach are confidential to Council during the investigation period except as otherwise prescribed in this policy.

### Natural justice

- 6.2 Any investigation of suspected conduct breach by a councillor must be carried out in accordance with natural justice. Natural justice or procedural fairness refers to three key principles:
  - 6.2.1 that the councillor who is the subject of the suspected conduct breach matter has a chance to have his or her say in an informed manner before adverse formal findings are made and before any adverse action is taken (i.e., fair hearing);
  - 6.2.2 that the investigator should be objective and impartial (i.e., absence of bias); and
  - 6.2.3 that any actions taken, or decisions made are based on evidence rather than speculation or suspicion (i.e., acting on evidence).
- 6.3 A fair hearing means the councillor who is the subject of the suspected conduct breach matter will know the case put against them, and be provided with an opportunity to put their case in response. This includes receive information about the alleged conduct breach, including the preliminary findings of the investigation any other material information.
- 6.4 An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.
- 6.5 Acting on evidence means making decisions and acting on the material available without speculation. Acting on evidence also includes:
  - 6.5.1 giving proper and genuine consideration to each party's case;
  - 6.5.2 considering all the relevant material; and





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6.5.3 not considering irrelevant material.

*[Note: It must be kept in mind that the matter when referred, is suspected, and not yet proven].*

#### Standard of Proof

- 6.6 The civil standard of proof is applied by the Investigator when forming a view on whether a councillor has engaged in a conduct breach. The relevant standard of proof is 'on the balance of probabilities,' which means the weighing up and comparison of the likelihood of the existence of competing facts or conclusions. An allegation is sustained 'on the balance of probabilities,' if based on the evidence, the decision maker is reasonably satisfied that its existence is more probable than not.

#### Timeliness

- 6.7 The councillor conduct framework must be effective and efficient. The Investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of a Council meeting within eight weeks of commencing the investigation, after the receipt of the complaint from the Independent Assessor.
- 6.8 If the Investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor or delegate (if the Mayor is managing the investigation) to seek an extension of time.
- 6.9 Delay in procuring an investigator to undertake the investigation should be avoided.

#### Expenses

- 6.10 Council will pay the expenses associated with the investigation of suspected conduct breach including any costs of:
- 6.10.1 the Investigator;
  - 6.10.2 travel where the Investigator needed to travel to undertake the investigation, or to interview witnesses; and
  - 6.10.3 obtaining legal or expert advice.
- 6.11 Pursuant to section 150AH(b)(vii) of the LGA, Council may order the Subject Councillor to reimburse them for all or some of the costs arising from a sustained conduct breach. These costs would usually only relate to obtaining legal or expert advice and reasonable costs for the Investigator engaged to undertake the investigation.
- 6.12 Any costs incurred by complainants or the subject councillor will not be met by Council.
- 6.13 Where possible, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by, for example, the Councillor Conduct Tribunal or other jurisdictions who deal with conduct matters.





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## 7. Related Policies and Legislation

### Policies:

General Complaints Management Policy  
Administrative Action Complaints Management Policy  
Information Management Policy  
Code of Conduct for Councillors in Queensland  
Council Standing Orders (Meetings)

### Legislation:

Local Government Act 2009 (LGA)  
Local Government Regulation 2012 (LGR)  
Crime and Corruption Act 2001  
Public Interest Disclosure Act 2010 (PIDA)  
Public Sector Ethics Act 1994 (PSEA)

## 8. Definitions

**Behavioural Standard** means a standard of behaviour for councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150D and 150E of the LGA.

**CEO** means the Chief Executive Officer of council.

**Conduct** includes—

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct.

**Corrupt Conduct** has the meaning given by the *Crime and Corruption Act 2001* (Qld).

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Councillor Conduct Register** means the register required to be kept by the local government as set out in section 150DX and 150DY of the LGA.

**Conduct Breach** as set out in section 150K of the LGA.

**Independent Assessor** means the Independent Assessor appointed under section 150CT of the LGA.

**Investigation Report** means a report provided by the Investigator to Council detailing the outcome of the investigation.

**Investigation Policy** refers to this policy, as required by section 150AE of the LGA.

**Investigator** means the person responsible under this investigation policy for carrying out the investigation of the suspected conduct breach of a councillor, being either the Mayor or an external investigator.





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**LGA** means the *Local Government Act 2009* (Qld).

**LGR** means the *Local Government Regulation 2012* (Qld).

**Misconduct** has the meaning given by the LGA.

**Preliminary Statement of Findings** means the preliminary report given to the Subject Councillor prior to finalisation of the Investigation Report to afford the Subject Councillor an opportunity to respond to the allegations against them.

**Referral Notice** means a notice from the Independent Assessor under section 150AC of the LGA.

**Subject Councillor** means a Councillor the subject of a conduct breach complaint.

**Summary Investigation Report** means a summary of the Investigation Report prepared before Council decides the outcome of a conduct breach complaint.

**Unsuitable Meeting Conduct** has the meaning given by the LGA.

| COUNCIL POLICY                |                                       |                    |                  |
|-------------------------------|---------------------------------------|--------------------|------------------|
| Date Adopted by Council       | 23 November 2022                      | Council Resolution | OM2022/11/23.6   |
| Effective Date                | 23 November 2022                      | Next Review Date   | 23 November 2024 |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | LSP_OMCEO_11     |
| Public Consultation: Yes / No | No                                    |                    |                  |





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## Addendum 1

### Conduct Breach Complaint Investigation and Recommendation Report to Whitsunday Regional Council

Reference number:

Date received from council:

#### The complaint

*(Outline the allegation/s as referred for investigation, including date/s, time/s, place/s, description of alleged conduct. Succinct description of (full title and relevant sections) of policy (e.g. code of conduct) alleged to have been breached)*

#### The complainant

Description of the alleged conduct

(Consider if council indicates the matter relates to a public interest disclosure and ensure compliance with the *Public Interest Disclosure Act 2010*)

#### The subject councillor

Name (Reference level of experience as a councillor and any past disciplinary history including for like matters)

#### Conflict of interest considerations

(Declaration of any conflict of interest or 'no conflict of interest' by the investigator)

#### Summary of the investigation process

- Scope of the investigation:
- Interviews conducted:
- Documents examined:
- Facts identified:
- Category of the conduct breach: Set out relevant standards of sections considered.

#### Investigation Report

- Date of the report
- Wording of allegation for consideration
- A statement of the facts established by the investigation
- A description of how natural justice was afforded to the councillor during the conduct of the investigation
- A summary of the findings of the investigation
- A summary of any relevant previous disciplinary history
- Summary of the evidence or a full copy of any written submission given by the councillor
- Application of facts to the conduct breach outlined above
- A record of the investigation costs.





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**[Note:** Insert discussion of sufficiency of evidence to sustain the allegation and whether the evidence is capable of supporting a finding that the councillor has breached].

#### Recommendation to council

Recommendations made by the investigator who investigated the conduct.

It is recommended that:

- a) This report be submitted to the Whitsunday Regional Council for consideration, pursuant to section 150AG of the Local Government Act 2009 (the LG Act), as to whether or not the councillor has engaged in inappropriate conduct; and if they are found to have so engaged, what action the local government will take to discipline the councillor pursuant to section 150AH of the LG Act.
- b) Having analysed the material from this investigation, a conclusion might be drawn that:

**[Note:** make a recommendation as to whether a conduct breach is made or not, with succinct reasons].

- c) If Whitsunday Regional Council finds the councillor has engaged in inappropriate conduct, are there any aggravating or mitigating circumstances that should be taken into account?

*[For example, any action taken by the councillor since the conduct, any Aboriginal traditions or Islander customs of the councillor].*

- d) If council finds the councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended (refer to the 'Guideline – conduct breach disciplinary action').

..... (SIGN)

NAME:

ATTACHMENTS:





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#### Summary Report Template Include the following:

- the name of the councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and  
a description of how natural justice was afforded to the councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

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## Addendum 2

### Investigation Standards

The investigation must be managed in a consistent manner. Documentation must be contained in an efficient records management system. Confidential information must be secured appropriately.

#### Case Management file

The investigation must be supported by a recognised case management tool so that emails, letters, statements, and evidence can be stored and secured confidentially. File notes must be made in the case management system to document key milestones in the investigation such as when lines of inquiry are identified, witnesses are spoken to, when evidence is secured, and document key decisions.

#### Investigation Plan

The Mayor or delegate will, prior to beginning the investigation, check that the investigator does not have a conflict of interest in the matter. Remove them immediately from the investigation should a conflict of interest become known.

The following investigation process must be followed by the investigator unless the mayor or delegate agrees to vary the process in a particular case.

Take all necessary steps to protect the identity of the complainant(s) as far as possible during communications with the councillor.

Consider the following:

- i. Research the legislation and policy framework thoroughly.
- ii. Identify lines of inquiry and record them as a file note in case file management system.
- iii. Present all the evidence the councillor provides or gives in a written statement.
- iv. Gather further evidence (for example, from interviewing other witnesses, obtaining documents, or carrying out site inspections) when necessary.
- v. Secure evidence in case file management system, making a file note when lines of inquiry are followed up and key decisions are made during the course of in the investigation.
- vi. Undertake a proper and impartial examination of the evidence gathered, including expert advice and analysis and / or legal advice if required.





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- vii. Draw conclusions based on the evidence and applying the appropriate legislative and policy frameworks.

#### Prepare an investigation report

Prepare the investigation report for the local government to consider on the template attached **(Addendum 1)**.

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged conduct that may give rise to a new allegation, the Investigator must obtain particulars related to the conduct and then advise the mayor and the chief executive officer who will provide an information notice to the Assessor.

The Assessor will undertake a preliminary assessment or alternative action on the matter. The Investigator will be informed of activities of the local government in relation to the investigation. For example, the Investigator will be informed in the event the finalisation of a matter is delayed, or if the Local Government has to notify of a fresh allegation identified during the course of an investigation to the Assessor for a preliminary assessment.

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged in misconduct or corrupt conduct the investigation will cease and the investigator will notify the mayor and chief executive officer who will be responsible for providing an information notice to the Assessor/Crime and Corruption Commission.




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### Addendum 3

#### Statement of Preliminary Findings Template

#### Statement of Preliminary Findings

The Investigator has assessed the evidence set out in the investigation report and, taking into account the seriousness of the allegations, has made findings on the balance of probabilities. The table below contains a summary of the Allegations and the Investigator's findings. A detailed summary of the evidence and findings is provided in the full investigation report.

#### CONDUCT ALLEGATIONS

|              |                                 |
|--------------|---------------------------------|
| Allegation:  | Finding:                        |
| Allegation:  | Substantiated/Not Substantiated |
| Particulars: | Summary of Evidence:            |
|              | Summary of reasons for finding: |





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## Addendum 4

### Conduct Breach Disciplinary Action Guideline

This guideline is provided to assist Queensland local governments to make consistent decisions about the appropriate disciplinary action to be taken against a councillor who is found to have engaged in a conduct breach.

#### What is a conduct breach?

According to section 150K of the *Local Government Act 2009* (LGA), a conduct breach occurs when a councillor:

- i. breaches a behavioural standard (Code of Conduct for Councillors in Queensland);
- ii. breaches a council policy, procedure, or resolution;
- iii. contravenes an order by a chairperson of a local government to leave a council meeting and stay away from the place at which it is being held;
- iv. is part of a course of unsuitable meeting conduct orders on three occasions within a one-year period, taken together, is a conduct breach. The local government is not required to notify the OIA of these matters and may deal with the conduct as if an investigation has been undertaken section 150J and make a decision under section 150AG of the Local Government Act 2009 (including Brisbane City Council). Below are some examples of conduct which may constitute a conduct breach.

#### Decision

Section 150AG of the LGA provides that where an allegation of a conduct breach has been referred by the Office of the Independent Assessor (OIA) to a local government for investigation, the local government must decide:

- i. whether or not the councillor has engaged in a conduct breach; and
- ii. what action the local government will take under section 150AH of the LGA to discipline the councillor if the councillor has been found to have engaged in a conduct breach.

#### Types of orders

Section 150AH of the LGA provides a list of the types of orders that the local government may make where it has found that a councillor has engaged in inappropriate conduct:

- i. An order that no action be taken against the councillor;
- ii. An order that the councillor make a public apology, in the way decided by the local government, for the conduct;





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- iii. An order reprimanding the councillor for the conduct;
- iv. An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense;
- v. An order that the councillor be excluded from a stated local government meeting
- vi. An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor;
- vii. An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct;
- viii. An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.

#### Factors that may be taken into account

Section 150AG(2) of the LGA provides that in deciding what action to take, the local government may consider:

- i. Any previous conduct breach of the councillor;
- ii. Any allegation made in the investigation that-
  - a. was admitted, or was not challenged; and
  - b. the local government is reasonably satisfied is true.

#### Guidance on appropriate disciplinary action

It is open to local governments to decide which order/s in section 150AH of the LGA /are suitable when a councillor is found to have engaged in a conduct breach. The particular circumstances of a case must always be taken into consideration.

As a guide, it is suggested that it may be appropriate for the local government to consider making an order or combination of orders depending on whether a councillor has been found to have engaged in a conduct breach for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the local government to take action under s150AG to discipline the councillor for a conduct breach on three occasions within a 1 year period.

The table on the following page may assist councils to decide what disciplinary action is suitable in various circumstances.




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| Order                                                                                                                                           | First instance<br>engaging in a<br>conduct breach | Second instance<br>engaging in a<br>conduct breach | Third instance<br>engaging in<br>conduct breach |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------|-------------------------------------------------|
| No action be taken against the councillor                                                                                                       | ✓                                                 |                                                    |                                                 |
| An order for the councillor to make a public apology in the way decided by the local government, for the conduct                                | ✓ *                                               | ✓ *                                                | ✓ *                                             |
| An order for the councillor to make a public apology in the way decided by the local government, for the conduct                                | ✓ #                                               | ✓ #                                                | ✓ #                                             |
| An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense           | ✓ #                                               | ✓ #                                                | ✓ #                                             |
| An order that the councillor be excluded from a stated local government meeting                                                                 |                                                   | ✓                                                  | ✓                                               |
| An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor    |                                                   |                                                    | ✓                                               |
| An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct                                     | ✓ ^                                               | ✓                                                  |                                                 |
| An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's inappropriate conduct ** |                                                   | ✓                                                  | ✓                                               |

\* May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct.

# May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person.

^ For more serious and deliberate conduct breaches by an experienced councillor.

\*\* Costs arising from the councillor's conduct breach includes investigative costs, legal costs, and administrative costs. However, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by the Councillor Conduct Tribunal.





## STRATEGIC POLICY: Elected Members

### Social Media Policy

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## 1. Purpose

- 1.1 The purpose of this Policy is to set out the standards of behaviour expected for the use of social media on behalf of Council, and the use of social media by Council employees and Elected Members.
- 1.2 The objectives of this policy are to:
  - 1.2.1 develop a culture of openness, trust, and integrity in Council through appropriate use of social media;
  - 1.2.2 provide direction on the responsibilities and expectations for:
    - 1.2.2.1 the professional use of social media on behalf of Council;
    - 1.2.2.2 the use of social media by employees and Elected Members; and
    - 1.2.2.3 standards of behaviour by any parties wishing to interact on social media platforms administered by Council, including Elected Members.

## 2. Scope

- 2.1 This policy applies to all employees of Council and Elected Members who use social media platforms either professionally or privately. This policy applies to using social media to 'post' content or to interact with existing content on social media (e.g. by 'liking' or 'sharing' material posted by others).

## 3. Policy Statement

- 3.1 Council employs various social media platforms to provide information on Council initiatives, public notices, activities, facilities, services, events, and programs. Social media should be used where the Council wishes to engage with the community to provide information or raise awareness of Council related matters. There may be exceptions to this rule under the discretion of the Chief Executive Officer.
- 3.2 Social media is considered an important tool for Council to actively engage with our community and provides a platform for active discussion and the exchange of ideas, promoting the Whitsunday region as a place to live, work, play, visit and invest.





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### Social Media Policy

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## 4. Guiding Principles

### Acceptable use of social media channels

- 4.1 Council's social media assets are managed by delegated Social Media Editors/Moderators in the Communications and Marketing Team and are used for engaging with the community, increasing Council's brand awareness and promoting Council services.

### Authorities and responsibilities

- 4.2 The primary responsibility for Council's social media is the Communications and Marketing Team who are generally responsible for all Council social media accounts across all platforms.
- 4.3 All Council social media accounts must be set up and transacted in the name of Whitsunday Regional Council unless another Council business name is approved by the CEO.
- 4.4 All content for posts published or shared on Council's social media platforms must be prepared, edited, and issued through the Communications and Marketing Team or delegated Social Media Editors using an official Council account, to ensure adherence to the Social Media Policy, consistency in messaging, and consistency in branding. The Social Media Editors will ensure they consult and receive approval of content by the subject matter expert and their relevant supervisor.
- 4.5 Moderation of social media content on Council's platforms, consistent with Council's Terms of Use, will be undertaken by the Communications and Marketing Team (Social Media Editors/Moderators).
- 4.6 The Communications and Marketing Manager must remain an administrator of any accounts created to ensure risk management measures are maintained (including centralised storage of master passwords for each site) to protect Council's reputation.
- 4.7 Employees cannot have access to Council's social media accounts and comment on behalf of Council unless they are authorised by the CEO in liaison with the Communications and Marketing Manager. Access will be based upon the duties of each position with relevant officers only having access to relevant platforms, in accordance with the any Social Media Procedures/Guidelines.

### Comments and Replies

- 4.8 Service requests, requests for information or complaints to Council should be submitted through Council's official correspondence channels via phone, email, in writing or in



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person, rather than through social media. This is to ensure they are genuine and are captured via the appropriate customer service and records systems.

- 4.9 Responses to comments or posts requesting service or information will generally be made within normal business hours, should Council deem it appropriate to respond to a comment or post.

#### Creation of new accounts

- 4.10 New Council Official social media accounts must not be created without the consent of the Communications and Marketing Manager.
- 4.11 A full list of Council's official social media accounts can be obtained from the Communications and Marketing Team.

#### Obligations when using social media

- 4.12 When using social media, the following rules will apply:
- 4.12.1 only publish content that is classified as public information. Do not publish any material on social media sites that is confidential, personal, private, or pertains to legal matters;
  - 4.12.2 if using imagery, only use corporate imagery such as logos and official Council photographs;
  - 4.12.3 content posted must be accurate and approved by the relevant director, a manager, or the Communications and Marketing Manager;
  - 4.12.4 content must be respectful of the community and portray Council in a positive way;
  - 4.12.5 content must be impartial and apolitical;
  - 4.12.6 content must only promote projects and decisions that have been approved by Council;
  - 4.12.7 content must not promote any business other than Council or a Council owned business;
  - 4.12.8 users must adhere to the terms of use of the relevant social media platform/website;
  - 4.12.9 copyrighted or trademarked material must not be published without permission;
  - 4.12.10 posted content must not include any illegal, discriminatory, defamatory, abusive, or obscene material; and
  - 4.12.11 ensure capture of information/records and information privacy meet all legislative obligations and other policy obligations.



## STRATEGIC POLICY: Elected Members

### Social Media Policy

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#### Moderation and Terms of Use for third parties

- 4.13 Council's social media platforms will generally only be monitored within business hours.
- 4.14 An open dialogue on social media is encouraged, however comments and materials published on Council's social media platforms should adhere to appropriate standards of behaviour and civil discourse.
- 4.15 Council may remove any content that Council considers to:
- 4.15.1 be defamatory, prejudicial, racist, inflammatory, vexatious, offensive, cyberbullying, trolling or otherwise inappropriate;
  - 4.15.2 be off topic to the source subject;
  - 4.15.3 be repetitive;
  - 4.15.4 contain swearing, foul language or profanity;
  - 4.15.5 constitute harassment of, or personal attacks against, other users, Council, Elected Members, or Council staff;
  - 4.15.6 amount to disclosure of personal or sensitive information about others or Council;
  - 4.15.7 be spam, including links to other sites, including commercial, non-government or off-topic pages; and
  - 4.15.8 otherwise not be in the public interest.
- 4.16 Users who publish material in violation of the above may be banned or blocked from Council's social media sites. Determinations regarding breaches of the above will be made by a delegated Social Media Editor/Moderator in consultation with the Communications and Marketing Manager.
- 4.17 The above actions will acknowledge record keeping procedures.

#### Councillor social media use

- 4.18 The Mayor and Councillors will act in accordance with this policy, Council's Media Policy, the Code of Conduct for Councillors in Queensland, and all other related Council policies and procedures.
- 4.19 Elected Members will manage their own social media and Council has no role in the creation or management of these platforms, except for public record management.
- 4.20 Elected members are encouraged to refer to the Office of Independent Assessor & LGAQ resource – Social Media Guidelines for Councillors and other relevant material published by third party Agencies.



## STRATEGIC POLICY: Elected Members

### Social Media Policy

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#### 4.21 Councillors must:

- 4.21.1 consider the appropriateness and public perception of any comment or activity undertaken on all social media platforms, regardless of which account they are using;
- 4.21.2 take reasonable steps to ensure that any comment they make in a personal capacity will be understood as representing their personal views, not those of Council;
- 4.21.3 ensure their actions do not reflect adversely on the reputation of Council;
- 4.21.4 maintain confidentiality of Council information that is not publicly available;
- 4.21.5 not directly and unnecessarily criticise Council, other Councillors, or employees;
- 4.21.6 not attempt to unduly influence other Councillors or Council employees,
- 4.21.7 not undermine public confidence in the processes of Council;
- 4.21.8 be alert to the possibility that personal comments about public issues may compromise their ability to perform their duties in an independent and unbiased manner;
- 4.21.9 ensure their comments do not suggest that they have come to a conclusive view on a matter coming before Council, prior to fully considering the proposal and related issues (note – doing so may render Council decisions open to challenge);
- 4.21.10 having regard to legislative requirements, ensure privacy of individuals is maintained when posting photographs;
- 4.21.11 respect the democratic process and publicly represent Council decisions when speaking on behalf of Council (in reference to Council's Media Relations Policy); and,
- 4.21.12 not make Council announcements through social media prior to the announcement being made through official corporate channels, unless the information is already publicly available.

#### Employees Social Media Use

- 4.22 Council recognises that social media is a part of daily life. This policy does not prevent the usage of social media by Council employees for personal use. However, employees must recognise that they may be viewed by the public as representatives of Council, even if personal social media profiles do not explicitly link to Council or are made 'private'.
- 4.23 Any information that is shared about Council must only be what is available publicly.



## STRATEGIC POLICY: Elected Members

### Social Media Policy

Endorsed by Council

22 November 2023  
OM2023/11/22-20

4.24 All employees are reminded to act in accordance with this policy, the Code of Conduct (staff), the Media Relations Policy and all other related Council policies and procedures.

4.25 While using social media, employees must:

- 4.25.1 not criticise Council or any of its employees or stakeholders;
- 4.25.2 not disclose or use any confidential information (whether obtained in your capacity as employees or otherwise). Only disclose or discuss publicly available information;
- 4.25.3 not imply that you are authorised to speak as a representative of Council or give the impression that the views expressed are those of Council.
- 4.25.4 not must use a Council email address or any Council logos or insignia for personal social media that may give the impression of official support by Council for personal posts or comments;
- 4.25.5 in any post that identifies you as a Council employee, expressly state that any content represents personal views only and does not represent the views of Council;
- 4.25.6 not use the identity or likeness of another Council employee without consent;
- 4.25.7 not post anything which may damage Council's or the public's trust and confidence in you as a Council employee;
- 4.25.8 not upload work-related photographs or videos to a personal social media sites unless permission is sought from the Communications and Marketing Department. This includes uploading images of employees wearing council-branded uniforms, such that the activities being engaged in in the photograph could be perceived to have taken place during work hours or on behalf of Council.

#### Record Keeping

- 4.26 A public record includes any form of recorded information, created, or received by, or created on behalf of a Queensland public authority in the transaction of government business. Council is a public authority.
- 4.27 Social Media postings, messages, attachments, and polls are digital public records under the *Public Records Act 2002 (Qld)* and must be recorded and stored according to Council's records management policy and procedures.

#### Non-Compliance

- 4.28 Non-compliance with the provisions of this policy may result in action being taken in accordance with Council's policies and procedures or relevant legislative requirements.



## STRATEGIC POLICY: Elected Members

### Social Media Policy

Endorsed by Council

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## 5. Related Policies and Legislation

*Information Privacy Act 2009* (Qld)  
*Local Government Act 2009* (Qld)  
*Local Government Regulations 2012* (Qld)  
*Public Records Act 2002* (Qld)  
 Code of conduct for Councillors  
 Code of conduct (Staff)  
 Community Engagement Policy  
 Information Privacy Policy  
 Media Relations Policy  
 Records Management Policy

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Public Record** Has the meaning provided in the *Public Records Act 2002* (Qld).

**(Social Media) Moderator** Designated Council employee who monitors online communications. The moderator may also answer general questions via the channel and respond to complaints or provide basic Council information or clarifications. A moderator may also be a Social Media Editor.

**Social Media** Computer-based technology that facilitates the sharing of ideas, thoughts, and information through the building of virtual networks and communities. These technologies include, but are not limited to:

- messaging technologies (e.g., email, SMS, WhatsApp, Chat, Facebook Messenger);
- social networking sites (e.g., Facebook, Yammer, LinkedIn);
- mass communication platforms (e.g., Twitter/X, Reddit, other forums or message boards, comments/contributions to other websites such as comments on a news websites); and
- video and image sharing platforms (e.g., YouTube, Snapchat, Instagram, TikTok, Discord, Twitch).

**Council Social Media Accounts** All social media accounts, platforms, and pages that Council support and manage, that have been created and approved by the Chief Executive Officer.


**STRATEGIC POLICY: Elected Members**
**Social Media Policy**
**Endorsed by Council**

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**Social Media Editor** A Council staff member who has the authority, in accordance with their delegations, to represent Council on social media. Includes Manager Marketing and Communications and other delegated officers.

| COUNCIL POLICY                 |                                      |                           |                           |
|--------------------------------|--------------------------------------|---------------------------|---------------------------|
| <b>Date Adopted by Council</b> | <del>23 November 2022</del>          | <b>Council Resolution</b> | <del>OM2022/11/23-6</del> |
| <b>Effective Date</b>          | <del>23 November 2022</del>          | <b>Next Review Date</b>   | 23 November 2024          |
| <b>Responsible Officer(s)</b>  | Communications and Marketing Manager | <b>Revokes</b>            | <del>LSP_OMCEO_16</del>   |





## STRATEGIC POLICY: Elected Members

### Media Relations Policy

Endorsed by Council

22 November 2023  
OM2023/11/22-20

## 1. Purpose

- 1.1 The purpose of the Policy is to establish protocols for managing communication between Council and the media to ensure coordinated, coherent, accurate and reliable presentation of Council information, so that Council maintains credibility, integrity and customer confidence, and so that Council's corporate values and brand are reinforced.

## 2. Scope

- 2.1 This policy is applicable to all councillors, including the Mayor, and all employees when responding to media enquiries or when seeking to make public comment on behalf of Council.
- 2.2 This policy specifies who is authorised to act as the official spokesperson for Council and the procedures for issuing media statements or publishing any public facing document.
- 2.3 This policy should be read in conjunction with the Social Media Policy.

## 3. Policy Statement

- 3.1 Council encourages open, prompt and accurate communication with the media to promote a positive, progressive and professional image of Council, and to inform the public.
- 3.2 Council intends to provide relevant, timely and accurate comment and information to media outlets when requested.

## 4. Guiding Principles

### Communications Team

- 4.1 Councillors and employees are required to advise the Communications and Marketing Team immediately when approached by the media for information or comment, even when a previous delegation has been authorised.
- 4.2 The Communications and Marketing Team will release approved media statements and media releases to communicate matters that align with the Purpose of this policy and Council's goals, including:
- 4.2.1 approved policy and organisational decisions;
  - 4.2.2 updates on organisational strategic direction;
  - 4.2.3 information that advances the reputation and upholds the integrity of Council or the region as a whole;



## STRATEGIC POLICY: Elected Members

### Media Relations Policy

Endorsed by Council

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- 4.2.4 information that increases transparency with the community; and
- 4.2.5 information that promotes the achievements and activities of Council and the wider region which are in the public interest.
- 4.3 The release of information must adhere to the privacy principles outlined in the *Information Privacy Act 2009*.
- 4.4 Nothing in this policy prohibits staff from issuing general promotional material and information relating to the activities and events for the programs and services under their jurisdiction that have been published or approved as per Council's processes.

#### Official Spokesperson(s)

- 4.5 The Mayor is the official spokesperson for Council on all issues. Given the Mayor is elected by the whole of the region, the Mayor is often requested to comment in addition to, or instead of, other spokespeople (as listed below).
- 4.6 If the Mayor cannot serve as Council spokesperson, the opportunity is offered first to the Deputy Mayor, and then to the divisional Councillor. The Mayor can also delegate the role of spokesperson in relation to a specific issue to the CEO or a senior officer.
- 4.7 A Councillor may also be a spokesperson on local issues, in addition to the Mayor. However, given the Mayor is the official spokesperson, a divisional Councillor should inform the Mayor & the Communications and Marketing Team prior to offering comment to the media.
- 4.8 Councillors should clearly articulate that personal comments incongruent with Council's position are theirs alone.

#### Mayor & Councillors

- 4.9 When making comment to the media, the Mayor and/or designated Councillor should ensure that they clearly distinguish between personal opinion and the official position of Council expressed through resolutions of Council or agreed Council decisions.
- 4.10 Comments to the media must not:
  - 4.10.1 pre-empt decisions of Council or undermine the decision making process;
  - 4.10.2 unduly or unfairly criticise Council or Council Officers; or
  - 4.10.3 disclose confidential material.
- 4.11 This policy is not intended to limit a Councillor from communicating with or engaging with their constituents. Councillors are actively encouraged to do this, provided that the Councillor Code of Conduct requirements are complied with. In doing so, Councillors need identify that they are not speaking on behalf of Council.



## STRATEGIC POLICY: Elected Members

### Media Relations Policy

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#### Employees

- 4.12 The CEO (or their delegate) and the Communications and Marketing Manager are responsible for coordinating all media enquiries on operational matters.
- 4.13 Council employees are not permitted to engage with the media about any Council-related matter without authority from the CEO or Communications and Marketing Manager.

#### Emergency or Natural Disasters

- 4.14 The Whitsunday Region is prone to emergencies and natural disasters including cyclones, fires and floods.
- 4.15 Both Council and the media have an important role to play inform the public in times of disaster.
- 4.16 During times of disaster:
- 4.16.1 information provided by Council must be accurate, timely and as clear as possible;
  - 4.16.2 information provided by Council must be consistent with information and advice provided by other relevant agencies and stakeholders, including the State Government, emergency services and the Bureau of Meteorology;
  - 4.16.3 speculation or the release of unconfirmed reports is to be avoided;
  - 4.16.4 updates should be provided via multiple media channels, including social media, TV and radio (simulcast if possible).
- 4.17 Where information is released via social media, efforts must be made to clarify when information is no longer accurate or has been superseded (e.g. by editing posts to identify that the information is no longer current).

#### Record Keeping

- 4.18 All media releases, responses to media or external requests for statements or information must be recorded and stored according to Council's records management policy and procedures.

#### Non-Compliance

- 4.19 Non-compliance with the provisions of this policy may result in disciplinary action being taken in accordance with Council's policies and procedures.



## STRATEGIC POLICY: Elected Members

### Media Relations Policy

Endorsed by Council

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## 5. Related Policies and Legislation

- Confidentiality for Councillors Policy
- Code of Conduct for Councillors
- Code of Conduct (Staff)
- Community Engagement Strategy
- Social Media Policy
- Information Management Policy

## 6. Definitions

**CEO** means the Chief Executive Office of Council.

**Comment** includes but is not limited to public speaking engagements, comments to radio, television, press, online media outlets, social media, views expressed in letters to newspapers or in books, journals and notices where it is expected that the publication or circulation of the comment will spread to the community at large.

**Communication** refers to all forms of communication with the media and similar outlets including, but not limited to, interviews, press statements, emails, letters, phone calls and messages.

**Council** means Whitsunday Regional Council.

**Councillor** means all elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Media** means all forms of published or broadcast content such as newspapers, radio, television, magazines, media releases, social media, plus digital media platforms including blogs and online news sites. Media includes all organisations involved in publishing (external) media contact, including freelancers.

**Spokesperson** a person who speaks as a designated representative of Council.

| COUNCIL POLICY          |                                      |                    |                 |
|-------------------------|--------------------------------------|--------------------|-----------------|
| Date Adopted by Council | 22 November 2023                     | Council Resolution | OM2023/11/22-20 |
| Effective Date          | 22 November 2023                     | Next Review Date   |                 |
| Responsible Officer(s)  | Communications and Marketing Manager | Revokes            | CP_OMCEO_03     |



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

22 November 2023

## 1. Purpose

- 1.1 The purpose of this policy is to:
- 1.1.1 clarify how Councillors may engage with Developers in the current and future interest of the Whitsunday region, particularly where there is no matter before the Council;
  - 1.1.2 provide a framework for how Councillors should engage with Developers or Submitters once a matter is being prepared for lodgement or has been lodged with the Council; and
  - 1.1.3 provide guidance on where a Councillor has, or is likely to have, a PCOI or DCOI in relation to a particular development application.
- 1.2 This policy will assist Councillors when interacting with stakeholders, and promotes decision making in the public interest, good governance, and enhanced community confidence in Council.

## 2. Scope

- 2.1 This policy applies to Councillors and is consistent with the LGA, the *Integrity Act 2009* (Qld) and the Planning Act.
- 2.2 This policy does not apply to unanticipated or social engagements that occur from time to time between Councillors, Developers or Submitters. However, Councillors should carefully consider the implications of social engagements with these persons and be mindful at all times of their obligations under this policy, the LGA and the Code of Conduct for Councillors in Queensland
- 2.3 This policy does not apply to Councillor interactions with the community about the making or amending of planning instruments such as planning scheme amendments, new planning scheme preparation, neighbourhood/local area plans or the like.

## 3. Policy Statement

- 3.1 Council is committed to representing the overall public interest of the Whitsunday area. Council must ensure that all decisions are legal, ethical, and impartial in accordance with the Local Government Principles, and the responsibilities of councillors identified in the LGA.
- 3.2 Councillors engage with many people in the community in relation to a broad range of matters. Open access to Councillors and Council itself is vital to efficient and effective local government.



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

22 November 2023

- 3.3 Developers and Submitters seek access to Councillors to discuss potential and existing development applications and other projects. The community has a clear expectation that interactions with these stakeholders are undertaken transparently and in the public interest.
- 3.4 As prescribed in the *Local Government Electoral Act 2011* (Qld), it is an offence for councillors to accept gifts, benefits, or donations from property developers at any time. The ECQ administers this legislation under the prohibited donors scheme.

## 4. Guiding Principles

### Councillor Roles in Development Applications

- 4.1 The Planning Act and Economic Development Act prescribe the circumstances in which Council decides a development application. In some circumstances, Council delegates this power to Employees.
- 4.2 When Council is deciding an application, the provisions of the Planning Act and the Development Assessment Rules apply.
- 4.3 Councillors individually and the Council collectively, must not pre-determine an application and cannot consider matters that are irrelevant or unrelated to a development assessment process.

### Guidelines For Councillor Interactions with Developers and Submitters

- 4.4 Adopting a structured approach to Councillors' interactions with Developers and Submitters will allow Councillors to engage appropriately in the public interest and reduce their risk of engaging in, or being accused of engaging in, a conduct breach, misconduct or corrupt conduct.
- 4.5 If a Developer or Submitter wants to discuss a Development Application with a Councillor, the request should be referred to the Office of the CEO or other nominated Council officer, to co-ordinate and diarise a meeting appointment. A meeting in this context may be face-to-face, virtual or by telephone.
- 4.6 When meeting with a Developer or Submitter about a Development Application, a Councillor should conduct the meeting in the presence of an appropriate third party. Examples of an appropriate third party include the CEO, the Director of Planning, or other appropriate senior officers of Council.
- 4.7 All meetings with a Developer or Submitter, including public meetings, must either:
  - 4.7.1 be electronically recorded with the consent of the Developer or Submitter, or
  - 4.7.2 have a contemporaneous written record prepared.
- 4.8 This record should include:



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

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- 4.8.1 the date of the interaction;
- 4.8.2 the format of the interaction;
- 4.8.3 all parties involved in the interaction;
- 4.8.4 a summary of the matter/s raised with the Councillor; and
- 4.8.5 a summary of the Councillor's response/s.

**[Note: Records of meetings must be kept in accordance with the Public Records Act 2002 (Qld). A recording of a meeting, including an audio recording, is a document under the Right to Information Act 2009 (Qld) and may be releasable.]**

- 4.9 When interacting with a Developer or Submitter about a Development Application, Councillors must:
  - 4.9.1 state that any opinions expressed by the Councillor are personal to the Councillor and do not in any way represent a formal Council view;
  - 4.9.2 make it clear that a final decision can only be made after all relevant material has been prepared and considered, and must be assessed and decided in accordance with the Planning Act;
  - 4.9.3 make clear that they can provide general information on the application process but cannot give definitive advice about a proposed development's prospects of success;
  - 4.9.4 maintain the confidentiality of any information, records, briefings, and discussions that, if released at a particular point in time, could prejudice the assessment process interests of council, the public at large, or another party; and
  - 4.9.5 suggest that the Developer or Submitter seek independent professional advice where relevant.
- 4.10 While Councillors are entitled to express a personal opinion about a Development Application, they should be aware that the expression of a personal opinion whether positive or negative, may impact on the perception of their impartiality as a decision-maker should they be required to decide the matter.
- 4.11 Under the *Integrity Act 2009* (Qld), lobbyists are required to inform Councillors that they are a lobbyist when making initial contact (for example, when seeking to arrange a meeting). In addition to the record keeping requirements detailed above, interactions between Councillors and lobbyists should be recorded in Council's Register of Contact with Lobbyists. Nothing in this policy requires a Councillor to meet with a lobbyist at any time.





## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

22 November 2023

#### Stages Of The Development Assessment Process

4.12 Councillors have additional obligations in relation to their interactions with Developers and Submitters at each of the following stages in the development assessment process, as detailed below.

4.13 Pre-application (when there is no application before Council or in the process of being prepared):

4.13.1 Councillors may interact with Developers in the pre-application stage to promote the benefits of developing in the Whitsunday Region and encourage responsible and appropriate development;

4.13.2 Councillors can also discuss what is publicly known about a potential development with the general public;

4.13.3 However, if a Councillor is likely to have a conflict of interest should a particular Development Application be lodged with Council, it is recommended that the Councillor refrain from interacting with the developer in relation to that matter.

**[Note: Conflict of interest obligations under the LGA can extend to discussing a conflicted matter]**

4.14 Pre-lodgement (when there is no application before Council, but an application is being prepared for lodgement):

4.14.1 Reports on pre-lodgement requests and scheduled pre-lodgment meetings are provided to Councillors if requested;

4.14.2 A Councillor's requests for advice or information relating to a pre-lodgment meeting should be made in accordance with Council's Acceptable Request Guidelines;

4.14.3 Councillors may attend a pre-lodgement meeting in order to gain a more detailed understanding of a project or development proposal but should listen only and not contribute to any discussion.

4.15 Post-lodgement and assessment of development applications (after an application is lodged):

4.15.1 Councillors must not direct, or attempt to direct, an Employee in the course of their duties to assess and report on a Development Application.

**[Note: Section 170(3) of the LGA prohibits a Councillor directing an Employee, other than the Mayor directing the CEO. It is misconduct to breach this prohibition.]**

4.15.2 Councillor requests for advice or information relating to a development application should be made in accordance with Council's Acceptable Request Guidelines Policy.



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

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- 4.15.3 Once a Development Application is lodged and is being assessed by Employees, Councillors must not initiate nor seek to be involved in internal meetings or meetings with the Developer about the Development Application under assessment.
- 4.15.4 If a Councillor is invited, and agrees, to engage in an interaction with a Developer or Submitter at this stage of the process, those interactions should occur having regard to the guidelines for Councillor interactions with Developers and Submitters (see above).
- 4.15.5 If it becomes necessary for a Councillor to provide feedback on issues of concern to the community, the Councillor may initiate a meeting with a Developer or Submitter having regard to the guidelines for Councillor interactions with Developers and Submitters (see above).
- 4.15.6 If a Councillor has a PCOI or DCOI in relation to a Development Application which is under assessment, they must not:
  - 4.15.6.1 discuss the matter with any other Councillor or Employee who may be a participant in deciding that matter; or
  - 4.15.6.2 interact with a Developer or Submitter in relation to that matter.
- 4.16 Development application decision (when an application is being decided)
  - 4.16.1 If the Development Application is being decided by Employees under delegation:
    - 4.16.1.1 It is generally not appropriate for Councillors to interact with a Developer or Submitter about a Development Application, particularly where the Developer or Submitter is aggrieved by the Employees' assessment of the Development Application, or is seeking the Councillor's intervention in the assessment or decision.
    - 4.16.1.2 Councillors should advise the Developer or Submitter to speak directly to the CEO or other appropriate senior officer (i.e., Director of Planning) if they are aggrieved. Similarly, if Councillors receive any information from a Developer or Submitter, they should provide it to the CEO or other appropriate senior officer.
    - 4.16.1.3 If a Councillor has either a PCOI or DCOI in relation to the Development Application, they must not participate in relation to the decision.

**[Note: See section 150EE of the LGA.]**

- 4.16.2 If the application is to be decided by Council, rather than under delegation:



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

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- 4.16.2.1 While Councillors are not obligated to do so, it is acceptable for Councillors to interact/meet with Developers and Submitters leading up to the meeting where the decision is to be made;
- 4.16.2.2 In these instances, Councillors should follow the guidelines for Councillor interactions with Developers and Submitters (see above).
- 4.16.2.3 Councillors should convey any key information arising from such meetings to the CEO and the Director of Planning or equivalent, if they are not present at that meeting.
- 4.16.2.4 Councillors should disclose to other Councillors who were not at the meeting the recording or other record made of the meeting, so that all decision makers have access to the same information.
- 4.16.2.5 After Employees have prepared a report and made a recommendation, and that report has been listed on a Council meeting agenda, Councillors may seek additional information from Employees to ensure their duties are properly discharged when deciding the Development Application. Information may be provided through a Council briefing, general meeting (or delegated decision committee) or through a request in accordance with Council's Acceptable Request Guidelines.
- 4.16.2.6 As required under the Planning Act, Councillors must ensure they genuinely consider the Development Application, any submissions to the application, Council's report, including the assessment and recommendations by Employees, prior to them making a decision on the proposed development. The assessment of a Development Application must occur pursuant to the process detailed in the Planning Act.
- 4.16.2.7 If a Councillor has a PCOI or DCOU in relation to the Development Application, they must declare the interest to the CEO and manage the conflict in accordance with the ordinary processes.

**[Note: if a Councillor has a DCOI, clearance from Council is required before the Councillor can participate in relation to the matter. A Councillor with a PCOI cannot participate in relation to a matter. Note the wide definition of 'participate' in section 150EE of the LGA]**

#### 4.17 Post-Development Decision and Appeal (After An Application Has Been Decided).

- 4.17.1 Once a decision has been made by Council, Councillors must respect that decision.



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

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- 4.17.2 The post-decision phase of any Development Application is particularly sensitive and can involve negotiations between parties having an interest in the outcome of the application. Under the Planning Act, every applicant has the right to negotiate with Council on conditions and the scope of any approval issued by Council. All such negotiations should be attended by Council Employees or representatives, and Councillors should not be involved.
- 4.17.3 From the time a decision has been made until the end of the appeal period, Councillors must not engage with the relevant Developer or Submitter in relation to the Development Application.
- 4.17.4 If an appeal is lodged, Councillors must also refrain from interactions about the matter with the Appellants or Co-Respondents and should avoid commenting publicly about matters before the Planning and Environment Court. Comments from Councillors while an appeal is ongoing can prejudice the appeal and undermine Council.
- 4.17.5 Employees and Council's legal representatives manage the conduct of an appeal. During the course of an appeal 'without prejudice' meetings may be held between the parties to try to reach an agreement or limit the issues in dispute. Councillors do not attend 'without prejudice' meetings. Employees will advise Councillors:
- 4.17.5.1 when an appeal is lodged;
  - 4.17.5.2 when something significant occurs in relation to an appeal; and
  - 4.17.5.3 when an appeal is resolved.
- 4.17.6 Councillors must not seek to influence the manner in which conditions of development approval are implemented.

#### Monitoring and Review

- 4.18 Councillors will be provided with training on the requirements of this policy at the commencement of each Council term. This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, council resolutions, and other Council documents. Reviews of this policy will occur as required, or at least every four years

## 5. Related Policies and Legislation

*Economic Development Act 2012;*  
*Integrity Act 2009;*  
*Local Government Act 2009;*  
*Planning Act 2016;*  
*Public Records Act 2002.*



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

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22 November 2023

Code of Conduct for Councillors in Queensland;  
Acceptable Requests Guidelines;  
Whitsunday Regional Council planning scheme, policies and documentation, and other relevant planning instruments;  
Register of Contact with Lobbyists;  
Development Assessment Rules.

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**DCOI** means a 'declarable conflict of interest' as defined in the LGA.

**Development application** has the meaning given under the Planning Act, and for the purpose of this policy includes a potential or mooted development application, and an application in which Council is an assessment manager or referral agency (however described).

**Development Assessment Rules** has the meaning given by the Planning Act.

**Developer** means an applicant for a development approval or a prospective applicant for a development approval, their advisors, and representatives. It includes any lobbyist acting on behalf of a developer. If the applicant is a body corporate, the term includes office holders and employees of the applicant. If the applicant is a partnership, the term includes partners and employees of the applicant.

**Economic Development Act** means the *Economic Development Act 2012* (Qld)

**ECQ** means the Electoral Commission of Queensland.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Interaction** means a pre-arranged engagement in relation to a development matter (including face-to-face, virtual or by telephone).

**LGA** means the *Local Government Act 2009* (Qld)

**Lobbyist** has the same meaning as defined in the *Integrity Act 2009*, that is, a person or entity who carries out lobbying for a third-party client.

**Local Government Principles** has the meaning given in the LGA.

**PCOI** means a 'prescribed conflict of interest' as defined in the LGA.

**Planning Act** means the *Planning Act 2016* (Qld).



## STRATEGIC POLICY: Elected Members

### Councillor Roles in Development Matters

Endorsed by Council

22 November 2023

**Submitter** is a person who has made a submission, or expressed an intention to make a submission, about a Development Application as provided under the Planning Act. It includes any lobbyist or consultant acting on behalf of a submitter.

| COUNCIL POLICY                |                                       |                    |                                                                                                      |
|-------------------------------|---------------------------------------|--------------------|------------------------------------------------------------------------------------------------------|
| Date Adopted by Council       | 22 November 2023                      | Council Resolution | OM2023/11/22.20                                                                                      |
| Effective Date                | 22 November 2023                      | Next Review Date   |                                                                                                      |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | Councillors contact with developers, consultants, lobbyists and submitters<br>Policy<br>LSP_OMCEO_05 |
| Public Consultation: Yes / No | No                                    |                    |                                                                                                      |



## Gifts and Benefits Policy

Office of the Mayor and CEO

OMCEO\_16

### Purpose

The purpose of this policy is to provide a framework for the management of gifts and benefits received by Councillors and Council employees, in accordance with the parameters and requirements of the Local Government Regulation 2012, Council Employee Code of Conduct and Code of Conduct for Councillors in Queensland.

This policy is intended to support Councillors and Council employees to maintain high levels of integrity and public trust, and to display behaviours which are consistent with the Code of Conduct for Staff, the Code of Conduct for Councillors in Queensland and the Local Government Act principles of transparent and effective processes, and decision-making in the public interest, good governance of, and by, local government, and ethical and legal behaviour of Councillors and local government employees.

### Scope

This policy applies to all Councillors, employees and contractors working for Council regardless of whether they are permanent, temporary, full-time, part-time, or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

This policy applies to all gifts, benefits or hospitality offered to, or received by, Councillors and Council employees from external sources.

This policy does not apply to electoral gifts to Councillors as defined in the *Local Government Electoral Act 2011*, gifts, benefits, and hospitality offered to Council employees or Councillors as a result of Council policies or management directives, such as recognition of service awards.

Discounts that are commonly available to any individual who meets the general requirements and are received by Council employees or Councillors but do not specifically relate to Council business or related activities. Examples may include corporate discounts offered for leisure centres or health fund membership, discounts available to local ratepayers or residents, bulk purchase discounts etc.

### Applicable Legislation

This Policy is in reference to *Local Government Act 2009* ('the Act').

### Policy Statement

Councillors and Council employees hold positions of public trust and must carry out their duties impartially and with integrity. The provision of gifts and benefits to Councillors and Council employees can create perceptions of a conflict of interest. Council is committed to and will uphold the following principles applying to gifts, benefits, and hospitality.





## Gifts and Benefits Policy

Office of the Mayor and CEO

OMCEO\_16

### Principles

**Impartiality** - Councillors and Council employees have a duty to place the public interest above their private interests when carrying out their official functions. They must not accept gifts, benefits or hospitality that could raise a reasonable perception of bias or preferential treatment. Councillors and Council employees must not accept gifts, benefits, or hospitality from external sources about whom they are likely to make business decisions.

**Accountability and Transparency** - Councillors and Council employees are accountable for declaring all non-token offers of gifts, benefits and hospitality including those offers that were subsequently declined, and declining non-token offers of gifts, benefits and hospitality that do not relate to a legitimate business benefit. Council employees with direct reports are accountable for overseeing management of their direct reports' acceptance or refusal of non-token gifts, benefits, and hospitality; and are expected to model good practice.

**Integrity** - Councillors and Council employees strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. Individuals must refuse any offer that may lead to an actual, perceived, or potential conflict of interest.

**Risk Management** - Council - through its policies and processes - will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. Council employees with direct reports will ensure they are aware of the risks inherent in their team's work and functions and monitor the risks to which their staff are exposed.

#### Soliciting Gifts or Benefits

5. Soliciting gifts or benefits is strictly prohibited under all circumstances.
6. If a Councillor or employee becomes aware of a situation of soliciting gifts or benefits, they must report it to the CEO immediately.
7. The CEO must notify the Crime and Corruption Commission of any soliciting of gifts or benefits by Councillors or employees.

#### Bribery

8. Acceptance of money or any other gifts perceived as bribery is strictly prohibited in all cases and must be reported immediately to the CEO.
9. An offer of money perceived as bribery must be reported immediately to the CEO.
10. The CEO must notify the Crime and Corruption Commission of any offer of money as soon as practicable after the offer has been made.



## Gifts and Benefits Policy

Office of the Mayor and CEO

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### Prizes (i.e., lucky door prizes, gifts from conferences or functions, raffles)

On occasions Councillors and staff may enter a competition while representing WRC on official business, for example a door prize at a community event or a business card prize draw at a conference.

If the winning of such a prize does not influence or compromise the integrity and impartiality of the recipient, create a conflict of interest or compromises WRC's position in any way, it is deemed reasonable for such prize to be retained by the prize winner.

Raffle winnings from tickets that a Councillor or staff have paid for privately during an official function are not considered a gift or benefit and will not need to be declared.

### Individual Awards received in an official capacity.

If an employee or a Councillor receives an individual award in recognition of work undertaken in an official capacity which includes components that could be deemed a gift or benefit, then the award must be declared. Generally, it is deemed reasonable for such a gift or benefit to be retained by the award recipient if it does not compromise the integrity or impartiality of the recipient, create a conflict of interest, or comprises WRC in any way.

If the award is received in a personal capacity for work unrelated to their employment with WRC, then the award does not need to be declared.

### Sponsorship and General Invitations (i.e., Corporate Box and event invitations)

Sponsorship-there may be occasions when WRC is offered entry tickets as a result of WRC sponsoring an event or Agreement with a third party.

Tickets which have been gifted because of some form of WRC sponsorship will become the property of WRC and are not required to be declared.

**Note:** for clarity sponsorship gifts are not required to be entered into the Waiving of Fees and Charges Register.

For consistency in the distribution of bulk sponsorship tickets and invitations offered and received by WRC these must be distributed as follows:

1. Mayor (then Deputy Mayor); then 2. Councillors; then 3. ELT members; then 4. Managers; then 5. Coordinators and Officers.

### General invitations

Any invitations in relation to corporate box, sporting events, concerts or other events issued to a Councillor or staff personally must be declared, even when the invitation appears to be issued on a personal basis, this includes personal invitations for events which WRC sponsors.



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### Small Tokens of Thanks

These types of gifts (i.e., bottles of wine, box of chocolates) can normally be accepted as a matter of social convention, however the value of the gift, sensitivity of the recipient's position and perception should be considered and declared.

### Acceptance of gifts and benefits

11. The CEO and Directors are the only persons with authority to grant approval to employees accepting and/or retaining gifts or benefits.
12. If an offer of a benefit involves payment of a subscription to attend a function or event, the offer must be refused unless the relevant Authorised Officer is satisfied that the employee's attendance in an official capacity representing Council is of benefit to Council for networking or other transparently beneficial reasons.
13. Each type of gift or benefit carries a level of risk that Councillors and employees should consider when deciding whether the gift or benefit should be accepted or declined.
14. In determining whether acceptance of a gift is appropriate, the three major considerations are:
  - 14.1. the intent in which the gift or benefit is given;
  - 14.2. the public perception of acceptance of the gift or benefit; and
  - 14.3. the value of the gift or benefit.
15. Acceptance of a gift or benefit may be considered only if it complies with the following principles:
  - 15.1 it does not influence, or have the potential or perceived potential, to influence, in any way so as to compromise, or appear to compromise, the integrity and impartiality of the Councillor or employee, or to create a conflict of interest, or perception of conflict of interest; and
  - 15.2. it is not related to advice or decisions about (but not limited to):
    - 15.1.1 granting licences;
    - 15.1.2 inspecting and regulating businesses;
    - 15.1.3 giving approvals; or
    - 15.2.4. letting contracts; and
  - 15.3 it does not incur any cost to Council; and
  - 15.4 it must not involve money, or anything easily converted to money such as shares.



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- 16 If a gift or benefit has been received in the circumstances that Council has provided sponsorship or grant, CEO approval is required before acceptance of the gift or benefit occurs.

### Acceptance of gifts or benefits

17. A gift or benefit must not be accepted if any of the following principles apply:

- 17.1 it is considered as a gift of influence;
- 17.2 it affects, or could be perceived to affect, the performance of the recipient's official duties or influences, or could be seen to influence, the decision-making or behaviour of the recipient;
- 17.3 the gift giver or any reasonable observer would conclude that the recipient may be under obligation to the gift giver;
- 17.4 it is not offered openly; or
- 17.5 it is an offer of money or anything readily convertible to money, for example, shares.

### Gifts and/or Benefits of Nominal Value (less than \$150)

Where a Councillor or employee are offered a gift and/or benefit of nominal value (less than \$150) WRC deems it reasonable for the recipient to accept and keep the gift and/or benefit, provided that doing so does not breach any part of this Policy or the Act.

This gift and/or benefit is not required to be recorded in the Gifts Register, however, may need to be recorded in the Register of Interest in accordance with the *Local Government Act 2009* and the Local Government Regulation 2012.

**Note: Cash is excluded and should not be accepted under any circumstances.**

Any gift and/or benefit received by a Councillor or staff as appreciation of a task or service carried out by a group of Staff members or Councillors should be shared with the members of that respective team.

Cumulative gifts and/or benefits received from the same giver which when combined exceed the nominal value threshold of \$150 in a twelve-month period (financial year) must be disclosed to the CEO. In the case of the CEO and Councillors, disclosure will be to the Mayor. In the case of the Mayor, disclosure will be to the Deputy Mayor. The offer of cumulative gifts and/or benefits which exceed the threshold of \$150 over a period of 12 months must also be entered on the Gifts Register.

### Gifts and/or Benefits with a Value of \$150 - \$500

Any gift and/or benefit received by a Councillor or staff with a value between \$150 - \$500 will become the property of WRC in the first instance. The gift and/or benefit must be entered in the Gifts Register or in the Register of Interest in accordance with the *Local Government Act 2009* and the Local Government Regulation 2012.



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Retention of a gift and/or benefit by the recipient will be at the discretion of either the CEO, Mayor, or Deputy Mayor.

Should the decision be that the gifts and/or benefits will not be retained by the recipient, it must be disposed of in an appropriate and transparent manner. For example:

- return the gifts and/or benefits to the giver;
- share the gifts and/or benefits amongst the recipient's team and/or department;
- auction the gifts and/or benefits with the proceeds being donated to charity;
- donate the gifts and/or benefits to a charitable or community facility; and
- ownership passed to WRC allowing the gifts and/or benefits to go on public display where appropriate.

### Gifts and/or Benefits with a Value of Greater than \$500

Any gift and/or benefit received by a Councillor or Staff with a value greater than \$500 must be reported, and acceptance of the gifts and/or benefits by the recipient will be at the discretion of the CEO, Mayor, or Deputy Mayor.

Unless there are specific reasons to support acceptance, approval is unlikely to be given for gift and/or benefit with a value greater than \$500 to be retained by the individual. Retention will only be granted in exceptional circumstances.

Should the decision be that the gifts and/or benefits will not be retained by the recipient, it must be disposed of in an appropriate and transparent manner. For example:

- return the gifts or benefits to the giver;
- share the gifts or benefits amongst the recipient's team and/or department;
- auction the gifts or benefits with the proceeds being donated to charity;
- donate the gifts or benefits to a charitable or community facility;
- ownership passed to WRC allowing the gifts or benefits to go on public display where appropriate.

Gifts and/or benefits with a value greater than \$500 (whether retained or not) must be entered in the Gifts Register. There may still be a requirement to include receipt of the gifts and/or benefits on an individual Register of Interest in accordance with the *Local Government Act 2009* and the Local Government Regulation 2012.

### Ceremonial Gifts

All ceremonial gifts presented to a Councillor or staff on behalf of WRC will be the property of WRC and must be passed to the CEO.

### Gifts Register

18. The Office of the CEO shall keep a register of all gifts and benefits ("gifts register"), and offers of gifts or benefits, received by Councillors and employees.



## Gifts and Benefits Policy

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19. The gifts register shall include the following information:
  - 19.1 date of the offer;
  - 19.2 details of the person and/or organisation offering the gift;
  - 19.3 the name of the recipient;
  - 19.4 description of the gift or benefit;
  - 19.5 estimated value of the gift or benefit;
  - 19.6 decision regarding whether the gift should be retained by the recipient or otherwise; and
  - 19.7 name of the Authorised Officer who made the decision.
20. Any employee who receives a gift or benefit is required to fill out the appropriate form and provide the completed form to the Office of the CEO within ten (10) business days of receiving the gift or benefit.
21. Any Councillor who receives a gift or benefit that has a retail value of more than \$150.00 is required to fill out the appropriate form and provide the completed form to the Office of the CEO within ten (10) business days of receiving the gift or benefit.
22. If Councillors receive multiple gifts or benefits from the same donor, or associates of that donor, in any financial year and the cumulative value is more than \$150.00, each gift or benefit must be reported as per clause 21. Councillors should keep a record of gifts or benefits of value under \$150.00 to track the cumulative value.

### Exclusions

23. Items which can be regarded as mementos such as ties, cufflinks, pens, stationery or the like, the fair market price of which would not exceed gift declaration guidelines at the time of purchase and at the place of purchase.
24. Items provided to employees or Councillors under an approved reward program e.g., years of service recognition.
25. Gifts received from family members or personal friends (except where they are a Council employee and/or Councillor) offered in a purely personal capacity.
26. If a gift over the Gift Declaration Limit does not need to be disclosed under this policy, but the gift may give rise to an actual or perceived conflict of interest it must be disclosed via the Council's "conflicts of interest disclosure" process.



## Gifts and Benefits Policy

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### Definitions

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*. This includes a person acting in this position.

**Council** refers to the Whitsunday Regional Council.

**Councillor** means the Mayor and Councillors of the Whitsunday Regional Council.

**Employee** refers to any employee, contractor, volunteer etc. of the Council.

**Gifts or Benefits** refers to the transfer of a property or other benefit without recompense or for a consideration substantially less than full consideration or a loan of property made on a permanent or an indefinite basis received by a Councillor or employee when they are acting in their official capacity. For the purpose of this policy, gifts and/or benefits include tangible items and intangible items (including hospitality). It does not include gifts or benefits given or received under an appropriately approved employee health and well-being program or an appropriately approved rewards and recognition programs.

The receipt of a benefit or item and includes:

- Loans of money, including provision of overdraft facilities (e.g., credit card or guarantor for a loan).
- The sale of virtual property with a sale price below proper valuation.
- Hospitality, including meals, entertainment, and accommodation.
- Conferences (not paid by Council or personally), sporting and cultural activities.
- All travel (not paid by Council or personally).
- Associations, organisations, and memberships (not paid by Council or personally).
- The transfer of money or property.

The provision of use of property, equipment, or services free of charge, at a reduced rate, for a period of time or an unspecified period (e.g., use of a holiday unit).

**Nominal value** is the monetary limit of the value of gifts or benefits that may be accepted (i.e. total value of gift or benefit received). A gift or benefit is of nominal value when it has no significant or lasting value.

**Non token items** are of a more individual nature, with a value above the nominal value limit. Items may include free or discounted travel; use of holiday homes; corporate hospitality at major sporting events; free training excursions; tickets to major events and access to confidential information.

**Token** is often mass produced (i.e., pens, calendars, ties, or items with a company logo on them), offered in business situations to individuals. They usually have a value under the nominal value limit.





## Gifts and Benefits Policy

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### Relating Documents

Councillor Code of Conduct

Employee Code of Conduct

Entertainment and Hospitality Policy

*Local Government Act 2009*

Local Government Regulation 2012

Code of Conduct for Councillors in Queensland

### Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

| COUNCIL POLICY                |                                       |                    |                 |
|-------------------------------|---------------------------------------|--------------------|-----------------|
| Date Adopted by Council       | 22 November 2023                      | Council Resolution | OM2023/11/22.20 |
| Effective Date                | 22 November 2023                      | Next Review Date   | N/A             |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | NIL             |
| Public Consultation: Yes / No | No                                    |                    |                 |



## Related Party Disclosure Policy

Corporate Services

CORP\_87

### Purpose

The purpose of this policy is to ensure that Council's financial statements comply with the disclosure requirements under the Australian Accounting Standard AASB 124 Related Party Disclosures.

### Scope

This policy is applicable to all Councillors and Key Management Personnel 'KMP'.

### Policy Statement

1. This policy shall be applied by Council and its auditors in:
  - 1.1. identifying related party relationships and transactions;
  - 1.2. identifying outstanding balances between Council its related parties;
  - 1.3. identifying the circumstances in which disclosure of the items in paragraphs 1.1 and 1.2 are required; and
  - 1.4. determining the disclosures to be made about the items in paragraphs 1.1 and 1.2.

#### Disclosure Requirements

2. Council shall report in its annual report details of remuneration, expenses incurred and facilities provided to Councillors as required under s186 of the Regulation.
3. Council shall report in its annual report details of remuneration to KMP as required under s201 of the *Local Government Act 2009* ('the Act').
4. Compensation to Key Management Personnel as per clause 3 is to be disclosed in total and for each of the following categories:
  - 4.1. short-term employee benefits;
  - 4.2. post-employment benefits;
  - 4.3. other long-term benefits; and
  - 4.4. termination benefits.
5. Council shall disclose in its financial statements related party relationships, leases, transactions (monetary and non-monetary), outstanding balances and commitments. At a minimum, disclosures shall include:
  - 5.1. the value of the transaction(s);
  - 5.2. the value of outstanding balance(s) and their terms and conditions, including whether they are secured, and the nature of consideration to be provided in settlements;
  - 5.3. the nature of the related party relationship;
  - 5.4. details of any guarantees given or received;
  - 5.5. provisions for doubtful debts related to the amount of outstanding balances; and
  - 5.6. the expense recognised during the period in respect of bad or doubtful debts due from related parties





## Related Party Disclosure Policy

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6. Disclosures made as per clause 5 shall be made separately for the following categories:
  - 6.1. subsidiaries (irrespective of whether there have been transactions between entities);
  - 6.2. associates;
  - 6.3. joint ventures in which Council is a joint venturer;
  - 6.4. KMP and close family members; and
  - 6.5. other related entities.

### Excluded from detailed disclosure

7. Council shall exclude from detailed disclosures those transaction with related parties of the Council that:
  - 7.1. occur within a normal employee, customer or supplier relationship and at arm's length;
  - 7.2. occur under normal terms and conditions;
  - 7.3. are trivial or domestic in nature; or
  - 7.4. are individually or collectively immaterial.
8. Such transactions and amounts receivable or payable shall be disclosed in the financial statements by aggregate or general description.
9. The arm's length principle is the condition or fact that the parties to a transaction are independent and on an equal footing.
10. Normal terms and conditions are those that apply to the general public.
11. Transactions or balances are trivial in nature when they are of little or no interest to the users of the financial report in making decision about the allocation of scarce resources.
12. Transactions are domestic in nature when they are related to a person's personal household activities.
13. Materiality takes its meaning as defined in AASB 101 Presentation of Financial Statements. Assessing materiality requires judgement and shall be done in consultation with Council's external auditor and audit committee.

### Ordinary Citizen Transactions 'OCT'

14. Transactions with related parties of the Council which are of a nature that any ordinary citizen would undertake will be captured but will not be reported. If an OCT occurs on terms and conditions that are different to those offered to the general public, the transaction will be captured and reported in the financial statements.
15. OCT are transactions that occur during the course of delivering local government service objectives and which occur on no different terms to that of the general public.
16. Examples of OCT include:
  - 15.1. using the Council's public swimming pool after paying the normal fee;
  - 15.2. parking fees at rates available to the general public;





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- 15.3. attending Council functions that are open to the public;
- 15.4. fines on normal Terms and Conditions; and
- 15.5. paying rates and utility charges.
- 17. Example of transactions that are not OCTs include:
  - 16.1. infrastructure charges; and
  - 16.2. purchase of goods, regardless of conditions.

### Identification of Related Parties

- 18. The Office of the Mayor and CEO is responsible for maintaining a current register of related parties.
- 19. The Office of the Mayor and CEO will review the register of related parties every six months, or after a significant restructure. As part of said review, the KMP are required to review their Declaration.
- 20. KMP's are required to complete a Related Parties Declaration, to update their declaration within 30 business days of any change in circumstances and to review their Declaration annually.

### Privacy and Freedom of Information

- 21. Collection and storage of personal information is governed by the *Information Privacy Act 2009*.
- 22. Information provided by KMP and other related parties shall be held for the purpose of compliance with obligations under this policy and shall be disclosed where required for compliance or legal reasons only.

### Breach of Policy

- 23. Failure to disclose related party transactions will be deemed a breach of this policy and will be followed with disciplinary action.

### Notice of a Suspected Related Party Transaction

- 24. If any Councillor or employee believes that a transaction may constitute a related party transaction they must notify either the CEO or the Director Corporate Services.

### Training

- 25. Council will make this policy available to Councillors, management, officers, employees, consultants and contractors.
- 26. Internal training will be provided to relevant staff.

## Applicable Legislation

This policy is in reference to *Local Government Act 2009* ('the Act'), Local Government Regulation 2012 'the Regulation' and the Australian Accounting Standards.

## Definitions

**AASB** refers to Australian Accounting Standards Board

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the Act.





## Related Party Disclosure Policy

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**Council** refers to the Whitsunday Regional Council

**Employee** refers to any employee, contractor, volunteer etc. of the Council

**Entities** include companies, trusts, joint ventures, partnerships and non-profit associations.

**Key Management Personnel and/or KMP** refers to persons having authority and responsibility for planning, directing and controlling activities of the entity, directly or indirectly. These have been identified as Senior Executive staff including Councillors, Chief Executive Officer, Directors, Chief Operating Officer, Executive Managers..

**Related party transactions** refers to transactions between a responsible person or a responsible person related party and Council and include but are not limited to loans, loan repayments, shares and share options within the economic entity. A transfer of resources, services or obligations regardless of whether a price is charged.

**Related parties** refers to AASB 124 Related Party Disclosure, namely "...a person or entity that is related to the entity (KMP) that is preparing its financial statements." A person or a close member of that person's family is related to Whitsunday Regional Council (COUNCIL) if that person:

- has control or joint control of Council;
- has significant influence over Council; or
- is a member of the KMP of Council.

A related party includes the spouses of the KMP, children and dependents of such KMP or spouses and any other entity under the joint or several control or significant influence of such related parties, spouses or children.

**Remuneration** refers to the remuneration package and includes any money, consideration or benefit received or receivable by the person as a responsible person or employee, but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transactions.

### Related Documents

Councillor Code of Conduct

Employee Code of Conduct

### Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

| COUNCIL POLICY                       |                                       |                           |                  |
|--------------------------------------|---------------------------------------|---------------------------|------------------|
| <b>Date Adopted by Council</b>       | 23 November 2022                      | <b>Council Resolution</b> | OM2022/11/23.6   |
| <b>Effective Date</b>                | 23 November 2022                      | <b>Next Review Date</b>   | 23 November 2024 |
| <b>Responsible Officer(s)</b>        | Manager Governance and Administration | <b>Revokes</b>            | LSP_OMCEO_11     |
| <b>Public Consultation: Yes / No</b> | No                                    |                           |                  |





## Confidentiality for Councillors Policy

Office of the Mayor & CEO

OMCEO\_02

### Purpose

The purpose of this policy is to:

- provide guidance to Councillors in complying with Section 171(3) of the *Local Government Act 2009* 'the Act' regarding the proper handling of confidential information;
- support Councillors in balancing the right and duty to inform the public and consult with constituents about Council business with the interest Council has in preventing disclosure of confidential information; and
- assist Councillors in determining what confidential information is and how to deal with such information.

A Councillors role requires them to be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

Note: A contravention of subsection (3) is misconduct.

### Scope

This policy is applicable to all Councillors including Councillors of past administrations.

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

### Applicable Legislation

This policy is in reference to section 171(3) of the Act and the *Right to Information Act 2009* and the *Information Privacy Act 2009*.

### Policy Statement

- 1.1 Council acknowledges that it is custodian of extensive confidential information, the improper use or disclosure of which may affect individuals, organisations or Council or give an unfair advantage to someone.
- 1.2 Council shall operate in an environment of public accountability that seeks to inform the public of issues under consideration and the nature of decisions made by Council.
- 1.3 Council believes in the principle that information should be released to the public unless there are compelling reasons which indicate that this is not in the public interest.
- 1.4 Council is conscious of the need to handle Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.
- 1.5 Council shall endeavour, in the interests of public accountability, to limit the number of matters that are considered in closed sessions although Council acknowledges that it is appropriate to consider certain matters in closed meetings.



## Confidentiality for Councillors Policy

Office of the Mayor & CEO

OMCEO\_02

### Confidential Information

2. The following types of information shall be deemed to be confidential to Council unless or until Council resolves to the contrary in a particular instance:
  - 2.1 commercial in confidence information - including where the release of information would affect a company's competitive advantage; this is particularly relevant in a competitive tender situation;
  - 2.2 information derived from government departments or ministers that has been classified as confidential;
  - 2.3 information of a personal nature or about personal affairs, for example the personal details of Councillors or Council employees;
  - 2.4 information relating to a property disposal or acquisition process where release of the information may prejudice Council;
  - 2.5 information relating to a matter which is under investigation by the CEO or another agency;
  - 2.6 financial and legal analysis where the disclosure of that information may compromise Council or another person or organisation;
  - 2.7 information contained in correspondence to or from Council marked "private and confidential" or featuring like words;
  - 2.8 information relating to clients of Council;
  - 2.9 information not owned or controlled by Council;
  - 2.10 information that could result in any legal action being taken against Council, including for defamation;
  - 2.11 information involving legal advice to Council or a legal issue or a matter before the courts;
  - 2.12 information that is expressly given to Councillors in confidence; and
  - 2.13 information examined or discussed at Councillor briefing sessions, unless the Chief Executive Officer declares that such information (or part thereof) is not confidential;
3. Council acknowledges that some of the above classes of information may need to be disclosed from time to time for legal proceedings or in accordance with the *Right to Information Act 2009* and *Information Privacy Act 2009*.
4. The CEO may make a declaration that information concerning a specific matter is to be treated as confidential to Council, and the information will remain confidential unless or until Council resolves to the contrary.
5. If Council exercises its powers under the Act to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.
6. If a Councillor has any doubt as to whether Council considers information to be confidential, the Councillor is to act on the assumption that Council does consider the information confidential until the doubt is resolved by the CEO or at a subsequent meeting of Council.

### Responsibilities of Councillors





## Confidentiality for Councillors Policy

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### 7. Councillors shall:

- 7.1. exercise due care when handling or using information acquired in their role as a Councillor;
- 7.2. acknowledge that there will be information that must be treated as confidential because to release it would reduce public trust and confidence in the integrity of Council;
- 7.3. acknowledge that disclosure of confidential information constitutes a breach of the Act and the Code of Conduct for Councillors, and that Council may take legal action for any damages caused and refer the breach to the relevant State Government agency;
- 7.4. if uncertain, presume information is confidential, and seek advice from the CEO prior to any release of it;
- 7.5. not disclose, and use their best endeavours to prevent disclosure of, confidential information to any person or organisation, specifically:
  - 7.5.1 avoid discussing confidential Council information with family, friends, business associates and/or the media; and
  - 7.5.2 ensure documents containing confidential information are properly safeguarded at all times - including materials stored at private or business residences.
- 7.6. not use confidential information (or any information acquired as a Councillor) to gain improper advantage for themselves or any other person or body;
- 7.7. not use confidential information (or any information acquired as a Councillor) to cause harm or detriment to Council or any other person or body;
- 7.8. ensure that information that may harm, prejudice or compromise the interests of Council, or any individual or organisation, is treated confidentially; and
- 7.9. ensure that sensitive information of an individual or business shares with another party in confidence, is treated confidentially;
- 7.10. appropriately declare conflicts of interest and/or material personal interests in a way which will avoid them becoming aware of confidential information relevant to their interest.
- 7.11. use IT facilities in accordance with the Reimbursement of Expenses and Provision of Facilities for Councillors Policy, protecting confidential information on any IT device they use, including not storing Council information on a device that is not owned by Council.

## Release of Confidential Information

### 8. The release of confidential information includes, but is not limited to:

- 8.1 orally telling any person about the information or any part of the information;
- 8.2 providing the original or a copy of documentation or any part of the documentation that is marked confidential; or
- 8.3 paraphrasing, in writing or orally, any confidential information.

## Breach of this Policy

9. A person may make a complaint about a breach by a Councillor of section 171(3) by giving notice of the complaint to the Council's Chief Executive Officer. A breach of section 171(3) is considered "misconduct".



## Confidentiality for Councillors Policy

Office of the Mayor & CEO

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10. Allegations of misconduct must be referred by the Chief Executive Officer to the Office of the Independent Assessor in accordance with *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018*.
11. If the assessor decides that a Councillor has breached section 171(3) of the Act, the assessor may make any one or more of the following orders or recommendations:
  - 11.1 Dismiss the complaint about the conduct of the Councillor;
  - 11.2 If the assessor reasonably suspects the Councillor's conduct is inappropriate conduct – refer the suspected inappropriate conduct to the local government to deal with; or
  - 11.3 If the assessor is reasonably satisfied the Councillor's conduct is misconduct – make an application to the conduct tribunal about the conduct; or
  - 11.4 Take no further action in relation to the conduct.
12. If the tribunal decides that a Councillor has breached the Act, the tribunal may make any one or more of the following orders or recommendations:
  - 12.1 An Order that the Councillor make a public admission that the council has engaged in misconduct or inappropriate conduct;
  - 12.2 An Order reprimanding the Councillor;
  - 12.3 An Order that the Councillor attend training or counselling to address the Councillor's conduct;
  - 12.4 An Order that the Councillor pay to the local government an amount that is not more than the monetary value of 50 penalty units;
  - 12.5 An Order that the Councillor reimburse the local government for all or some of the costs arising from the councillor's misconduct;
  - 12.6 An Order that the Councillor is not to attend a stated number of local government meetings, up to a maximum of three meetings;
  - 12.7 An Order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor; or
  - 12.8 A recommendation to the Minister that the Councillor be suspended from office for a stated period or from performing particular functions of the office.

### Applicable Legislation

This policy is in reference to section 171(3) of the *Local Government Act 2009* and the *Right to Information Act 2009* and the *Information Privacy Act 2009*.



## Confidentiality for Councillors Policy

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### Definitions

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

**Council** refers to the Whitsunday Regional Council

**Councillor** refers to the elected Mayor and Councillors of the Whitsunday Region

**Information** refers to any material including but not limited to letters, reports, documents, facsimiles, attachments, tapes, emails, electronic media and other forms of information including discussions during meetings.

### Related Documents

Acceptable Request Guidelines

Councillor Code of Conduct

Standing Orders - Meeting Policy

### Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

| COUNCIL POLICY                |                                       |                    |                 |
|-------------------------------|---------------------------------------|--------------------|-----------------|
| Date Adopted by Council       | 22 November 2023                      | Council Resolution | OM2023/11/22.20 |
| Effective Date                | 22 November 2023                      | Next Review Date   |                 |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | Nil             |
| Public Consultation: Yes / No | No                                    |                    |                 |



## Private Email and Social Media Platforms Policy

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### Purpose

Comply with legislation relating to information access and distribution, including securing information and ensuring the posterity of information for the future.

Establish clear guidelines regarding Councillors' use of private email and private social media platforms that supports transparent, open and accountable government.

Information is an important council asset. This policy is aimed at ensuring any correspondence regarding Council business is conducted using official Whitsunday Regional Council email and social media channels and recorded in Council's recordkeeping system in accordance with relevant policies. Clear guidance for elected officials about the use of private email or private social media platforms for official purposes is required to support transparent, open and accountable government. The use of private email addresses by any elected official for official business lacks transparency and is a corruption risk.

### Scope

Access to and distribution of any correspondence or business relating to Whitsunday Regional Council is the responsibility of all Councillors, staff and contractors to ensure information is treated appropriately in accordance with the Local Government Act 2009, Information Privacy Act 2009, Right to Information Act 2009 and Public Records Act 2002.

### Policy Statement

1. Elected members are not to use private email or private social media platforms to conduct business associated with the role and purpose of Council. Any potential interaction on a private platform that is likely or may relate to a current or future Council consideration or decision is not to occur, rather such discussion is to be via the formal Council media platform.
2. Elected officials who receive an inquiry from a community member, contractor, developer or other agency via their personal email or social media should immediately direct the sender to forward that inquiry to their official Whitsunday Regional Council email address.
3. Failure to adhere to this policy is likely to bring the elected member and Council into disrepute and subject to a range of penalties as defined in the relevant legislation.
4. The use of private email and social media applications for official Council business does not support transparent, open and accountable government.
5. Whitsunday Regional Council requires all information relating to council's business transactions with the community, contractors, developers and agencies to be stored in the nominated council systems, where the integrity of information can be assured via system controls. The system controls allow council to be able to track access and actions on information, apply appropriate security, ensure information is backed up / stored appropriately and the information is accessible for future decisions, legislative action and efficient council operations.





## Private Email and Social Media Platforms Policy

Office of the Mayor & CEO  
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6. Private email, private document storage (cloud or other), or private devices must not be utilised to hold or transact council business, as access, backups and security is unable to be guaranteed, putting council's information at risk of being lost or stolen.

### Applicable Legislation

*Local Government Act 2009*

*Information Privacy Act 2009*

*Right to Information Act 2009*

*Public Records Act 2002*

### Definitions

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

**Council** refers to the Whitsunday Regional Council

**Employee** refers to any employee, contractor, volunteer etc. of the Council

**Information** includes documents (hard copy and electronic), emails, physical media (e.g. USB memory devices, disks, tapes), social media (e.g. facebook, twitter, youtube), cloud based information applications and storage (e.g. Onedrive, Dropbox, subscription sites) and databases.

**Access** is the ability for relevant personnel with the appropriate security to be able to retrieve council business related information now and in the future, through corporate systems. Corporate systems allow data integrity to be maintained through the capture of key metadata, version control and auditing. Access and retention of information is determined through the Information Privacy Act 2009, Right to Information Act 2009 and the Public Records Act 2002.

**Distribution** is the process that relevant personnel with the appropriate authority use to make council business related information available to an individual, group or the public as a whole.

### Related Documents

Councillors Code of Conduct

Staff Code of Conduct

Records Management Policy

Security Policy

Social Media Policy





## Private Email and Social Media Platforms Policy

Office of the Mayor & CEO  
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### Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

TO BE RESCINDED

| COUNCIL POLICY                |  |                    |  |
|-------------------------------|--|--------------------|--|
| Date Adopted by Council       |  | Council Resolution |  |
| Effective Date                |  | Next Review Date   |  |
| Responsible Officer(s)        |  | Revokes            |  |
| Public Consultation: Yes / No |  |                    |  |





## Private Email and Social Media Platforms Policy

Office of the Mayor & CEO  
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To Be Rescinded





## 11.11 - Annual Delegations Review

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager - Governance and Administration Services

**AUTHORISING OFFICER:** Director Corporate Services

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### PURPOSE

For Council to review the legislative delegations to the Chief Executive Officer, which is required to be done on an annual basis.

### EXECUTIVE SUMMARY

Councils can delegate many of their decisions so that they can focus on strategic issues or when needed because councillors have conflicts of interest and cannot participate in decision-making. The *Local Government Act 2009* allow councils to pass a resolution to delegate their powers to:

- the mayor
- the chief executive officer
- a standing committee or joint standing committee
- the chairperson of a standing committee or joint standing committee
- another local government for the purposes of a joint local government activity.

Local governments cannot delegate a power that is required to be exercised by resolution under an Act. A local government can choose to exercise a power themselves even after a power has been delegated.

Once a power is delegated, the delegate has the authority to use the power and does not need to seek further approval or endorsement before exercising the power. When a local government delegates its powers to the Chief Executive Officer, the local government must review those delegations annually.

### OFFICER'S RECOMMENDATION

That Council:

1. Delegate the powers contained in the Delegations Register (Attachment 1) to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009*, subject to the limitations and conditions contained within the Register.
2. Endorse the Chief Executive Officer to amend the "CEO to Employees/Contractors Delegations Register" to reflect the changes as per recommendation 1.

### BACKGROUND

Council has the power under section 257(1) of the *Local Government Act 2009* 'the Act' to delegate powers under the Act or another Act to Council's Chief Executive Officer.

During 2023-2024 Council utilised Local Government Association Queensland portal, to access the delegations register and updates conducted by King and Company solicitors. A review has been completed to identify all delegations that are recommended to be delegated by Council to Chief Executive Officers within the local government area.

Mayors, other than the Lord Mayor of Brisbane, can delegate their powers to another councillor. However, mayors cannot:

This is page 305 of the Agenda of Council's Ordinary Council Meeting - 25 September 2024



- delegate the power to direct the chief executive officer to another councillor
- change a delegated power if the local government has directed the mayor not to further delegate the power.

Chief Executive Officers can delegate their powers to an appropriately qualified local government employee. However, Chief Executive Officers cannot:

- delegate the power to keep registers of interests for councillors and senior executive employees
- change a delegated power if the local government has directed the chief executive office not to further delegate the power.

The Chief Executive Officer must establish a register of delegations that records all delegations made by the local government. The delegations register must be available for inspection by the public and must contain the following information:

- the name or title of the person, or the name of the committee, to whom powers are delegated
- a description of the powers delegated, including the provisions under a local government related law permitting or requiring the exercise of the powers
- if the delegation is by the local government, a summary of the resolution by which the power was delegated including the date, any conditions and the reference numbers for the resolutions (if applicable).

A review of delegations from Council to CEO has been completed and is being presented for Council adoption.

## DISCUSSION/CURRENT ISSUE

Section 257(5) of the Act states that a delegation to the Chief Executive Officer made under section 257(1) of the Act must be reviewed annually.

The Delegation's Register was last reviewed in 2023, and various updates have been made since then. A complete review of all the legislation applicable to Local Government has been undertaken and completed. The attached register includes all the delegations that were previously delegated to the Chief Executive Officer and adopted by Council and in addition all those powers that are currently not delegated and are recommended for adoption. This update has arisen from changes in legislation or new legislation that has been introduced since the last review period. Please refer to **attachment 1** highlighted in yellow are all the new and amended pieces of legislation that are recommended by the review undertaken by King and Co lawyers on behalf of LGAQ.

The following list identifies legislation with additional powers or powers that have changed that are recommended for delegation from Council to the Chief Executive Officer:

- Aboriginal Cultural Heritage Act 2003
- Acquisition of Land Act 1967
- Aged Care Act 1997 (Cth)
- Animal Care and Protection Act 2001
- Animal Care and Protection Regulation 2012
- Animal Management (Cats and Dogs) Act 2008
- Biosecurity Act 2014
- Biosecurity Regulation 2016

- Body Corporate and Community Management (Accommodation Module) Regulation 2020
- Body Corporate and Community Management (Commercial Module) Regulation 2020
- Body Corporate and Community Management (Small Schemes Module) Regulation 2020
- Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011
- Body Corporate and Community Management (Standard Module) Regulation 2020
- Body Corporate and Community Management Act 1997
- Building Act 1975
- Building Fire Safety Regulation 2008
- Building Regulation 2021
- Coastal Protection and Management Act 1995
- Disaster Management Act 2003
- Disaster Management Regulation 2014
- Economic Development Act 2012
- Electrical Safety Act 2002
- Electrical Safety Regulation 2013
- Electricity Act 1994
- Electricity Regulation 2006
- Environmental Offsets Act 2014
- Environmental Offsets Regulation 2014
- Environmental Protection (Water and Wetland Biodiversity) Policy 2009
- Environmental Protection Act 1994
- Environmental Protection Regulation 2019
- Fire and Emergency Services Act 1990
- Food Act 2006
- Food Production (Safety) Act 2000
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation
- Heavy Vehicle National Law (Qld)
- Heavy Vehicle National Law Regulation 2014
- Housing Act 2003
- Housing Regulation 2015
- Human Rights Act 2019
- Industrial Relations Act 2016
- Industrial Relations Regulation 2018
- Information Privacy Act 2009
- Justices Act 1886
- Labour Hire Licensing Act 2017
- Land Access Ombudsman Act 2017
- Land Act 1994
- Land Regulation 2020
- Land Title Act 1994
- Land Valuation Act 2010
- Liquor Act 1992
- Local Government Act 2009
- Local Government Regulation 2012
- Medicines and Poisons (Pest Management Activities) Regulation 2021
- Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021

- Medicines and Poisons Act 2019
- Mineral and Energy Resources (Common Provisions) Act 2014
- Mineral Resources Act 1989
- Mining and Quarrying Safety and Health Act 1999
- Mining and Quarrying Safety and Health Regulation 2017
- Nature Conservation (Animals) Regulation 2020
- Nature Conservation (Plants) Regulation 2020
- Nature Conservation (Protected Areas Management) Regulation 2017
- Nature Conservation Act 1992
- Peaceful Assembly Act 1992
- Petroleum and Gas (Production and Safety) Act 2004
- Petroleum and Gas (Production and Safety) Regulation 2018
- Planning Act 2016
- Planning Act 2016 – Development Assessment Rules
- Planning and Environment Court Act 2016
- Planning Regulation 2017
- Plumbing and Drainage Act 2018
- Plumbing and Drainage Regulation 2019
- Public Health (Infection Control for Personal Appearance Services) Act 2003
- Public Health Act 2005
- Public Health Regulation 2018
- Public Interest Disclosure Act 2010
- Public Records Act 2002
- Queensland Heritage Act 1992
- Queensland Reconstruction Authority Act 2011
- Rail Safety National Law (Queensland)
- Residential Services (Accreditation) Act 2002
- Residential Tenancies and Rooming Accommodation Act 2008
- Retail Shop Leases Act 1994
- Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020
- Retail Shop Leases Regulation 2016
- Right to Information Act 2009
- River Improvement Trust Act 1940
- Safety in Recreational Water Activities Act 2011
- State Penalties Enforcement Act 1999
- State Penalties Enforcement Regulation 2014
- Statutory Bodies Financial Arrangements Act 1982
- Stock Route Management Act 2002
- Stock Route Management Regulation 2023
- Strong and Sustainable Resource Communities Act 2017
- Summary Offences Act 2005
- Summary Offences Regulation 2016
- Survey and Mapping Infrastructure Act 2003
- Tobacco and Other Smoking Products Act 1998
- Torres Strait Island Cultural Heritage Act 2003
- Transport Infrastructure (Public Marine Facilities) Regulation 2011
- Transport Infrastructure (State Controlled Roads) Regulation 2011
- Transport Infrastructure Act 1994

- Transport Operations (Marine Pollution) Act 1995
- Transport Operations (Marine Safety) Act 1994
- Transport Operations (Marine Safety) Regulation 2016
- Transport Operations (Road Use Management) Act 1995
- Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015
- Transport Operations (Road Use Management—Road Rules) Regulation 2009
- Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021
- Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021
- Trusts Act 1973
- Waste Reduction and Recycling Act 2011
- Waste Reduction and Recycling Regulation 2023
- Water Act 2000
- Water Fluoridation Act 2008
- Water Fluoridation Regulation 2020
- Water Regulation 2016
- Water Supply (Safety and Reliability) Act 2008
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011
- Workers Compensation and Rehabilitation Act 2003
- Workers Compensation and Rehabilitation Regulation 2014
- Working with Children (Risk Management and Screening) Act 2000

The process of Council sharing its legislative powers through delegation to the CEO (and the CEO further sub-delegating to employees) is to allow officers to administer responsibilities and make decisions efficiently without the need of a formal council resolution for each decision. It would be counterproductive and resource intensive to require Council or the CEO to exercise all legislative powers.

In line with the review of the delegations from the Council to the Chief Executive Officer, a review of the Sub-Delegation Register, being the delegations from the Chief Executive Officer to Employees is also being conducted. The Chief Executive Officer, in accordance with section 259 of the Act has the authorisation to sub-delegate their powers to appropriately qualified employees.

Delegating authority to make decisions to the lowest level within Council, also facilitates efficiency and empowers employees to undertake their roles more completely, with embedded accountability aligning with the delegation.

There are a significant number of delegations contained in the attachment, with the changes incorporated within the register. It is prudent to readopt the whole delegations as listed for completeness.

## **FINANCIAL IMPLICATIONS**

Council is subscribed to LGAQ's delegations' services as part of Council's annual subscription, which is resourced through the 2024-2025 budget.

## **CONSULTATION/ENGAGEMENT**

Chief Executive Officer  
Councillors

## **STATUTORY/COMPLIANCE MATTERS**

Section 257(5) of the *Local Government Act 2009* requires Council to review annually delegations to the CEO.

## **RISK ASSESSMENT/DEADLINES**

Delegations are vital in ensuring that operations of the Council are able to be conducted legally and efficiently. Having appropriately delegated powers as identified in legislation, ensures that Council risk is mitigated when conducting operational activities. Failure to review and update delegations' registers may result in routine decisions having to be made by Council which are more appropriately exercised at a Council officer level and an inefficient use of Council's time and resources.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Lead and coordinate the organisation's corporate governance and risk management, in addition to the delivery of efficient and customer focused administration support for the organisation to ensure high levels of performance and compliance.

## **ATTACHMENTS**

1. Whitsunday Regional Council Delegations 2024 [11.11.1 - 430 pages]



## Whitsunday Regional Council Delegations Register - Council to CEO

| Schedule 1 - Powers - Council to CEO and CEO to Officers (as adopted 30 June 2021)                                                                                                                               |                                                                                                  |                                                                                                                                                                                                                                                                                                     |                         |                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Legislation                                                                                                                                                                                                      | Section                                                                                          | Description                                                                                                                                                                                                                                                                                         | Delegate                | Conditions to which the delegation is subject                  |
| <b>Aboriginal Cultural Heritage Act 2003</b><br><b>The Purpose of this Act</b><br>The main purpose of this Act is to provide effective recognition, protection and conservation of Aboriginal cultural heritage. |                                                                                                  |                                                                                                                                                                                                                                                                                                     |                         |                                                                |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 17                                                                                               | Power, in the circumstances set out in subsection (1), to take all reasonable and practicable steps to ensure that the human remains are taken into the custody of the chief executive.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 18                                                                                               | Power, in the circumstances set out in subsection (1), to advise the chief executive of the existence and location of the human remains and give the chief executive all details that the chief executive reasonably requires.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 23                                                                                               | Power, as a person who carries out an activity, to take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 28(2)                                                                                            | Power to consult with the Minister about cultural heritage duty of care guidelines.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 30                                                                                               | Power, as a person who is involved in putting an approved cultural heritage management plan into effect, to take all reasonable steps to ensure the chief executive is advised about all Aboriginal cultural heritage revealed to exist because of any activity carried out under the plan.         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 31                                                                                               | Power, as a person who carries out an activity, to advise the chief executive of Aboriginal cultural heritage revealed to exist because of the activity.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 53, 56, 57, 58, 59, 60, 61, 62(2), 63(3), 64(2), 65(2), 67, 68, 69(2), 70, 71, 76, 77(2) and 153 | Power to carry out a cultural heritage study and have its findings recorded in the register including all steps authorised or required by Part 6 of the Act for the purpose of carrying out the study, recording it in the register and objecting to the way the study is recorded in the register. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2004                                                                                                                                                                            | 54(2)                                                                                            | Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for carrying out cultural heritage studies.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 56(1)                                                                                            | Power to give a written notice of a proposed cultural heritage study to the entities listed in subsection (a) – (f).                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2004                                                                                                                                                                            | 57                                                                                               | Power to carry out a cultural heritage study and have its findings recorded in the register including all steps authorised or required by Part 6 of the Act for the purpose of carrying out the study, recording it in the register and objecting to the way the study is recorded in the register. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 58(2)(b)                                                                                         | Power to decide a later time                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 59(2)(b)                                                                                         | Power to decide a later time                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 61(6)(b)                                                                                         | Power to decide a later time                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 65(2)                                                                                            | Power to endorse an Aboriginal party for the study area to take part in the cultural heritage study even though the sponsor is not required to endorse the party.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                            | 68(1)                                                                                            | Subject to subsection (4), power to engage persons as cultural heritage assessors for a cultural heritage study.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                       |                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Aboriginal Cultural Heritage Act 2003 | 68(4)                                                                                                                                                 | Power to be satisfied that a person is—<br>(a) an Aboriginal person for the study area; or<br>(b) an appropriately qualified person in a discipline directly relevant to the study; or<br>(c) another person who has particular knowledge or experience making the person suitable for engagement as a cultural heritage assessor.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 69(2)                                                                                                                                                 | Power to agree to the extent to which a cultural heritage assessor may give help and advice                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2002 | 70(2)                                                                                                                                                 | Power to ask for consultation with an endorsed party on any of the matters listed.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 70(3)                                                                                                                                                 | Power, as the owner or occupier of land, to consult with the sponsor about obtaining access to the land and determine whether or not access should be given.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 72(1)(c)                                                                                                                                              | Power to consult with the chief executive about a cultural heritage study.                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 76                                                                                                                                                    | Power to object to the Land Court to:-<br>(a) the chief executive's recording in the register of the findings of a cultural heritage study; and<br>(b) the chief executive's refusal to record in the register the findings of a cultural heritage study.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 76(1)                                                                                                                                                 | Power to object to the Land Court to:<br><br>(a) the chief executive's recording in the register of the findings of the cultural heritage study; or<br>(b) the chief executive's refusal to record in the register the findings of the cultural heritage study                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | Sections 82, 83, 91, 92, 93, 94, 95, 96, 97(2), 98(2), 99(2), 100, 101, 103, 104, 105, 106, 107, 109(5), 111, 112, 113, 114, 115, 116, 117(5) and 153 | Power to develop, reach agreement on and seek approval for a cultural heritage management plan including all steps authorised or required by Part 7 of the Act for the purpose of developing, reaching agreement on and seeking approval of the plan and objecting to any refusal to approve the plan.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 85(1)                                                                                                                                                 | Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for developing cultural heritage management plans.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 87(3)                                                                                                                                                 | Subject to subsection (1) and (2), power to impose conditions mentioned in subsection (2)(b)                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 88(3)                                                                                                                                                 | Subject to subsection (1) and (2), power to impose conditions mentioned in subsection (2)(b)                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 91(1)                                                                                                                                                 | Power to give a written notice of a proposed cultural heritage management plan to the entities listed in subsection (a) – (e).                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 93(2)(b)                                                                                                                                              | Power to decide a later time                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 94(2)(b)                                                                                                                                              | Power to decide a later time                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 96(6)(b)                                                                                                                                              | Power to decide a later time                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 100(2)                                                                                                                                                | Subject to section 100(1), power to give the Aboriginal party a written notice that—<br>(a) includes a copy of the written notice (proposed plan) it would have been given if it had been an Aboriginal party when the written notice (proposed plan) was first given under this division; and<br>(b) advises the time by which, despite anything in the written notice (proposed plan), the sponsor must be given the written notice that the party wishes to take part in developing the plan. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003 | 100(3)(b)                                                                                                                                             | Power to decide a later time                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 101(2) | Subject to section 101(1), power to endorse an Aboriginal party for the plan area to take part in developing the cultural heritage management plan even though the sponsor is not required to endorse the party.                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 103    | Power to—<br>(c) seek agreement with the endorsed parties for the cultural heritage management plan about how the project is to be managed—<br>(i) to avoid harm to Aboriginal cultural heritage; and<br>(ii) to the extent that harm can not reasonably be avoided, to minimise harm to Aboriginal cultural heritage; and<br>(d) develop the cultural heritage management plan—<br>(i) in consultation and negotiation with the endorsed parties for the plan; and<br>(ii) in a way directed at maximising the suitability of the plan for the effective protection and conservation of Aboriginal cultural heritage. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 105(1) | Power to negotiate and make every effort to reach agreement with each endorsed party for the cultural heritage management plan about the provisions of the plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 106(2) | Subject to section 106(1), power to ask the Land Court to provide mediation of a dispute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 106(4) | Power to agree in writing to extend the consultation period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 107(1) | Whether or not the consultation period for the cultural heritage management plan has ended, power to agree that the chief executive may approve the plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 111(1) | In the way described in 111(2), if there is no endorsed party for the cultural heritage management plan, power to object, to the Land Court, to the chief executive's refusal to approve the plan.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 112(2) | Subject to section 112(1) and following authorisation from the mediator, power to refer the cultural heritage management plan to the Land Court and ask the Land Court to approve the cultural heritage management plan, even though the consultation period has not ended.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 113(2) | Subject to section 113(1), power to refer a cultural heritage management plan to the Land Court and ask the Land Court to approve the plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 117(5) | Before the Land Court makes a recommendation to the Minister, power to agree that the cultural heritage management plan should be approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 117(5) | Before the Land Court makes a recommendation to the Minister and subject to all consultation parties agreement, power to give the cultural heritage management plan, as agreed, to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 153    | Power, as the owner or occupier of land, to consult with a person who wishes to enter land to perform a cultural heritage activity about obtaining access to the land and to determine whether or not access should be given.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aboriginal Cultural Heritage Act 2003                                                                                                                                                                                    | 153(1) | Power to consult with the owner or occupier of the land about obtaining the necessary access in order to perform an activity (the cultural heritage activity) under this Act.                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Acquisition of Land Act 1967</b><br><b>The Purpose of this Act</b><br>An Act to consolidate and amend the law relating to the acquisition of land for public works and other public purposes, and for other purposes. |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Acquisition of Land Act 1967                                                                                                                                                                                             | 4B(2)  | Power to give the relevant Chief Executive for the resource interest a written notice—Power as an entity taking the resource interest to give the relevant chief executive for the resource interest written notice.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967                                                                                                                                                                                             | 7      | Power to prepare, serve and amend a Notice of Intention to Resume, to discontinue a resumption and to give notice to the land registry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967                                                                                                                                                                                             | 7(1)   | Power to:<br>(a) propose to take any land;<br>(b) serve (as prescribed by section 7 of the Acquisition of Land Act 1967) a notice (a notice of intention to resume).                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Acquisition of Land Act 1967 | 8        | Power to hear the objector, consider the grounds of objection to the taking of land and to amend the notice of intention to resume or discontinue the resumption.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 8(2)     | Power to consider the grounds of objection to the taking of any land and the other specified matters.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 8(2)(b)  | Power to hear the objector.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 8(2A)    | In the specified circumstances, the power to discontinue a resumption or amend a notice of intention to resume if of the opinion that the resumption should be discontinued or that the notice of intention to resume should be amended.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 9        | Power to apply to the Minister that the land be taken and to respond to requests from the Minister for further particulars or information.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 9(1)     | In the specified circumstances, the power to apply to the Minister that land be taken as prescribed by section 9 of the <i>Acquisition of Land 1967</i> if of the opinion that the land in question is required for the purpose for which it is proposed to be taken.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(2A)   | Power, where the estate or interest is such that provision is made by the <i>Land Title Act 1994</i> for its registration, to apply to the Registrar of Titles for registration, to produce a gazette copy of the gazette resumption notice and pay the prescribed fee.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(3)    | Power, where the land taken is part of land subject to a building units plan registered under the <i>Building Units and Group Titles Act 1980</i> , to pay the prescribed fees to the Registrar of Titles.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(3A)   | Power, where the land taken is scheme land for a community titles scheme under the <i>Body Corporate and Community Management Act 1997</i> , to pay the prescribed fees to the Registrar of Titles.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(4B)   | Power to deal with land mentioned in subsection (4) for the purpose for which it is taken on and from the day it is taken, even though the land is yet to be dedicated, granted, leased or otherwise dealt with under subsection (4A).                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(5A)   | <del>In the specified circumstances, the power to agree with a claimant on the amount of compensation.</del> Power to agree with the Claimant on the amount of compensation payable.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12(7)    | <del>In the specified circumstances, the power to serve a copy of the gazette resumption notice upon every person who to your knowledge is entitled, pursuant to section 18 of the Acquisition of Land 1967, to claim compensation or is a mortgagee of the land.</del> Power to serve the gazette resumption notice upon every person who is entitled pursuant to section 18 to claim compensation or is a mortgagee of the land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12A      | Power to lodge with the registrar of titles a plan of survey showing a new boundary for a lot or common property.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 12B      | Power to dedicate land taken under the Act as a road.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 13(1)    | Power to take additional land.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 13(2)    | Power to take additional land.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 13(3)    | Power to sell or otherwise deal with additional land taken.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 13(1)(b) | In the specified circumstances, the power to agree in writing with an owner of land that the taking of part of the land will leave, or has left, a parcel of land that is of no practical use or value to the owner of such land and accordingly that parcel of land will be taken.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15B      | Power to take land pursuant to a resumption agreement and to take all steps necessary to prepare and enter the resumption agreement.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15C      | Power to apply to the Minister to take land pursuant to a resumption agreement and to respond to requests from the Minister for further particulars or information.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15D      | Power to declare by gazette notice that land taken pursuant to a resumption agreement is taken for the purpose stated in the notice.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15(1)    | Power to enter into a <i>resumption agreement</i>                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Acquisition of Land Act 1967 | 15C(1)   | Power to apply to the relevant Minister for the land to be taken under this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15D(1)   | Power to, by gazette notice, declare that the land is taken for the purpose stated in the notice, without making any application under section 15C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 15D(3)   | Power to be satisfied the land:<br>(a) may be taken; and<br>(b) should be taken for the purpose for which it is proposed to be taken.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 16(1)    | <del>Power to at any time before the publication of a gazette resumption notice, serve upon every person who has been served with a notice of intention to resume a further notice stating that the resumption of the land concerned is being discontinued.</del> Power to serve a notice of discontinuance of a resumption.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 16(1B)   | <del>Power to agree with a claimant upon the amount of compensation to be paid under section 16(1A) of the Acquisition of Land Act 1967.</del> Power to agree with the claimant about the amount of compensation payable under subsection (1A) or to refer the issue for determination by the Land Court.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 16(1C)   | Power to have the amount of compensation payable under subsection (1A) taxed by an officer of the Supreme Court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 17(1)    | <del>In certain circumstances, power to, by gazette notice (the revoking gazette notice), revoke the gazette resumption notice, in whole or in part.</del> Power as a gazetting authority to, by gazette notice, revoke a gazette resumption notice.                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 17(1A)   | Power to agree in writing with the person entitled as owner to compensation in respect of the taking of the land, to the revesting of the land or part of it to which a gazette resumption notice relates.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 17(2)(c) | Power to lodge a gazette copy of the revoking gazette notice with the land registry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 17(5)    | <del>Power to agree with a claimant:<br/>(a) upon the amount of compensation to be paid under section 17(4) of the Acquisition of Land Act 1967; or<br/>(b) that the amount of compensation should be determined by the Land Court.</del> Power to agree upon the amount of compensation to be paid under subsection (4) or to agree that the amount be determined by the Land Court.Power to refer the determination of the amount of compensation to be paid under subsection (4) to the Land Court.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1968 | 19       | Power to accept and deal with a claim for compensation served by the claimant within 3 years after the day the land was taken.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 19(4)    | <del>Power to:<br/>(a) satisfy yourself that it is reasonable in all the circumstances to accept, and deal, with a claim for compensation served by the claimant more than 3 years after the day the land was taken; and<br/>(b) accept, and deal, with the claim.</del> Power to accept and deal with a claim for compensation served by the claimant more than 3 years after the day the land was taken.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 21(1)    | <del>Power to agree with a claimant that the claimant will be granted, in satisfaction wholly or partly of the claimant's claim for compensation, any easement, right of way, lease or other right of occupation, or any other right, privilege or concession in, upon, over or under the land taken or any other land the property of Council.</del> Power to agree to grant the claimant, in satisfaction wholly or partly of the claimant's claim for compensation, any easement, right of way, lease or other right of occupation, or any other right, privilege or concession in, upon, over or under the land taken or any other land the property of Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 21(1A)   | <del>Power to agree with the claimant that the claimant will be transferred land held in fee simple by Council in satisfaction wholly or partly of the Claimant's claim for compensation.</del> Power to agree to transfer land held in fee simple by Council to the claimant in satisfaction wholly or partly of the Claimant's claim for compensation.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Acquisition of Land Act 1967 | 21(2)     | <del>Power to agree with a claimant that the extent to which a grant (referred to in section 21(1) of the Acquisition of Land 1967) shall satisfy the claim for compensation should be determined by the Land Court.</del> Power to agree with the Claimant that the extent to which the grant or transfer shall satisfy the claim for compensation be determined by the Land Court.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 23(2)     | Power to make an advance on compensation to the Claimant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 23(5)     | Power to, before paying the advance, require the claimant to satisfy Council regarding taxes, rates and other moneys which, if unpaid, would be a charge upon the land, and to decide to reduce an advance by any such amount.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 23(6)     | Power to reduce the advance by the sum due to the mortgagee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 23(7)     | Power to pay to Council, the Crown or a mortgagee any amount by which the advance has been reduced.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 24(1)     | Power to refer a claim for compensation to the Land Court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 24(4)     | Power to apply to the Land Court for further or other particulars of a claim for compensation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 25(1)     | Power to apply to the Land Court for the Claimant to enter an appearance on the reference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 29 and 30 | Power to pay the amount of compensation agreed upon or determined into the Supreme Court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 29(1)     | In the specified circumstances, the power to agree with a claimant upon the amount of compensation to be paid.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 32        | Power to pay to a mortgagee so much of the amount of compensation as does not exceed the sum due to the mortgagee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 35        | Power to deduct from an amount of compensation and pay to the Crown or to Council any amount of taxes, rates or other moneys charged upon the land taken in favour of the Crown or Council.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 36(1)     | <del>Power to:-</del><br>(a) enter upon any land, for the purpose of making any inspection, valuation, survey or taking levels;<br>(b) affix or set up thereon trigonometrical stations, survey pegs, marks, or poles, and from time to time alter, remove, inspect, reinstate and repair the same;<br>(c) dig and bore into the land so as to ascertain the nature of the soil, and set out the lines of any works thereon; and<br>(d) do all things necessary for the purposes aforesaid. Power to authorise a person to exercise the powers in section 36(1) on Council's behalf. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 36(2)     | Power to:<br>(a) re-enter from time to time;<br>(b) remain upon that land for such time as is necessary to achieve the purpose of the entry; and<br>(c) take such assistants, vehicles, materials, equipment or things as are necessary to achieve the purpose of the entry.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 36(3)     | <del>Power to give to an occupier or an owner at least 7 days notice in writing.</del> Power to give 7 days notice in writing of the intention to enter the land.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 37(1)     | Power to temporarily occupy and use any land for the purpose of constructing, maintaining or repairing any works and to exercise the powers prescribed in subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 37(2)     | <del>In the specified circumstances, the power to give an occupier or an owner at least 7 days notice in writing.</del> Power to give notice to the occupier or owner of the intention to temporarily occupy and use the land.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967 | 37(5)     | <del>In the specified circumstances, the power to agree with a claimant: (a) upon the amount of compensation to be paid under section 37 of the Acquisition of Land Act 1967; or (b) that the amount of compensation is to be determined by the Land Court.</del> Power to agree with the Claimant upon the amount of compensation to be paid under section 37 or to agree that such amount be determined by the Land Court.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Acquisition of Land Act 1967                                                                                                                                                                                                                                                                                                                                    | 38(1)         | <del>In the specified circumstances, the power to issue a warrant to the sheriff to deliver possession of any land to the person appointed in the warrant.</del> Power to issue a warrant to the sheriff to deliver up possession of the land taken or occupied under the Act.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Acquisition of Land Act 1967                                                                                                                                                                                                                                                                                                                                    | 41(1)         | Power to offer for sale land taken under the Act to the former owner of the land.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Aged Care Act 1997</b><br><b>The Purpose of this Act</b><br>The purposes of this Act are to do the following:<br>This Act provides for the Commonwealth to give financial support:<br>(a) through payment of * subsidies for the provision of * aged care; and<br>(b) through payment of grants for other matters connected with the provision of aged care. |               |                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-1A(1)       | Power, as an approved provider, to notify the Secretary of the following in relation to each home care service the provider proposes to provide:-(a)the name and address of the service; and (b)any other information of a kind specified in the Approved Provider Principles for the purposes of this section. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-1A(4)       | Power, as an approved provider, to notify of any change in the information notified under subsection (1).                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-1(1)        | Power, as an approved provider, to notify the Quality and Safety Commissioner of a change of circumstances that materially affects the approved provider's suitability to be a provider of aged care.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-2(2)        | Power, as an approved provider, to comply with a request from the Quality and Safety Commissioner for information relevant to the approved provider's suitability to be a provider of aged care.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-3(2)        | Power, as an approved provider, to give the Secretary information relating to payments.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-3A(2)       | Power, as an approved provider, to give the Secretary or Quality and Safety Commissioner information specified in subsection (1) following receipt of a written request from the Secretary or Quality and Safety Commissioner.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-3A(2)       | Power, as an approved provider, to give the Secretary or Quality and Safety Commissioner information specified in subsection (1) following receipt of a written request from the Secretary or Quality and Safety Commissioner.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-3A(2)       | Power, as an approved provider, to give the Secretary or Quality and Safety Commissioner information specified in subsection (1) following receipt of a written request from the Secretary or Quality and Safety Commissioner.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 9-3B(4)       | Power, as an approved provider, to comply with a request in writing from the Secretary or Quality and Safety Commissioner for information specified in subsection (2) following receipt of a written request from the Secretary or Quality and Safety Commissioner.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1998                                                                                                                                                                                                                                                                                                                                              | 13-1 and 13-3 | Power to apply for an allocation of places and pay the application fee.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 13-4(2)       | Power to reply to a request for further information from the Secretary.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 15-3(1)       | Power to apply for a determination under section 15-1 before the end of the provisional allocation period.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 15-4(3)(b)    | Power to respond to a notice from the Secretary.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 15-5          | Power to apply to the Secretary for a variation of a provisional allocation.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                              | 15-6.         | Power to surrender a provisional allocation by notice in writing to the Secretary.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                    |                    |                                                                                                                                                                                                                              |                         |                                                                |
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| Aged Care Act 1997 | 15-7(4)            | Power to apply to the Secretary for an extension of the provisional allocation period.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-2 .             | Power, as an approved provider, to give the Secretary a transfer notice.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-2(5)            | Power, as a transferor or a transferee, to request the Secretary to determine another period under paragraph 4(a) or (b).                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-2(8)            | Power, as a transferor or a transferee, to give the Secretary written notice of the changes.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-4(2)(e)         | Power to make submissions in response to a notice to resolve.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-5(3)            | Power to agree in writing to another proposed transfer day.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-11.             | Power, as a transferor, to give to the transferee the records prescribed in subsections (1) and (2).                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-13.             | Power, as an approved provider to whom a place has been provisionally allocated, to give the Secretary a transfer notice.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-13(5)           | Power, as a transferor or a transferee, to request the Secretary to determine another period under paragraph 4(a) or (b).                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-13(8)           | Power, as a transferor or a transferee, to give the Secretary written notice of the changes.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-15(2)(e)        | Power as a transferee or a transferor, to make submissions to the Secretary in response to a notice to resolve.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 16-16(3)(a)        | Power, as a transferor or a transferee, to agree in writing to another proposed transfer day.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 17-2.              | Power, as an approved provider to whom a place has been allocated under Division 14, to apply in writing to the Secretary to vary the conditions and to give the Secretary written notice of any changes to the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 17-3(1)            | Power to respond to a request for further information issued by the Secretary.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 17-7(2)            | Power, as an applicant, to apply in writing to the Secretary to approve a day as the variation day.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 18-2(1)            | Power, as an approved provider, to relinquish all or some of the places by notice in writing to the Secretary.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 18-2(4)            | Power, as an approved provider, to give notice of the relinquishment.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 2997 | 18-3(4)            | Power, as an approved provider, to modify the proposals as specified in the notice issued by the Secretary.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 18-5(2)(b)         | Power, as an approved provider, to make written submissions to the Secretary in response to a notice to revoke the allocation.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 23-4(3)(b)         | Power, as an approved provider, to make written submissions to the Secretary in response to a notice that revocation is being considered.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 25-3.              | Power, as an approved provider, to carry out an appraisal of the level of care needed by a care recipient, relative to the needs of other care recipients, and give it to the Secretary.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 25-4(3)(b)         | Power, as an approved provider, to make written submissions to the Secretary in response to a notice to suspend the approved provider from making appraisals and reappraisals.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 2001 | 25-4(6A) and 25-4A | Power, as an approved provider, to enter an agreement with the Secretary and comply with the terms of the agreement.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 25-C               | Power, as an approved provider, to apply to the Secretary for the lifting of a suspension from making appraisals and reappraisals.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 25-4D              | Power, as an approved provider, to respond to a notice from the Secretary requiring the applicant to give further information.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 26-2(3)            | Power, as an approved provider, to give the Secretary information relevant to whether an appraisal received out of time was sent in sufficient time to be received by the Secretary.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Aged Care Act 1997 | 27-3(1) and (3A)          | Power, as an approved provider, to conduct a reappraisal in response to a notice received from the Secretary under subsection (1) or (3A).                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 27-3(4)                   | Power, as an approved provider, to apply to the Secretary to vary or revoke a notice give under subsection (1) or (3A).                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 27-4.                     | Power, as an approved provider, to conduct a reappraisal on its own initiative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 27-8(3)                   | Power, as an approved provider, to give the Secretary information relevant to whether an appraisal received out of time was sent in sufficient time to be received by the Secretary.                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 32-3                      | Power to make an application for extra service status, pay the application fee, respond to any requests for further information received from the Secretary and agree to an assessment of the residential care service conducted by a person authorised by the Secretary.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 32-8(6)                   | Power, as an approved provider, to agree with the Secretary to vary the conditions applying to the extra service status.                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 33-4                      | Power, as an approved provider, to request in writing that the Secretary revoke or suspend the extra service status.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 35-1 and 35-2             | Power, as a person who has applied for extra service status or who has been granted extra service status, to apply to the Aged Care Pricing Commissioner for extra service fees to be approved for one or more places.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 36-1, 36-2, 36-3 and 36-4 | Power, as a person providing residential care on an extra service basis, to enter an extra service agreement with a care recipient.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 42-5                      | Power, as an approved provider, to apply for the Secretary to determine that the service is taken, for the purposes of Chapter 3, Part 3.1, Division 42, to meet its accreditation requirement and respond to any requests for further information from the Secretary.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 43-4                      | Power, as an approved provider, after the end of each payment period, to give the Secretary:-<br>(a)a claim, in the form approved by the Secretary, for residential care subsidy that is payable in respect of the residential care service for that payment period; and<br>(b)any information relating to the claim that is stated in the form to be required, or that the Secretary requests; and<br>(c)copies of any documents relating to the claim, or to the payment of *residential care subsidy, that are stated in the form to be required, or that the Secretary requests. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 43-4A                     | Power, as an approved provider, to vary the claim made in respect of a payment period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 43-5                      | Power, as an approved provider, to enter an agreement with the Secretary for the deduction of fees from amounts of residential care subsidy otherwise payable to the approved provider.                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 43-6                      | Power, as an approved provider, to enter an agreement with the Secretary under which:-<br>(a)amounts equal to the capital payments made in respect of the service are to be deducted from amounts of *residential care subsidy otherwise payable to the approved provider in respect of the service; and<br>(b)so far as amounts are so deducted, the approved provider ceases to be liable to the Commonwealth for repayment in respect of the capital payments.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 44-23(3)(a)               | Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 46-2(2)                   | Power, as an approved provider providing home care services, to comply with a request to suspend the service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 47-4                      | Power, as an approved provider, after the end of each payment period, to give the Secretary:-<br>(a)a claim, in the form approved by the Secretary, for home care subsidy that is, or may become, payable in respect of the home care service for that payment period; and<br>(b)any information relating to the claim that is stated in the form to be required, or that the Secretary requests.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Aged Care Act 1997 | 47-4A          | Power, as an approved provider, to vary the claim made in respect of a payment period.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 48-8(5)        | Power, as an approved provider, to apply to the Secretary for a determination under subsection (2) in respect of a care recipient and respond to any request for further information from the Secretary.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 48-11          | Power, as an approved provider, to apply to the Secretary on behalf of a care recipient for a determination of eligibility for a hardship supplement and to respond to any requests for further information from the Secretary.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 48-12 (3) (a)  | Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52F1(1)(a)     | Power, as the provider of a residential care service or an eligible flexible care service, to give a person:-(a)an accommodation agreement; and (b)such other information as is specified in the Fees and Payments Principles.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52F1(1)(b)     | Power, as the provider of a residential care service or an eligible flexible care service, to agree with the person, in writing, about the maximum amount that would be payable if the person paid an accommodation payment for the service.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52F-2 to 52F-6 | Power, as an approved provider, to enter an accommodation agreement with a person.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54G-4          | Power, as an approved provider, to apply to the Aged Care Pricing Commission for approval to charge an accommodation payment that is higher than the maximum amount of accommodation payment determined by the Minister under section 52G-3 for:-(a)a residential care service or flexible care service; or (b)a distinct part of such a service, and to respond to any requests for further information made by the Aged Care Pricing Commissioner. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52J-6          | Power, as an approved provider, to retain income derived from a refundable deposit.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52J-7          | Power, as an approved provider, to deduct a daily payment from a refundable deposit in the circumstances specified in subsection (1).                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52J-71         | Power, as an approved provider, to deduct an amount from a refundable deposit in the circumstances specified in subsection (2).                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52K-1(4)(b)    | Power, as an approved provider to whom an accommodation payment or accommodation contribution is payable, to apply to the Secretary to determine a case of financial hardship and respond to any request for information from the Secretary.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52K-2(3)(a)    | Power, as an approved provider, to respond to a notice from the Secretary requiring written submissions regarding the revocation of a determination of financial hardship under section 52K-1.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52M-1(1)       | Power, as an approved provider, to comply with the requirements of the Prudential Standards.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52N-1          | Power, as an approved provider, to use a refundable deposit or an accommodation bond for a use that is permitted by section 52N-1.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52P-1          | Power, as an approved provider, to refund a refundable deposit balance in the way specified in the Fees and Payments Principles.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52P2(2)        | Power, as a former approved provider, to refund the refundable deposit balance to the care recipient.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 52P-4          | Power, as an approved provider, to agree with a person to delay refunding the refundable deposit balance or accommodation bond balance on the conditions specified in subsection (2).                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54-1           | Power, as an approved provider, to comply with the responsibilities of approved providers in relation to the quality of the aged care that the approved provider provides.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54-1A          | Power, in the circumstances listed in subsection (1), to ensure that at least one registered nurse is on site, and on duty, at all times at the residential facility.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Aged Care Act 1997 | 54-8(1)  | Power, as an approved provider, to ensure, as far as reasonably practicable, compliance with subsections 54-5(1)(b) and (2)(b) and subsections 54-6(1) and (2) in relation to a person who:-(a)is a staff member of the approved provider; and (b)makes a disclosure that qualifies for protection under section 54-4.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54-8(2)  | Power, as an approved provider, who receives a report of a reportable incident from a person to take reasonable measures to ensure that the fact that the person was the maker of the report is not disclosed.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54-8(3)  | Power, as an approved provider, to take reasonable measures to ensure that the report recipient does not disclose the fact that the person was the maker of the report.                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 56-1     | Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, residential care.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 56-2     | Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, home care.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 56-3     | Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to a care recipient to whom the approved provider provides, or is to provide, flexible care.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 54-4(1)  | Power, as an approved provider, to:(a)establish a complaints resolution mechanism for the aged care service; and (b)use the complaints resolution mechanism to address any complaints made by or on behalf of a person to whom care is provided through the service; and (c)advise the person of any other mechanisms that are available to address complaints, and provide such assistance as the person requires to use those mechanisms; and (e)comply with any requirement made of the approved provider under rules made for the purposes of subsection 21(2) of the Aged Care Quality and Safety Commission Act 2018. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 59-1     | Power, as an approved provider, to enter resident agreements that comply with the requirements for resident agreements listed in section 59-1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 61-1     | Power, as an approved provider, to enter home care agreements that comply with the requirements for home care agreements listed in section 61-1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 61-1     | Power, as an approved provider, to comply with the responsibilities relating to protection of personal information relating to a person to whom the approved provider provides aged care.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 63-1     | Power, as an approved provider, to comply with the responsibilities of an approved provider in relation to accountability for the aged care provided by the approved provider through an aged care service set out in subsections 63-1(1)(a) to 63-1(1)(m).                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 63-1A(2) | Power, as an approved provider, to take all reasonable steps specified in the Accountability Principles to ensure that none of its key personnel is a disqualified individual.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 63-1B(2) | Power, as an approved provider, to notify the Secretary of each care recipient who enters a residential care service operated by the approved provider on or after 20 March 2008.                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 63-1C    | Power, as an approved provider, to do all things reasonably practicable to ensure that there is no change to the circumstance without complying with the steps specified in the notice given under subsection 63E(1) of the Quality and Safety Commission Act.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 71-1     | Power to apply in writing for the allocation of a residential care grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 71-3(1)  | Power to comply with a notice requesting further information received from the Secretary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 73-1(3)  | Power, as an approved provider, to enter an agreement with the Commonwealth agreeing to comply with the conditions to which the grant is subject.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997 | 73-3     | Power, as an approved provider, to comply with the grant conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 73-4(3)(b) | Power, as an approved provider, to make submissions in response to notice to vary or revoke the allocation received from the Secretary.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 73-5(1)    | Power, as an approved provider, to apply to the Secretary for a variation of an allocation of a residential care grant.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 73-54(4)   | Power, as an approved provider, to comply with a notice requesting further information received from the Secretary.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 83-1(1)    | Power, as a body corporate, to enter into a written agreement with the Secretary under which the Commonwealth makes a grant of money for the purposes specified in the agreement                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 85-5(1)    | Power, as person whose interests are affected by a reviewable decision other than a reviewable decision under Division 35 or section 52G-4, to request the Secretary to reconsider the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 85-5(1A)   | Power, as person whose interests are affected by a reviewable decision under Division 35 or section 52G-4, to request the Aged Care Pricing Commissioner to reconsider the decision.             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 85-6(1)    | Power to pay the application fee for reconsideration of a reviewable decision made under subsection 29-1(1).                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 85-8       | Power to make an application to the Administrative Appeals Tribunal for the review of a reviewable decision that has been confirmed, varied or set aside under section 85-4 or 85-5.             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 88-1       | Power, as an approved provider, to keep the records referred to in section 88-1.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 88-2       | Power, as an approved provider, to keep records of the kind and in the form specified in the Records Principles.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 91-1(3)    | Power, as an occupier of premises, to consent to the entry of an authorised officer to the premises and to withdraw the consent at any time.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Aged Care Act 1997                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 96-7       | Power, as a person who has made an application to the Secretary under the Act, to withdraw the application.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Animal Care and Protection Act 2001</b><br><b><u>The Purpose of this Act</u></b><br>The purposes of this Act are to do the following:<br>a) Promote the responsible care and use of animals;<br>b) Provide standards for the care and use of animals that –<br>(i) Achieve a reasonable balance between the welfare of animals and the interests of persons who livelihood is dependent on animals;<br>(ii) Allow for the effect of advancements in scientific knowledge about animal biology and changes in community expectations about practices involving animals;<br>c) Protect animals from unjustifiable, unnecessary or unreasonable pain;<br>d) Ensure the use of animals for scientific purposes is accountable, open and responsible. |            |                                                                                                                                                                                                  |                         |                                                                |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                     |           |                                                                                                                                                                                                                           |                         |                                                                |
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| Animal Care and Protection Act 2001 | 28(4)     | Power, as the operator of a pound or animal shelter, to give a person a certificate stating that the dog had the debarking procedure performed on it before the pound or animal shelter took possession of the dog.       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 29(4)     | Power, as the operator of a pound or animal shelter, to give a person a certificate stating that the animal had the regulated procedure performed on it before the pound or animal shelter took possession of the animal. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 29A       | Power to keep a certificate for a supplied animal and if required by an inspector, make the certificate available for inspection.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 36(1)     | The power to administer or feed an animal a substance that Council knows is harmful or poisonous to the animal, with the intention of injuring or killing the animal.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 122(1)(a) | Power, as the occupier of a place, to consent to entry of the place by an inspector.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 156(2)    | Power, in the specified circumstances, to agree in writing to the transfer of the ownership of an animal or other thing to Council.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 157       | Power, in the specified circumstances, to deal with an animal or other thing as considered appropriate.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 157(2)    | In the specified circumstances, the power to deal with an animal or other thing that has become the property of Council as considered appropriate.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 189       | Power, in the specified circumstances, to recover the cost from the animal's owner or former owner.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Care and Protection Act 2001 | 189(2)    | In the specified circumstances, the power to recover costs from an animal's owner or former owner for costs necessarily and reasonably incurred in relation to the interests of the animal's welfare or its destruction.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Animal Care and Protection Act 2001                                                                                                                                                                                                                                                                                                                                                | 214A(2) | In the specified circumstances, the power to agree in writing to the transfer of ownership of an animal. Power, in the specified circumstances, to agree in writing to the transfer of the ownership of an animal to Council.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Animal Care and Protection Regulation 2012</b><br><b>The Purpose of this Act:</b><br>The purposes of this Act are to do the following:                                                                                                                                                                                                                                          |         |                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
| Animal Care and Protection Regulation 2012                                                                                                                                                                                                                                                                                                                                         | 3(2)    | Power to comply with the requirements of schedules 3 – Code of practice about sheep, 4 Code of practice about cattle, 5 – Code of practice for transport of livestock, 6 – Code of practice for livestock at depots and saleyards, 7 – Code of practice for breeding of dogs and 8 – Code of practice about rodeos. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Animal Management (Cats &amp; Dogs) Act 2008</b><br><b>The Purpose of this Act:</b><br>The purposes of this Act are to do the following:<br>a) Provide for the identification of cats and dogs; and<br>b) Provide for the registration of dogs; and<br>c) Provide for the effective management of regulated dogs; and<br>d) Promote the responsible ownership of cats and dogs. |         |                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 39      | In the specified circumstances, power to give a person identifying information for the cat or dog. Power to give identifying information to particular persons.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 42(4)   | Power to recognise an exhibition in which a cat or dog is participating. Power to recognise a body supervising an exhibition in which a cat or dog is participating.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43B     | Power, as an approved entity, to:-<br>(a) conduct an accreditation scheme to breed dogs; and<br>(b) accredit a person as an "accredited breeder" under the accreditation scheme.<br>## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43C     | Power, as an approved entity, to give an accreditation number to an accredited breeder.<br>## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43F     | Power to apply to the chief executive to be registered as a registered breeder.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43K     | Power, as a registered breeder, to renew the registration and pay the relevant fee.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43N     | Power, as a registered breeder, to give the chief executive notice of the change.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                           | 43R     | Power, as the recipient of a show cause notice, to make written representations to the chief executive about why the proposed action should not be taken.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Animal Management (Cats & Dogs) Act 2008 | 43ZF     | Power, as a supplier of a dog, to give the other person a notice containing the information listed in subsection 43ZF(1).                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 48(2)    | <del>In the specified circumstances, power to, by notice, require an owner to give other information or documents reasonably required to register the cat or dog.</del> Power to, by notice, ask for further information or documents reasonably required to register a dog.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 49(2)    | <del>In the specified circumstances, power to give an owner of or dog notice that or dog has been registered (a registration notice).</del> Power to give registration notice.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 51       | Power to keep registration form and information.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 51(a)    | Power to keep the registration form and other information about a cat or dog given to the local government by the owner                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 51(b)    | Power to record the information about a registration in the appropriate register.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cat & Dogs) Act 2008  | 52       | Power to fix the fee for the registration of a dog.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 55(2)    | <del>In the specified circumstances, power to ask the owner of the cat or dog for other information or documents in the way mentioned in section 48(2).</del> Power to ask the owner of a dog for other information or documents in the way mentioned in section 48.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 55(4)    | <del>In the specified circumstances, power to:</del><br><del>a. ensure that the information is updated in the appropriate register in a way that reflects the change; and</del><br><del>b. to ensure the owner is given a notice for the cat or dog that includes the changed information.</del> Power to: •update the information in the relevant register; and •give the owner a notice of the amended information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 56(1)    | <del>Power to give the owner of a cat or dog a notice to renew the registration for the cat or dog (a renewal notice).</del> Power to give renewal notice to renew registration for a dog.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 58(2)    | <del>In the specified circumstances, power to ask the owner for more information or documents required to be given in the notice mentioned in section 48.</del> Power to ask the owner of a dog for other information or documents in the way mentioned in section 48.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 58(4)    | <del>In the specified circumstances, power to:</del><br><del>a. Ensure that the information is updated in the appropriate register in a way that reflects the change; and</del><br><del>b. to give the owner of a cat or dog any registration device for the cat or dog.</del> Power to update information in the appropriate register and give a registration device to the owner of the registered dog.             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2009 | 64(1)    | Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 64(1)(b) | Power to recognise, for the purposes of this section, a body which supervises an exhibition or an obedience trial in which a dog is participating.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Animal Management (Cats & Dogs) Act 2008 | 74(1)    | <del>After a permit application has been made, power to, by notice, require the applicant to:</del><br><del>a. give a stated document or information that is relevant to the application;</del><br><del>b. or verify the correctness of the document.</del> Power to require applicant to give a stated document or information that is relevant to a permit application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 75(1)    | <del>In the specified circumstances, power to either grant or refuse a permit application.</del> Power to grant or refuse a permit application within a certain time.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 75(3)    | <del>Power to be satisfied that desexing is likely to be a serious risk to the health of the dog.</del><br>Power to decide whether desexing is likely to be a serious risk to the health of a dog.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 75(5)    | <del>In the specified circumstances, power to impose a condition provided for under a regulation.</del> Power to impose conditions on the grant of an application for a restricted dog permit.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 77       | Power to issue a restricted dog permit.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 77(1)    | Power to, as soon as practicable after deciding to grant a permit application, issue the applicant with a restricted dog permit for the restricted dog the subject of the application.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 79       | <del>Power to, as soon as practicable after deciding to refuse a permit application, give the applicant an information notice about the decision.</del> Power to issue a decision notice after deciding to refuse a permit application.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 84(1)    | <del>In the specified circumstances, power to either grant or refuse a renewal application.</del> Power to grant or refuse a renewal application within a certain time.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 84(4)(b) | <del>Power to seek further documents or information in the way mentioned in section 74.</del> Power to seek further information in deciding an application for a renewal application.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 84(5)    | Power to:<br>•if the application is granted, issue a renewed permit; or<br>•if the application is refused, issue a decision notice.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 84(5)(a) | In the specified circumstances, power to issue the applicant with a renewed restricted dog permit (a <i>renewal permit</i> ).                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 84(5)(b) | In the specified circumstances, power to give the applicant an information notice about the decision.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 87       | Power to amend a restricted dog permit at any time.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 87(1)    | In the specified circumstances, power to amend a restricted dog permit at any time, by giving the permit holder notice of the amendment and recording particulars of the amendment in the restricted dog register.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 89       | Power to:<br>a. declare a particular dog to be a declared dangerous dog;<br>b. declare a particular dog to be a declared menacing dog; or<br>c. declare a particular dog to be a restricted dog.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 89(1)    | Power to make:-(a)a dangerous dog declaration;<br>(b)a menacing dog declaration;<br>(c)a restricted dog declaration.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 89(4)    | <del>Power to be satisfied a dog is of a breed mentioned in section 63(1).</del> Power to determine whether a dog is of a breed mentioned in section 63(1).                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                          |            |                                                                                                                                                                                                                            |                         |                                                                |
|------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Animal Management (Cats & Dogs) Act 2008 | 90         | Power to give a dog owner a proposed declaration notice regarding a dog.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 90(1)      | In the specified circumstances, the power to give any owner of a dog a <i>proposed declaration notice</i> .                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 92         | <del>Power to withdraw a proposed declaration notice by giving a notice of the withdrawal to any owner of the dog.</del> Power to withdraw a proposed declaration notice regarding a dog.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 94         | Power to consider any written representations and evidence within a period stated in a proposed declaration notice and make a regulated dog declaration.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 94(1)      | Power to consider any written representations and evidence accompanying them within the period stated in the proposed declaration notice.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 94(2)      | Power to:<br>a. be satisfied that the relevant ground under section 89 still exists; and<br>b. make the regulated dog declaration for the dog.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 95         | Power to give an owner of a dog the subject of a regulated dog declaration, a notice about the decision under subsection (3) or (4).                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 95(1)      | Power to give the owner of a dog the subject of the declaration notice a notice under subsection (3) or (4).                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 95(4)      | Power to give an information notice about the decision.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 100        | Power to destroy a surrendered regulated dog.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 100(3)     | Power to destroy a surrendered regulated dog                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 102        | <del>In the specified circumstances, power to recover costs from the dogs owner or former owner if the incurring of the cost was necessary and reasonable.</del> Power to recover reasonable seizure or destruction costs. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 104        | Power to appoint authorised persons.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 105(1)     | Power to determine conditions, and sign a signed notice.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 106 (1)    | Power to issue an identity card to each authorised person.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 114        | Power to give notice of a proposed inspection program.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 114(1)     | In the specified circumstances, the power to give notice of an approved inspection program.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 173(1)(b)  | Power to inspect information kept in the regulated dog register.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 173B       | Power to inspect information kept in the breeder register.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 173B(1)(b) | Power to inspect information contained in the breeder register.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Animal Management (Cats & Dogs) Act 2008 | 174(1)         | Power to give the chief executive notice if:<br>a. a restricted dog is registered in the local government's area; or<br>b. the local government makes a regulated dog declaration for a dog in the local government's area. Power to give notice to the chief executive if a restricted dog is registered in the local government's area or the local government makes a regulated dog declaration in its area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 175(2)         | In the specified circumstances, the power to give the chief executive notice of the changed information or the holder's new residential address. Power to give the chief executive notice of changed information or notice of a holder's new residential address upon receiving a notice under section 54 or schedule 1.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 176(3)         | In the specified circumstances, the power to give the chief executive a response within 28 days after receiving the request. Power to respond to the chief executive regarding confirmation of particular information.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 177(1)         | Power to keep the following registers about dogs usually kept or proposed to be kept in the local government's area - (collectively the cat and dog registry of the local government):-<br>a. a general register;<br>b. another register prescribed under a regulation. Power to keep the dog registry of the local government.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 178(E)         | Power to include other information considered appropriate in the general register.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 183(2)         | Power to, at any time, extend the time for making a general review application. Power to extend the time for making a general review application.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 185A           | Power to conduct an internal review of a concurrent regulated dog declaration and a destruction order at the same time.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 185A(2)        | In specified circumstances, power to conduct an internal review of the decisions at the same time under section 186.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 186            | Power to conduct an internal review and make a decision to confirm, amend or substitute the original decision.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 186(1)         | In the specified circumstances, power to:<br>a. conduct an internal review of the original decision the subject of the application; and<br>b. make a decision (the internal review decision) to:<br>a. confirm the original decision;<br>b. amend the original decision; or<br>c. substitute another decision for the original decision.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 187(1) and (2) | In the specified circumstances, power to give the applicant notice of the internal review decision.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 198(1)         | Power to authorise an employee to verify a copy of a document.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 199            | Power to sign a certificate about the state of, or a fact in, a record of the local government.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer |                                                                |
| Animal Management (Cats & Dogs) Act 2008 | 206 (1)        | Power to delegate functions to an appropriately qualified officer of the local government.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 207C(2)(a)     | Power to use information obtained under Section 173B(1) or 207B to perform a function under this Act.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 209(2)         | Power to approve forms for use under this Act                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008 | 212(3)         | In the specified circumstances, the power to include other information in the restricted dog register which the local government considers appropriate.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 227(2)    | Where a local government has received a registration form in relation to a cat prior to 23 September 2013 and it has not yet given a registration notice, power to:-<br>(a) refund the registration fee to the owner; or<br>(b) if the local government is a declared local government—register the cat under former chapter 3, part 2; or<br>(c) if a local government makes a local law requiring cats to be registered—register the cat under the local law. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 228(2)(B) | Where a local government has received a registration fee in relation to a cat prior to 23 September 2013 and it has given a registration notice for the cat, power to refund the registration fee or a portion of the fee to the owner.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Animal Management (Cats & Dogs) Act 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 228(3)    | Power to consider appropriate a portion of the fee the local government may refund, having regard to the period of the registration stated on the registration notice that remains after the commencement.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Biosecurity Act 2014</b><br><b><u>The Purpose of this Act</u></b><br>An Act:<br>a) To provide a framework for an effective biosecurity system for Queensland that –<br>(i) Helps to minimise biosecurity risks; and<br>(ii) Facilitates responding to impacts on a biosecurity consideration, including responding to biosecurity events, in a timely and effective way;<br>b) To ensure the safety and quality of animal feed, fertilisers and other agricultural inputs;<br>c) To help align responses to biosecurity risks in the State with national and international obligations and requirements for accessing markets for animal and plant product, including live animals and plants. |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 36(2)     | Power, in a circumstance listed in subsection (1), to advise an inspector of the presence of the biosecurity matter.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 42(2)     | Power, in a circumstance listed in subsection (1), to advise an appropriate authorised officer of the presence of the biosecurity matter that is a relevant restricted matter.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 48        | Power to carry out the main function of a local government under the Act.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 50(3)     | Power to consult with the Minister.                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 50(5)     | Power to comply with a notice issued by the Minister pursuant to subsection (4).                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 51(2)     | Power to agree with the chief executive that Council cannot achieve substantial compliance with the notice.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 52(2)     | Power to comply with a request from the Minister for a written report made pursuant to subsection (1).                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 53        | Power to prepare and approve a biosecurity plan for invasive biosecurity matter for Council's area.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 53(1)    | Power to prepare a biosecurity plan.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 54       | Power to keep a copy of the biosecurity plan available for inspection.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 59       | <del>Power to consult with the Chief Executive about suitability and priority of the activities.</del> Power to consult with the chief executive about the suitability and priority of the activities.                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 60(5)    | Power to pay the amount required by a notice issued by the Minister pursuant to this section.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 91(3)    | Power, as a building authority for a barrier fence, or as an owner of land affected by the amendment, to consult with the chief executive about the amendment of the barrier fence map.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 91(3)(a) | Power to consult with chief executive about barrier fence map.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 92(2)    | Power, as a building authority for a barrier fence, in the circumstance set out in subsection (1), to build and pay for a gate or grid in the fence.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 93       | Power, as a building authority for a barrier fence, to undertake the activities set out in subsections (a) and (b).                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 94       | Power, as a building authority for a barrier fence, to enter a place in the circumstances set out in subsection (1).                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 94(2)    | Power to:<br>(a) obtain the occupier's consent to the entry; and<br>(b) to give the occupier notice of:<br>(i) the intended entry; and<br>(ii) the purpose of the entry; and<br>(iii) the proposed dates and time of entry. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 94(3)    | Power to be satisfied it is impracticable to give the notice under subsection (2)(b) and power to give notice as prescribed in subparagraph (3).                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 94(5)    | Power to consider it necessary to enter the land because of urgent circumstances and power to give the occupier only the notice that is reasonably practicable in the circumstances.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 95       | Power, as a building authority for a barrier fence, to enter into an agreement with another person about making an opening in the fence for a particular purpose and period.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 95(1)    | Power to enter into agreement with another person about making an opening in the fence for a particular purpose and period.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 96(1)     | Power to form reasonable belief that a person has unlawfully damaged, or made an opening in the fence.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 96(2)     | <del>Power to give notice to the person, requiring the person to restore the fence to its condition before the damage or opened.</del> Power, as a building authority for a barrier fence, to give a notice to a person requiring the person to restore the fence. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 96(4)     | Power, as a building authority for a barrier fence, to carry out the restoration of the barrier fence and recover the reasonable costs from the person to whom notice was given pursuant to subsection (2).                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 100       | Power, as a building authority for a barrier fence part, to appoint a person employed or engaged by Council to exercise powers under the Act in relation to the barrier fence part.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 100(1)    | Power to appoint <i>barrier fence employee</i> .                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 101(2)    | <del>Power to give directions to a barrier fence employee .</del> Power, as a building authority for a barrier fence part, to give directions to a barrier fence employee.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 105       | Power, as a relevant entity, to consult with the chief executive about a proposed making of a code of practice.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 105(1)    | Power to consult with chief executive.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 107       | Power to make written submissions on a proposed guideline.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 121       | Power to apply to an inspector for a biosecurity emergency order permit.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 132       | Power to apply to an inspector for a biosecurity instrument permit.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 145       | Power as a registrable biosecurity entity to apply for registration.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 146       | Power as a registrable biosecurity entity to apply for a registration exemption.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 105(3)(b) | Power to make written submissions in response to a notice from the chief executive.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 152       | Power, in the circumstances referred to in subsection (1) to apply for deregistration as a biosecurity entity.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 156(2)    | Power to comply with a requirement of the chief executive made under subsection (2) or (3).                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 160(2)    | Power as a registered biosecurity entity, owner or occupier to give the chief executive a biosecurity risk notice.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 164       | Power to apply to the chief executive for the removal of the entry for a restricted place from the biosecurity register.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 164A            | Power to apply to the chief executive for the end of a declaration of a designated animal as a restricted animal.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 164B            | Power to apply to the chief executive for the end of a declaration of a designated biosecurity matter as a restricted biosecurity matter.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 165             | Power to give the chief executive further information or a document about the application.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 170(2)          | Power as a registered biosecurity entity to give the chief executive a change notice.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 181             | Power to apply to the chief executive for a travel approval for the movement of a special designated animal.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 187             | Power, as a receiver of a special designated animal at a saleyard, to take the action referred to in subsections (a) and (b).                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 188             | Power, as a receiver of a special designated animal at a restricted agricultural show, to take the action referred to in subsection (2).                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 190             | Power, as a receiver of a special designated animal at a place, to take the action referred to in subsection (2).                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 193(2)          | Power, in the circumstances referred to in subsection (1), as a receiver of a special designated animal to advise an inspector of the circumstances in subsection (1).                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 193(3)          | Power, to comply with all reasonable directions the inspector gives.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 194(2)          | Power, as a relevant person, to create a movement record for a designated animal and to give the record to the conveyor or drover of the animal.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 197             | Power, as a relevant person, to keep and produce a movement record for a designated animal in accordance with the requirements of this section.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 198(2) and (7)  | Power, as person who receives a copy of a movement record, to keep and produce the copy of the movement record for in accordance with the requirements of this section.                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 198 (5) and (7) | Power, in the circumstances referred to in subsection (4) and as a person who accepts delivery of the animal at the end of the movement, to create, keep and produce a record complying with subsection (6). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 199             | Power, as a person having responsibility for the organisation and operation of an agricultural show, to keep a record in the appropriate form for the designated animal.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 214             | Power to apply for a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application.                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 225 and 226     | Power to apply for the renewal of a prohibited matter permit or a restricted matter permit and to take all steps required to bring the application to finalisation and obtain a decision on the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 229             | Power to comply with a direction of the chief executive issued pursuant to subsection (2).                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 230             | Power to apply for the transfer of a prohibited matter permit or a restricted matter permit.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 235(1)(b)       | Power to authorise and carry out a biosecurity program (a program authorisation).                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 235(1)(c)       | Power to form agreement about a program authorisation.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 235(1)(d)       | Power to agree with the Chief Executive Officer of other local governments to authorise and carry out a biosecurity program.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 235(3)(d)       | Power to consult with an interested entity about a proposed biosecurity program.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 239(1)          | Power to consult with the chief executive about a proposed biosecurity program.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 239(2)    | Power to consult with:<br>(a) the chief executive; and<br>(b) an invasive animal board—<br>(i) with an operational area in or adjoining the local government's area; and<br>(ii) responsible for the management of an invasive animal that is biosecurity matter to which the program applies. Power to consult with the chief executive and an invasive animal board before authorising a biosecurity program. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 239(3)(b) | Power to consult with an invasive animal board.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
|                      | 241       | Power to make copies of a biosecurity program authorisation available for inspection and purchase at Council's public office.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 246(2)    | Power to appoint persons the following as authorised persons:<br>(a) an employee of the local government;<br>(b) if another local government consents—an employee of the other local government;<br>another person who has entered into a contract, or is employed by an entity that has entered into a contract, with the local government to perform a function under this Act.                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 246(2)(b) | Power to consent to an employee of the local government to be appointed as an authorised person.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 246(3)    | Power to appoint an authorised person.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 246(5)    | Power to be satisfied a person is appropriately qualified.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 263(2)    | Power to enter a place to take steps as stated in an order.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 264(2)    | Power to enter a place to take steps as required under a direction.                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 268(1)    | Power as an occupier of a place to sign an acknowledgement of consent to enter the place.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 269(2)    | Power as an occupier of a place to consent to entry by an authorised officer.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 271(2)    | Power to make reasonable attempts to locate and obtain occupier's consent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 271(3)    | Power to enter a place if:<br>(a) the person is unable to locate an occupier after making a reasonable attempt to do so; or<br>(b) the occupier refuses to consent to the entry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 271(4)    | Power to make reasonable attempts to:<br>(a) either-<br>(i) if the person is an employee or agent of the issuing authority—produce the issuing authority's written authority to enter the place, and sufficient evidence to identify the person as a person who may enter under the authority, for the occupier's inspection;<br>or<br>(ii) if the person is an authorised officer—produce the authorised officer's identity card for the occupier's inspection; and<br>(b) inform the occupier-<br>(i) of the reason for entering the place; and<br>(ii) that the person is authorised under this Act to enter the place without the permission of the occupier. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 271(5)    | Power to leave notice in a conspicuous position and in a reasonably secure way stating the date, time and purpose of the entry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 310(1)    | In the circumstances in subsection (1) and subject to subsection (2), power to decide a seized thing is forfeited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 310(1)(a) | Power to make reasonable enquires to find the owner of a thing seized.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 310(1)(b) | Power to make reasonable efforts to return a thing seized to the owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 310(1)(c) | Power to:<br>(i) reasonably consider that, because of the thing's inherent nature or condition, the return of the thing is likely to result in a recurrence of the biosecurity risk in relation to which the thing was seized; or<br>(ii) at the end of 6 months, reasonably believes that the return of the thing is likely to result in a recurrence of the biosecurity risk in relation to which the thing was seized. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 310(1)(d) | Power to form a reasonable belief that it is necessary to keep a thing to prevent it from being used to commit the offence for which it was seized.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 312(2)    | Power to give an information notice.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 317(2)    | Power to deal with a thing as considered appropriate.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 317(4)    | Power to return proceeds of the sale of a thing forfeited to the owner of the thing.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 329(1)    | Power to issue an identity card.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 358       | Power to apply to the court for an order against the person convicted of an offence against the Act to pay the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 364       | Power, as a relevant body, to stay the original decision, fix conditions on the stay, fix the period of a stay and revoke a stay.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 365       | Power, as the issuing authority, after receiving an internal review application to conduct an internal review and make a decision.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 365(1)    | Power to conduct an internal review and make a decision.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 366       | Power, as the issuing authority, to give notice of an internal review decision.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 366(1)    | Power to give a notice of the decision to the applicant.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 372(1)    | Power, as the issuing authority, to make a new decision following the receipt of directions from the court.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 372(2)    | Power, as the issuing authority, to give effect to a decision of the court to substitute the internal review decision with a new decision.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 378(2)    | Power to approve a biosecurity order.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 379(1)    | Power to keep a register of all biosecurity orders of an authorised officer.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 379(3)    | Power to be satisfied about the matters referred to in subsection (3) and power to remove an order.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 380(1)    | Power to recover the amount that the issuing authority properly and reasonably incurs in taking the steps under section 263 as a debt payable by the person who failed to take the action to the issuing authority.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 380(2)    | Power to give notice of the amount of the debt. Power, as the issuing authority, to give effect to a decision of the court to substitute the internal review decision with a new decision.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 381       | Power to register a charge over the land for an unpaid amount and to release the charge once the unpaid amount has been paid.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 381(3)    | Power to register a charge (for an unpaid amount) over the land.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 381(5)(a) | Power to lodge a request to release the charge over the land.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 381(5)(b) | Power to lodge a signed certificate stating the unpaid amount has been paid.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 383       | Power, as a third party, to appear at the hearing of an application for a cost recovery order.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 386(1)    | Power to apply for an injunction.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 391       | Power to enter into a government and industry agreement with the Minister or the chief executive.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 393       | Power to enter into a compliance agreement with the chief executive.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 396       | Power to apply to the chief executive to enter into a compliance agreement with the State.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 399(1)(b) | Power to give the chief executive further information or a document required to decide the application.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 405       | Power, as the other party to a compliance agreement, to make written representations to the chief executive following receipt of a show cause notice.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 442       | Power to undertake the functions of an auditor as set out in paragraphs (a) and (g).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 471(1)    | Power to within 14 days of completing an audit of a business give a report about the audit to the applicant and the chief executive.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 471(2)(e) | Power to form an opinion that an applicant has or has not implemented procedures for the applicant's business that provide a way for preventing or managing exposure to all biosecurity risks relating to the biosecurity risk matter for the business. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 471(2)(g) | Power to form an opinion that an applicant does or does not have the capacity to comply with the requirements of the compliance agreement.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 472(1)    | Power to within 14 days of completing a compliance, nonconformance or check audit of the business of the other party to a compliance agreement, give a report about the audit to the other party and the chief executive. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 472(2)(e) | Power to form an opinion that a business complies or does not comply with a compliance agreement.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 472(2)(h) | Power to form an opinion whether an auditor needs to conduct a nonconformance audit of the business or that the frequency of compliant audits for the business should be changed.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 473(1)    | Power to within 14 days after completing an audit of the applicant's ICA systems, or proposed ICA systems, give a report about the audit to the applicant and the chief executive.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 473(2)(e) | Power to form an opinion that each ICA or proposed ICA system satisfies the requirements of any operational procedure to which the system is directed.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 474(1)    | Power to within 14 days after completing an compliance, non-conformance or check audit of an accredited certifier's activities give a report about the audit to the accredited certifier and the chief executive.         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 474(2)(e) | Power to form an opinion that activities comply or do not comply with the accreditation.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Biosecurity Act 2014 | 474(2)(h)(i) | Power to form an opinion whether each of the accredited certifier's ICA systems satisfy the requirements of any operational procedure to which the system is directed.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 474(2)(i)    | Power to form an opinion that an auditor needs to conduct a non-conformance audit of activities in relation to any noncompliance or that the frequency of compliance audits should change.       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 475(1)       | Power to form a reasonable belief that:<br>a) a person has contravened or is contravening the fact; and<br>b) the contravention poses an imminent and serious biosecurity risk.                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 475(2)       | Power to give details of the facts and circumstances giving rise to the belief to the chief executive.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 475(3)       | Power to give details to the chief executive as soon as practicable after forming the belief.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 475(4)       | If the auditor gives the chief executive orally, power to give the chief executive notice of the details.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 479 and 480  | Power, as the holder for a relevant authority, to apply to the chief executive to amend the conditions of the authority and to take all steps necessary to obtain a decision on the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 485          | Power, as the holder for a relevant authority, to make written representations about the show cause notice to the chief executive.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 490          | Power, as the holder for a relevant authority, to ask the chief executive to cancel the authority.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 491(3)       | Power, as the holder for a relevant authority, to comply with a notice requiring the return of the document evidencing the authority.                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Act 2014 | 494(2)       | Power to be satisfied about matters set out in subsection (2).                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Biosecurity Regulation 2016</b><br><b>The Purpose of this Act</b><br>This instrument prescribes important information relating to the exercise of powers by officials under the Biosecurity Act and sets out the necessary information and reporting requirements that those regulated by the Biosecurity Act are required to provide. |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                         |                                                                |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 27(1)      | Power to apply to the chief executive in the approved form for a test kit or method approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 46(1)      | In certain circumstances, power to ensure biosecurity matter or a carrier is dealt with in accordance with a risk minimisation requirement for dealing with the biosecurity risk or carrier.                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 46A(1)     | In certain circumstances, power to move a sample of a carrier into the State or into or from a biosecurity zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 46A(2)     | In certain circumstances, power to move a sample of a carrier from a biosecurity zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 57A(2)     | In the specified circumstances, the power to move tomato/potato psyllid carrier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 57B(2)     | Power to move a citrus canker carrier into the State under a biosecurity authorisation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 57B(3)     | In the specified circumstances, the power to move a citrus canker carrier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 94C(2)     | In certain circumstances, power to move a white spot syndrome virus carrier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 94G(1)     | Power, as a registered biosecurity entity for a designated place, to make a biosecurity management plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Biosecurity Regulation 2016                                                                                                                                                                                                                                                                                                               | 94G(4)     | Power, as an entity mentioned in subsection (1), to:-<br>(a)keep the plan as a separate document at the place; and<br>(b)make the plan available for inspection at the place, on request, during ordinary business hours; and<br>(c)ensure a sign is conspicuously displayed at each management area for the plan stating that:-<br>(i)a biosecurity management plan applies to the place; and<br>(ii)it is an offence for a person entering, present at, or leaving the management area to fail to comply with the measures stated in the plan unless the person has a reasonable excuse. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Body Corporate and Community Management Act 1997</b>                                                                                                                                                                                                                                                                                   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                         |                                                                |
| Body Corporate and Community Management Act 1997                                                                                                                                                                                                                                                                                          | 60(3)      | Power, as a relevant planning authority, to endorse a community management statement notation on a proposed community management statement.                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Body Corporate and Community Management Act 1997                                                                                                                                                                                                                                                                                          | 159 (6)(b) | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Body Corporate and Community Management Act 1997                                                                                                                                                                                                                                                                                          | 196(4)     | Power, as a utility service provider, to enter an agreement with a body corporate in relation to the utility charges for the scheme land.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Body Corporate and Community Management Act 1997                                                                                                                                                                                                                                                                                          | 197        | Power, as a utility service provider, to ask the registrar to register a charge and to remove the charge when the amount secured by the charge is paid.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Body Corporate and Community Management Act 1997                                                                                                                                                                                                                                                                                 | 316(1)     | Power to enter the common property if necessary to exercise a power conferred under an Act.                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Body Corporate and Community Management (Accommodation Module) Regulation 2020</b><br><b><u>The Purpose of this Act</u></b><br>An Act to provide for the horizontal subdivision and vertical subdivision of land into lots and the disposition of titles thereto; and for purposes incidental thereto and connected therewith |            |                                                                                                                                                                 |                         |                                                                |
| Body Corporate and Community Management (Accommodation Module) Regulation 2020.                                                                                                                                                                                                                                                  | 159 (6)(b) | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Body Corporate and Community Management (Accommodation Module) Regulation 2020.                                                                                                                                                                                                                                                  | 161(6)(b)  | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Body Corporate and Community Management (Commercial Module) Regulation 2020</b><br><b><u>The Purpose of this Act</u></b><br>An Act to provide for the horizontal subdivision and vertical subdivision of land into lots and the disposition of titles thereto; and for purposes incidental thereto and connected therewith    |            |                                                                                                                                                                 |                         |                                                                |
| Body Corporate and Community Management (Commercial Module) Regulation 2020.                                                                                                                                                                                                                                                     | 1174(6)(b) | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011</b>                                                                                                                                                                                                                                |            |                                                                                                                                                                 |                         |                                                                |
| Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011.                                                                                                                                                                                                                                      | 33(4)(b)   | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Body Corporate and Community Management (Small Schemes Module) Regulation 2020</b>                                                                                                                                                                                                                                            |            |                                                                                                                                                                 |                         |                                                                |
| Body Corporate and Community Management (Small Schemes Module) Regulation 2020.                                                                                                                                                                                                                                                  | 95(6)(b)   | Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Building Units and Group Titles Act 1980</b><br><b><u>The Purpose of this Act</u></b><br>An Act to provide for the horizontal subdivision and vertical subdivision of land into lots and the disposition of titles thereto; and for purposes incidental thereto and connected therewith                                       |            |                                                                                                                                                                 |                         |                                                                |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 8(3)(b) | In the specified circumstances, the power to approve to a lease of part of a lot and, in the case of a group titles plan, of part of any improvements on a lot.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 9(7)    | Power to endorse or provide a certificate that a proposed subdivision of a parcel, as illustrated in a plan, has been approved by the local government.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 9(8)(b) | In the specified circumstances, the power to direct if a building surveyor or building inspector are not authorised to issue a certificate under section 9(8)(b) of the Building Units and Group Titles Act 1980.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 10(1)   | Power to approve the re-subdivision of lots or common property by the registration of a plan                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 11(1)   | In the specified circumstances, the power to approve of two or more lots being amalgamated into one lot.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 12(1)   | In the specified circumstances, the power to approve of one or more lots being converted into common property.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 22(1)   | In the specified circumstances, the power to approve a body corporate executing:<br>(a) a transfer of part of common property;<br>(b) a lease of or rent part of common property.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 22(2)   | In the specified circumstances, the power to approve a body corporate:<br>(a) transferring a lease of common property accepted or acquired by it under section 21(1) of the Building Units and Group Titles Act 1980; or<br>(b) granting, by way of sublease, a lease of its estate or interest in common property the subject of a lease so accepted or acquired. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 22(7)   | In the specified circumstances, the power to be satisfied of the specified matters.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 24(2)   | Power to direct the issue of a certificate for the purposes of section 9(7) of the Building Units and Group Titles Act 1980 in the specified circumstances.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 24(3)   | In the specified circumstances, the power to waive compliance to specific provisions.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 24(4)   | Power, subject to sub-section (5) and (5A), to direct the issue of a certificate in the circumstances specified.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 24(5)   | In the specified circumstances, the power to notify the applicant in writing of a decision to approve and the conditions imposed (if any) or refuse the application.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 24(5A)  | Power to issue or endorse on the plan, the certificate required for purposes of section 9(7) of the Building Units and Group Titles Act 1980.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 25(3)   | In the specified circumstances, the power to approve an application under section 25(2) of the Building Units and Group Titles Act 1980 to extinguish a group titles plan subject to reasonable and relevant conditions.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 25(4)   | In the specified circumstances, the power to notify an applicant in writing of the decision to approve an application under section 25(2) of the Building Units and Group Titles Act 1980 and the conditions (if any) required by Council.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 25(4A)  | In the specified circumstances, the power to issue a certificate that the requirements of Council have been complied with.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 26(1)   | Power to approve the proposed extinguishment in the circumstances prescribed.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Units and Group Titles Act 1980                                                                                                                                                                                                                                                                                     | 128     | Power to enter upon any part of a parcel if it is necessary to do so in order to exercise a power, conferred on the local government by any Act, to enter upon any other part of the parcel.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Building Act 1975</b><br><b>The Purpose of this Act</b><br>An Act to regulate building development approvals, building work, building classification, building certifiers and pool safety inspectors, and to provide for particular matters about swimming pool safety and sustainable buildings, and for other purposes. |         |                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Act 1975 | 37(2)    | Power to give a building development approval for the work if the approval is given under the building assessment provisions in force immediately before the amendment.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 37A(2)   | Power, as an assessment manager, to determine whether a building development application complies with the building assessment provisions and if it does, to approve the application.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 41(1)    | Power, as an assessment manager, to consult with the chief executive about the variation application.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 46(5)    | Power, as a referral agency, to appoint or employ a building certifier to carry out the assessment against the fire safety standard.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 51(2)    | In the specified circumstances power to:<br>(a) receive, assess and decide the application;<br>(b) appoint or employ a private certifier or another building certifier to perform building certifying functions for:<br>(i) the application; and<br>(ii) if the building development approval applied for is granted—the building work.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 52       | <del>In the specified circumstances power to issue the building development approval applied for only if:</del><br>(a) a local government building certifier has carried out the building assessment work for the application; and<br>(b) the building certifier is appropriately licensed to carry out the building assessment work.<br>Power to issue a building development approval.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 51(2)(a) | Power, under the Planning Act to receive, assess and decide a building development application.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 51(2)(b) | Power to appoint or employ a private certifier or another building certifier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 51(3)    | Power to appoint or employ a private certifier or another building certifier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 53(2)    | <del>In the specified circumstances power to accept and, without further checking, rely and act on the certificate or other document:</del><br>(a) the original application;<br>(b) another building development application for all or part of the building work under the original application. Power, in carrying out functions under the Building Act, to accept and, without checking, rely and act on a certificate or other document made by or given to the building certifier.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 54       | Power to accept and, without further checking, rely and act on a document, given to Council by a private certifier for a building development application, for the purpose of making it available for inspection or purchase as required by the <i>Planning Act</i> .                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 54(2)    | In the specified circumstances, power to, without further checking, rely and act on the document for the purpose of making the document publicly available.                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 55       | Power, as assessment manager, in relation to undecided building development applications and lapsed building development approvals, to resume or start the development assessment process under the Planning Act at any stage the assessment manager considers appropriate.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 55(3)    | In the specified circumstances power to resume or start the application process at any stage of the development assessment process under the Planning Act the assessment manager considers appropriate.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 63       | Power for the assessment manager to approve a building application subject to the requirement in Part 4 as follows:<br>(a) the fire safety management plan accompanying the application complies with the Fire and Rescue Service Act 1990, section 104FC, or<br>(b) the building work involves an alternative solution, for performance requirements under the BCA, that includes a fire safety management procedure as a condition of the occupation and use of the building and the fire safety management plan adequately reflects the procedure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Act 1975 | 65       | Power, as the holder of a registered easement or statutory covenant, to consent to building work.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 65(2)    | Power for the assessment manager to approve the building application (subject to conditions) if each registered holder of the easement or covenant has consented to the building work.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 66(2)    | Power for the assessment manager to approve the building application if the special structure:<br>(a) complies with the building assessment provisions; and<br>(b) reasonably provides for all of the following:<br>(i) the safety of persons using the structure if there is a fire (including, for example, means of egress);<br>(ii) the prevention and suppression of fire;<br>(iii) the prevention of the spread of fire;<br>(iv) the health and amenity of persons using the structure.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 67(3)    | In the specified circumstances power for the assessment manager to approve the building application if subsections (3)(a) and (3)(b) have been complied with.                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 65       | Power, as the holder of a registered easement or statutory covenant, to consent to building work.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 68A(2)   | Power, as assessment manager, to prepare a written statement of reasons.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 68(3)    | Power for the assessment manager to approve a building application if the building certifier has decided the alterations do not unduly reduce the following:<br>(a) the existing level of fire protection for persons accommodated in, or using, the building or structure;<br>(b) the existing level of resistance to fire of the building or structure;<br>(c) the existing safeguards against spread of fire to adjoining buildings or structures;<br>(d) the existing level of emergency egress from the building or structure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 71       | Power to decide an application to extend the period mentioned in subsection 71(3), to consult with an entity in deciding the application and to give notice of the decision.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 71(8)    | Power to consult with any other entity the local government considers appropriate in deciding the application.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 71(9)    | Power to decide the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 71(11)   | Power to give the applicant and the assessment manager for the building work notice of the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 74(2)(b) | Power to require the person installing the service to give a copy of the notices to the assessment manager when they are given to QFRS.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 80(2)    | Power to include a condition that all, or a stated part, of the building or structure must comply with the building assessment provisions in force when the approval was granted.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 87       | Power to give a private certifier a document acknowledging receipt of the fee mentioned in subsection 86(1)(c).                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 92(2)    | <del>Power to in the specified circumstances take action considered necessary to complete the building work.</del> Power to take the action it considers necessary to complete the building work where the building development approval lapses and the building work is other than demolition.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 92(5)    | <del>In the specified circumstances power to authorise the use of all or part of any security given to the local government for the carrying out of the building work.</del> Power to use all or part of any security given to the local government for the carrying out of the building work.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Act 1975 | 93(1)             | <del>Power to, at any time, having regard to the progress of the building work, refund or release part of any security.</del> Power to refund or release part of any security given to the local government for the carrying out of the building work, at any time, having regard to the progress of the building work.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 95                | Power, as the assessment manager, to give a reminder notice about the lapsing.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 95(1)(a) and (b)  | Power for assessment manager to give a reminder notice.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 97(2)             | Power to consult with a private certifier with regard to further extensions of the period under the Planning Act, s 85(1) (currency period).                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 117               | Power, as the assessment manager, to take enforcement action against an owner contravening section 114 of the Act.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 124A(2)           | Power, as the owner of a building, to by notice ask for a copy of any inspection documentation for the inspection performed by the building certifier.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 143B(2)           | Power, as the owner of a building, to give an additional certification notice.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 190(1)            | Power to make a complaint to QBCC about a building certifier.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 206(1)            | <del>Power to:</del><br><del>(a) form the reasonable belief proper grounds exist for applying to the tribunal to start a disciplinary proceeding against a building certifier;</del><br><del>(b) before making the application give the building certifier a notice (a "show cause notice").</del><br>Power to give a building certifier a notice ('show cause notice'). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 207               | Power to consider any representations made under the show cause notice and decide to take no further action, or apply to the Queensland Civil and Administrative Tribunal to start a disciplinary proceeding against the building certifier.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 207(2)            | Power to:<br>(a) consider any representations made about a show cause notice;<br>(b) decide to:<br>(i) take no further action; or<br>(ii) apply to the tribunal to start a disciplinary proceeding against the building certifier.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 207(3)            | Power to give a building certifier written notice of the decision and the reasons for the decision.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 208(1)            | Power to apply to the Queensland Civil and Administrative Tribunal to conduct disciplinary proceeding to determine whether there are proper grounds for taking disciplinary action against a building certifier.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 210               | Power to notify the QBCC of its application to the Queensland Civil and Administrative Tribunal.                                                                                                                                                                                                                                                                         |                         |                                                                |
| Building Act 1975 | 221(2)            | Power to consult with any other entity considered appropriate in deciding an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).                                                                                                                    |                         |                                                                |
| Building Act 1975 | 221(2)(a)         | Power to consult with any other entity considered appropriate in deciding an application for a longer period for conformity with a fire safety standard.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 221(2)(b) and (3) | Power to grant (including with reasonable conditions) or refuse an application made by the owner of a budget accommodation building to approve a period for the building under section 220(a)(ii) or (b)(ii) (longer periods for approval).                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 221(3)            | Power to grant an application for a longer period for conformity with a fire safety standard with or without the reasonable conditions considered appropriate.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Act 1975 | 221(4)                     | Within 20 business days after receiving an application for a longer period for conformity with a fire safety standard, the power to:<br>(a) decide the application; and<br>(b) give the budget accommodation building's owner written notice of the decision. Power to decide the application and give the owner an information notice about the decision.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 222(2)                     | Within 20 business days after receiving an application for advice as to conformity with a fire safety standard, the power to:<br>(a) decide if the building conforms with the fire safety standard; and<br>(b) give the building owner written notice of the decision. Power to, on written application from the owner, decide whether or not a building conforms with fire safety standards and, if applicable, state what must be done to make the building conform. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 228(2)                     | Subject to subsection (1), the power to, at least once every 3 years, inspect the building to ensure the owner of the building is complying with Chapter 7, Part 4 in relation to the building. Power to inspect budget accommodation buildings at least once every 3 years.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 228(4)                     | Subject to subsection (1), the power to, at least once every 3 years, inspect the building to ensure the owner of the building is complying with Chapter 7, Part 4 in relation to the building. Power to inspect budget accommodation buildings at least once every 3 years.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 231AL                      | Power, as local government, on an application by the owner of an RCB for a later day to obtain a fire safety compliance certificate or certificate of occupancy to: (a) consult on the application;<br>(b) decide the application;<br>(c) impose conditions on the grant of an application;<br>(d) give an information notice about the decision.                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 231AL(1)                   | Where a written application is made by the owner of an RCB to obtain a fire safety (RCB) compliance certificate or certificate of classification, power to approve a later day for obtaining the certificate.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 231AL(3)                   | When approving a later day under section 231AL(1), power to:<br>(a) consult with QFRS; and<br>(b) any entity considered appropriate in deciding the application; and<br>(c) grant the application if it is satisfied undue hardship would be cause to the occupants of the RCB if the application were refused.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 231AL(4)                   | Power to grant the application and impose reasonable conditions considered appropriate.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 231AK(a)(iii) and (b)(iii) | Power, as local government, to approve, with or without conditions, a later day for a residential care building to comply with section 231AK of the <i>Building Act</i> .                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 236                        | Power to require an applicant to give the local government medical evidence to support an application. Power to require the applicant to give medical evidence to support the application.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 237                        | Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for a regulated pool due to disability (with or without conditions).                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 237(1)                     | Power to consider the application and within 5 business days after the application is made –<br>(a) grant the exemption; or<br>(b) refuse to grant the exemption.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 237(3)                     | Power to grant an exemption on the reasonable conditions it considers necessary or desirable to prevent a child from accessing the pool.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 238                        | Power to give notice of Council's decision (including an information notice about the decision).                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 238(1)                     | Power to give applicant written notice that an exemption has been granted.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 238(2)                     | Power to give applicant an information notice about refusal of exemption or conditions imposed on exemption.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

| Building Act 1975 | 239       | Power to give notice of each exemption granted under Chapter 8, Part 2, Division 3 to the QBCC commissioner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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| Building Act 1975 | 242(1)(b) | In the specified circumstances power to be satisfied 1 or more of the following applies:<br>(i) the decision on the application for the exemption was based on a false or misleading particular given by an applicant;<br>(ii) the exemption has ended under section 241 of the Building Act 1975;<br>(iii) the exemption was subject to conditions and there has been a contravention of a condition.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 242(2)    | <del>In the specified circumstances, the power to give an applicant a show cause notice inviting the applicant to show cause why a decision should not be revoked.</del> Power to give an applicant a show cause notice.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 242(3)    | <del>Power to:</del><br>(a) consider any representations made under a show cause notice; and<br>(b) give a further notice (a "revocation notice") to the applicant, revoke a decision previously given.<br>Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the applicant, revoking the decision previously given.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 243       | Power to give to the QBCC commissioner notice of each revocation notice given.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 244       | Power to keep a copy of each exemption granted and make the copy available for inspection and purchase as if it were a document, that under the Planning Act, the local government must make available for inspection and purchase.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245A      | <del>Power to require the owner of a regulated pool to give further information to establish that compliance with the part of the pool safety standard is not practicable.</del> Power to, on application by a pool owner for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable, require further information to establish that compliance with the part of the pool safety standard is not practicable.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245B(1)   | <del>Power to consider the application and decide to:</del><br>(a) grant the exemption; or<br>(b) refuse to grant the exemption.<br>Power to, on application by a pool owner, decide an application for exemption from complying with part of the pool safety standard relating to barriers for the regulated pool due to compliance being impracticable (with or without conditions).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245B(2)   | In deciding the application, power to consider:<br>(a) whether compliance with the part of the pool safety standard may require the owner to:<br>i) move or demolish a building or part of a building; or<br>ii) change the location of size of the regulated pool; or<br>iii) remove vegetation protected from removal under an Act or a local law;<br>(b) the cost of the barrier or work required to ensure the pool complies with the part of the pool safety standard, having regard to the nature of any existing barriers for the pool;<br>(c) other matters considered relevant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245B(3)   | Subject to section 245B(5), power to grant an exemption on reasonable conditions considered necessary or desirable to prevent a young child from accessing the pool.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245C(1)   | <del>If exemption is granted, power to give the applicant a written notice of the exemption.</del> Power to give written notice of the grant of an exemption.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245C(2)   | <del>If the exemption is refused, or conditions imposed, power to give the applicant an information notice about the decision.</del> Power to give an information notice.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245E(2)   | <del>Power to give the owner of regulated pool a show cause notice as to why the decision should not be revoked.</del> Power to give the owner of the regulated pool a show cause notice.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Act 1975 | 245E(3)          | <del>After considering any representations made under the show cause notice, power to issue a revocation notice to the owner, to revoke the decision previously given.</del> Power to consider any representations made under the show cause notice and give a further notice (a revocation notice) to the owner, revoking the decision previously given.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245F             | Power to give the QBCC commissioner the notices required by sections 245F(1) and 245F(2).                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245FA(2)         | Power to keep a copy of each exemption available for inspection and purchase as if it were a document that, under the Planning Act, must be available for inspection and purchase.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XB(2)         | Power, as owner of adjoining land, to agree with the pool owner as to the construction of a pool barrier along the common boundary.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XD(2)         | Power, as owner of adjoining land, to agree with the pool owner as to the alteration or replacement of a dividing fence that is used, or proposed to be used, as a pool barrier along the common boundary.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XF(2) and (3) | Power, as owner of adjoining land where a pool barrier is constructed along the common boundary for a pool on the other land, to:<br>•alter or replace the part of the pool barrier with the agreement of the pool owner; or<br>•attach a thing on the part of the pool barrier that does not unreasonably or materially alter or damage the barrier.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XG(1)         | Power, as owner of adjoining land, to grant access to Council's land to the owner of the other land to carry out fencing work.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XN(2)         | Power, as owner of adjoining land, where Council has carried out urgent fencing work under section 245XK of the <i>Building Act</i> and the owner of the other land is responsible for some or all of the costs of carrying out the fencing work under section 245XH of the <i>Building Act</i> , to require the owner of the other land to contribute a share for any reasonable cost incurred for the fencing work. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XS(1)         | Power, as owner of adjoining land, to apply to QCAT, in the absence of the owner of the other land, for authorisation to carry out fencing work, including apportionment of the contributions for the work.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XS(3)         | Power, as owner of adjoining land, where an order has been made under section 245XS(1) of the <i>Building Act</i> and the owner of the other land has since been located, to give a copy of the order to the owner of the other land and recover the contribution as stated in the order.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 245XV(2)         | Power, as owner of adjoining land, where the owner of the other land has carried out fencing work for a dividing fence forming part of a pool barrier without authorisation, to apply to QCAT for an order requiring the owner to rectify the dividing fence.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246ADA(2)        | Power to inspect a regulated pool for compliance when a pool safety complaint notice, or section 245I or 245UA notice is received.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246ADA(5)        | Power to take necessary enforcement action to ensure the pool complies with the pool safety standard or fencing standards for the pool.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AF(2)         | Power to cancel pool safety certificate for a regulated pool.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AF(3)         | Power to give the QBCC commissioner notice of the cancellation of the pool safety certificate for a regulated pool.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(1)         | Power to give a show cause notice before cancelling a pool safety certificate.                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(5)         | Power to consider submissions and decide whether to cancel a pool safety certificate.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(6)         | Power to give the owner notice of the decision.                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AE(2)         | Power for an employee or agent of the local government to enter land on which a regulated pool is situated to inspect the pool.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Building Act 1975 | 246AF(2)  | After complying with section 246AG, power to cancel a pool safety certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(1)  | Power to give the owner of a regulated pool a show cause notice before cancelling a pool safety certificate under s246AF(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(5)  | Subject to 246AG(4), power to:<br>(a) consider submissions; and<br>(b) (decide whether to cancel the pool safety certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(6)  | If the Local Government decides not to cancel the safety certificate, power to give notice to the owner of that decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AG(7)  | <del>If the Local Government decides to cancel the pool safety certificate, power to give the owner an information notice about that decision.</del> Power to give the owner an information notice about the decision.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AH     | Power to appoint or employ a pool safety inspector to conduct an inspection of a pool in the circumstances referred to in subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AIA    | Power to keep a record of a notice mentioned in section 246ADA(1) and the results of the inspection carried out under section 246ADA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AIB(2) | Power to comply with a request for information from the QBCC commissioner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246AQ     | Power to give the QBCC commissioner notice of each existing regulated pool in Council's local government area of which it has a record.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246ATC    | Power to give the swimming pool safety advisory information to the owner of each non-certificate regulated pool in its local government area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246X      | Power to, by gazette notice, designate land as a transport noise corridor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246X(1)   | A local government may by gazette notice designate land as a transport noise corridor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 246X(2)   | A local government may designate land under (1) only if:<br>(a) the land is within:<br>i) 100m if a road under its control; or<br>ii) A distance of more than 100m but not more than 200m of a road under its control, if the noise level caused by traffic on the road at the distance has been measured and approved by the CEO.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 248(1)    | <del>Power to give a notice (an "enforcement notice") to the owner of a building, structure or building work if the local government reasonably believes the building, structure or building work:</del><br>(a) was built before the commencement of this section without, or not in accordance with, the approval of the local government; or<br>(b) is dangerous; or<br>(c) is in a dilapidated condition; or<br>(d) is unfit for use of occupation; or<br>(e) is filthy, infected with disease or infested with vermin. Power to give a notice ('enforcement notice') to the owner of a building, structure or building work. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
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| Building Act 1975 | 248(2)    | <del>Power to give an enforcement notice to a person who does not comply with a particular matter in this Act.</del> Power to give an enforcement notice to a person who does not comply with a particular matter in the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 248(3)    | <del>Subject to section 248(4), the power to give a person a show cause notice.</del> Power to give a person a show cause notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 249(1)    | In the specified circumstances power to require a person to do any of the following:<br>(a) to apply for a development permit;<br>(b) to do, or not to do, another act to ensure building work complies with the approval of the local government given before the commencement of this section;<br>(c) to repair or rectify the building or structure;<br>(d) to secure the building or structure (whether by a system of support or in any other way);<br>(e) to fence off the building or structure to protect persons;<br>(f) to cleanse, purify and disinfect the building or structure;<br>(h) to comply with this Act for a particular matter. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 249(2)    | Power to require a person to demolish or remove the building or structure only if the local government reasonably believes that it is not possible and practical to take steps to comply with subsection (1)(c) to (f).                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 253       | Power to authorise an officer to enter a building or structure and remove all persons found there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(d) | <del>Power to make a complaint against the Building Act for an offence under section 245G(1).</del> Power, as local government, to make a complaint for an offence against section 245G(1) of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(e) | <del>Power to make a complaint for an offence against section 245K, 245L or 246AR(2) of the Building Act.</del> Power, as local government, to make a complaint for an offence against section 245K, 245L or 246AR(2) of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(f) | <del>Power to make a complaint for an offence against section 246AD(2) or 246AJ(4) of the Building Act.</del> Power, as local government, to make a complaint for an offence against section 246AD(2) or 246AJ(4) of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(g) | <del>Power to make a complaint for an offence against section 246AP(2) of the Building Act.</del> Power, as local government, to make a complaint for an offence against section 246AP(2) of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(h) | <del>Power to make a complaint for an offence against Chapter 8, part 4, division 5, subdivision 2 (excluding section 246ATH(2)) of the Building Act.</del> Power, as local government, to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the Building Act 1975.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(h) | <del>Power to authorise a person to make a complaint for an offence against Chapter 8, part 4, division 5, subdivision 2 (excluding section 246ATH(2)) of the Building Act.</del> Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 4, division 5, subdivision 2, other than section 246ATH(2) of the Building Act 1975.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(i) | <del>Power to make a complaint for an offence against Chapter 8, part 5 of the Building Act.</del> Power, as local government, to make a complaint for an offence against chapter 8, part 5 of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975 | 256(2)(i) | <del>Power to authorise a person to make a complaint for an offence against Chapter 8, part 5 of the Building Act.</del> Power, as local government, to authorise a person to make a complaint for an offence against chapter 8, part 5 of the Building Act 1975.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                 |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
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| Building Act 1975               | 256(2)(k) | <del>Power to make a complaint for another offence against the Building Act</del> Power, as local government, to authorise a person to make a complaint for an offence in the expired Building Regulation 2006, part 4A.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975               | 256(2)(k) | <del>Power to authorise a person to make a complaint for another offence against the Building Act</del> Power, as local government, to make a complaint for an offence in the expired Building Regulation 2006, part 4A.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975               | 256(2)(l) | Power, as local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975               | 262       | Power to extend the time for an owner of a swimming pool to comply with section 235 (where an extension under section 49H(11)(b) of the <i>Local Government Act 1936</i> is still in force.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975               | 262(3)    | In the specified circumstances power to at any time, and subject to such reasonable conditions as considered appropriate, extend the time for an owner to comply with section 235 if—<br>(a) the owner files a written application for an extension with the local government while a previously given extension is still in force; and<br>(b) the local government is satisfied that compliance within the time provided for in the previously given extension would cause the owner financial hardship. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Act 1975               | 266       | Power to decide that a building or structure is:<br>(a) dangerous; or<br>(b) in a dilapidated condition and unfit for use of or occupation; or<br>(c) filthy; or<br>(d) is infected with disease; or<br>(e) is infested with vermin.<br>(f) to allow for the alteration or removal of a building otherwise lawfully constructed before the commencement of the section.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Building Regulation 2021</b> |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Building Regulation 2021        | 7(4)      | Power, if it is not practicable to show each of the designated bush fire prone areas in Council's planning scheme maps, to:-<br>(a) prepare maps showing the areas;<br>(b) state the date each area was designated as a bush fire prone area; and<br>(c) ensure the maps are updated.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 8(4)      | Power to keep a register of the flood hazard areas Council designates and when each designation was made.                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 56(2)     | Power, in the circumstances listed in subsection 56(1), to take enforcement action against the builder.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 56(3)(a)  | Power, in the circumstances listed in subsection 56(3), to notify the QBCC of the builder's non-compliance with the enforcement notice.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 65(2)     | Power, as a referral agency in the circumstances listed in subsection 65(1), to give the builder and the building certifier a notice stating it will not inspect the building work or inspect or test the service.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 65(3)     | Power, as a referral agency in the circumstances listed in subsection 65(1), to:- (a) inspect the work or inspect or test the service;<br>(b) give the builder and the building certifier a notice stating the referral agency aspects comply with the building development approval or the referral agency aspects do not comply with the approval, and the reasons why they do not comply                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 88(2)     | Power, as an assessment manager in the circumstances listed in subsection 88(1), to give QFES a notice in the approved form.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021        | 89(2)     | Power as the prescribed person for a temporary accommodation building to ensure:- (a) a code checklist is completed for the temporary accommodation building; and<br>(b) a copy of the checklist is clearly displayed on or near the temporary accommodation building.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Regulation 2021 | 16Q(1)    | Power as an owner to:- (a)register, by using the online system, the owner's name and the address of the owner's private building; and<br>(b)give a copy of a completed combustible cladding checklist (part 1) for the building to the QBCC by using the online system.<br><br>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16Q(2)    | Power as an owner to apply to the QBCC commissioner to extend the time for complying with subsection (1). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16R       | Power as an owner to keep the completed combustible cladding checklist for the owner's private building in the way provided in subsections (a) and (b). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16S(2)(b) | Power, as an owner who knows or suspects that the building is an affected private building, to give the QBCC notice of that knowledge or suspicion.<br><br>NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16T(1)    | Power, as an owner to which section 16S applies, to give to the QBCC:- NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16T(3)    | Power, as an owner to which section 16S applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16U       | Power, as an owner to which section 16S applies, to keep the completed combustible cladding checklist (part 2) and a building industry professional statement for the owner's private building in the way provided in subsections (a) and (b). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16W(1)    | Power, as an owner to which section 16V applies, to give to the QBCC, the name and registration number of the fire engineer engaged by the owner for complying with part 4A, division 2, subdivision 3. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building.<br>This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                          |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
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| Building Regulation 2021 | 16W(2)          | Power as an owner to apply to the QBCC commissioner to extend the time for complying with subsection (1). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16X(1)          | Power, as an owner to which section 16V applies, to give to the QBCC a copy of each of the following documents for the owner's private building:- (a)a completed combustible cladding checklist (part 3); (b)a building fire safety risk assessment; and (c)a fire engineer statement. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16X(4)          | Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16Y             | Power, as an owner to which section 16V applies, to keep the documents listed in subsection (1) for the owner's private building for the period provided in subsections (2) and/or (3). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16ZA(1)         | Power, as an owner to which subsection 16Z applies, to display an affected private building notice in compliance with subsections (2) and (3). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16ZA(4) and (5) | Power, as an owner to which subsection 16Z applies, to give the QBCC, in the approved way, a compliance notice. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16ZB(2)         | Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is a body corporate roll kept for the building, give a copy of the building fire safety risk assessment to each lot owner, and each leasehold interest holder, for a lot in the building. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021 | 16ZB(3)         | Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is not a body corporate roll kept for the building, leave a copy of the building fire safety risk assessment at, or post a copy of the building fire safety risk assessment to, the address of each lot in the building. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Building Regulation 2021                    | 16ZD(2)(a) | Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the new owner:- (a) a notice, in the approved form, about the extent to which the original owner has complied with part 4A; and (b) a copy of each document given by or to the original owner under this part. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021                    | 16ZD(2)(b) | Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the QBCC a copy of the notice that is given to the new owner under subsection (2)(a)(i). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021                    | 16ZF(3)    | Power, as an original owner, to give the document/s referred to in subsection (1)(a) to the new owner before ownership of the building changes. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021                    | 16ZM(2)    | Power, as an owner, to comply with a notice given by the QBCC. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021                    | 16ZQ(2)    | Power, as an owner of the building, to apply to the QBCC commissioner to replace the original checklist. NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Regulation 2021                    | 16ZQ(5)    | Power, as an owner of the building, comply with the notice given by the QBCC commissioner under subsections 16ZQ(3) or (4). NB This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Building Fire Safety Regulation 2008</b> |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                         |                                                                |
| Building Fire Safety Regulation 2008        | 8(3)       | Power, as the occupier of a building, to take reasonable steps to ensure that a person does not obstruct an evacuation route of the building.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008        | 11(2)      | Power, as the occupier of a building, to ensure that a door on an evacuation route of the building is not locked, if the occupier knows, or reasonably ought to know, that a person is within the building on the internal side of the door.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008        | 12(3)      | Power, as the occupier of a building, in the circumstances set out in subsection 12(1), to ensure that a door on an evacuation route of the building cannot be locked in a way that would be likely to unduly restrict, hinder or delay a custodian for the occupant in opening the door.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008        | 13(4)      | Power, as the owner or occupier of a building, to ensure that a person does not:- (a) install or alter a mechanical ventilation or air conditioning system in the building in contravention of subsection 13(1); or (b) do another act in contravention of subsection 13(2).                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008        | 16         | Power, as the occupier of a building, to ensure that the number of persons in the building at any 1 time is not more than the maximum number that may be accommodated under subsection 16(1) or (2).                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                      |               |                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
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| Building Fire Safety Regulation 2008 | 21(2)         | Power, as the occupier of a building, to ensure that the fire and evacuation plan for the building:- (a)is kept in written form; and (b)states the matters mentioned in subsection 21(3); and (c)includes:- (i)the evacuation diagram of the building; and (ii)if an evacuation diagram has been made for a part of the building—the evacuation diagram of the part of the building.                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 22(2)         | Power, as a managing entity, in the circumstances set out in subsection 22(1), to ensure that the fire and evacuation plan takes into account the evacuation coordination procedures stated in the fire and evacuation plans for all parts of the building occupied by secondary occupiers.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 23(2)         | Power, as a secondary occupier of part of a multi-occupancy building, in the circumstances set out in subsection 23(1), to ensure that the fire and evacuation plan for the part of the building complements the evacuation coordination procedures under the fire and evacuation plan kept by the managing entity for the building.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 24(2)         | Power, as the occupier of a building, in the circumstances set out in subsection 24(1), to ensure that:- (a) a record of the fire safety management procedure is included in the building's fire and evacuation plan; and (b) the plan adequately reflects the procedure.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 25(1) and (2) | Power, as the occupier of a building, to:- (a) take reasonable steps to obtain the relevant approval documents for the building; and (b) keep a relevant approval document for the building, or a copy of the document, with the building's fire and evacuation plan.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 26(1)         | Power, as the occupier of a building, to:- (a) ensure the fire and evacuation plan for the building is made available for inspection in the building during its normal business hours; and (b) allow an interested person to inspect the fire and evacuation plan free of charge.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 26(2)         | Power, as the occupier of a building, to:- (a) Inspect the fire and evacuation plan for the building at any reasonable time; and (b) copy the plan.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 27(1)         | Power, as the occupier of a building, to change the fire evacuation plan in the circumstances listed in subsection 27(1).                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 27(2)         | Power, as the managing entity of a multi-occupancy building who changes the fire and evacuation plan for the building, to give written notice of the change.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 27(4)         | Power, as the secondary occupier of a part of a multi-occupancy building who changes the fire and evacuation plan for the part of the building, to give written notice of the change.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 28(1) and (2) | Power, as the occupier of a building, to:- (a)carry out a review of the fire and evacuation plan for the building; (b)keep a written record of the review; and (c)if the building is a high occupancy building—give a copy of the record to the fire safety adviser for the building.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 30(1)         | Power, as the occupier of a building, to display evacuation signs and evacuation diagrams for the building in compliance with subsections 30(2) and (3).                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 32(2) and (3) | Power, as the occupier of a building in the circumstances set out in subsection 32(1), to:- (a)give the person general evacuation instructions and first-response evacuation instructions for the building; and (b)give the evacuation coordination instructions for the building to the persons responsible for carrying out the evacuation coordination procedures under the fire and evacuation plan for the building. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 34(1)         | Power, as the occupier of a high occupancy building, to appoint a person who holds a current building fire safety qualification as the fire safety adviser for the building.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 35(1)         | Power, as the occupier of a building, to give general evacuation instructions for the building to each person working in the building at intervals of not more than 1 year.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 35(2)         | Power, as the occupier of a building, to give general evacuation instructions for the building to a person who starts working in the building no later than 2 days after the person starts working in the building.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                      |               |                                                                                                                                                                                                                                                                      |                         |                                                                |
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| Building Fire Safety Regulation 2008 | 35(4)         | Power, as the occupier of a building in the circumstances set out in subsection 35(3), to give the general evacuation instructions for the building, as changed, to each person working in the building no later than 1 month after the change.                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 36(1) and 37  | Power, as the occupier of a building, to give first-response evacuation instructions for the building to each person working in the building at intervals of not more than 2 years.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 36(2) and 37  | Power, as the occupier of a building, to give first-response evacuation instructions for the building to a person who starts working in the building no later than 1 month after the person starts working in the building.                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 36(4) and 37  | Power, as the occupier of a building in the circumstances set out in subsection 36(3), to give the first-response evacuation instructions for the building, as changed, to each person working in the building no later than 1 month after the change.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 38(1)         | Power, as the occupier of a building, to give the evacuation coordination instructions for the building to the responsible persons.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 38(4)         | Power, as the occupier of a building in the circumstances set out in subsection 38(3), to give the evacuation coordination instructions for the building, as changed, to the responsible persons no later than 1 month after the change.                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 39(2)         | Power, as the occupier of a building in the circumstances set out in subsection 39(1), to give the evacuation coordination instructions to the person within 1 month before the person becomes responsible for carrying out the evacuation coordination procedure.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 40(2)         | Power, as an entity who start to occupy a building, to give the evacuation coordination instructions for the building to the persons responsible for carrying out the evacuation coordination procedures under the building's fire and evacuation plan.              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 43(2)         | Power, as the occupier of a budget accommodation building, to ensure that an evacuation of the building is carried out in accordance with the building's fire and evacuation plan at intervals of not more than 1 year.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 44(2)         | Power, as the occupier of a building other than a budget accommodation, to ensure that an evacuation of the building is carried out in accordance with the requirements of the subsection.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 45(1)         | Power, as the occupier of a building, to keep a fire and evacuation instruction record for each occasion fire and evacuation instructions for the building are given to a person.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 46(1)         | Power, as the occupier of a building, to keep an evacuation practice record of each evacuation of the building carried out under section 43 or 44.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 48(1) and (2) | Power, as the owner of an accommodation unit in a building, to display in the unit a sign that complies with subsections 48(1) and (2).                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 54 (1)        | Power, as the occupier of a building, to ensure that maintenance of each prescribed fire safety installation for the building is carried out by an appropriately qualified person.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 54(2)         | Power, as the occupier of a building, to ensure that each prescribed fire safety installation for the building is inspected and tested at intervals in compliance with QDC, part MP6.1.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 54(4)         | Power, as the occupier of a building in the circumstances set out in subsection 54(3), to ensure that the repair is carried out or the corrective action is taken.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 55(1)         | Power, as the occupier of a building, to keep a record of maintenance, in compliance with subsections 55(2) and (3), for the maintenance of each prescribed fire safety installation for the building.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 55A           | Power, as the occupier of a building, to:- (a) prepare an occupier statement; (b) keep a copy of each occupier statement with the record of maintenance; and (c) give the commissioner a copy of the statement.                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 55B(2)        | Power, as an occupier in the circumstances listed in subsection 55B(1), to keep with the fire safety management plan for the building:- (a) the record of maintenance for the building; and (b) the occupier statements prepared under section 55A for the building. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008 | 57(4)         | Power, as the applicant for whom the assessment service has been provided, to pay the amount.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Building Fire Safety Regulation 2008                                                                                                                                     | 59(2)    | Power, as the applicant for the stated building work, to pay the base fee.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 60(2)    | Power, as the applicant for the stated building work other than stated building work mentioned in section 59, to pay the base fee and the special fire service fee.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 62(1)    | Power, as the applicant for the stated building work, to pay the assessment and inspection fee, the research fee, the fire engineering brief consultation fee and the fire engineering brief meeting fee.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 63(2)    | Power, as the applicant in the circumstances listed in subsection 63(1), to pay the research fee and the minor performance meeting fee.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 64(2)    | Power, as the applicant in the circumstances listed in subsection 64(1), to pay the service the reasonable travelling and accommodation costs of the representative attending the meeting.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 64A(2)   | Power, as the applicant for stated building work that is combustible cladding rectification work only, to pay the pay the service a fee for assessing or inspecting a required special fire service for the stated building work                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 65(2)    | Power, as the applicant in the circumstances listed in subsection 65(1), to pay the reassessment fee.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 66(2)    | Power, as the applicant in the circumstances listed in subsection 66(1), to pay the general inspection fee.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 67(2)    | Power, as the applicant in the circumstances listed in subsection 67(1), to pay the general inspection fee.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 68(2)    | Power, as the applicant in the circumstances listed in subsection 68(1), to pay the reinspection fee.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 69(2)    | Power, as the owner of the building in the circumstances listed in subsection 69(1), to pay the general inspection fee.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 71(2)    | Power, as the owner or occupier of the building in the circumstances listed in subsection 71(1), to keep a copy of the plan or document in the way required by the subsection.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 74(2)    | Power, as a person who proposes to make a building development application in the circumstances listed in subsection 74(1), to pay the fees required by the subsection.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Building Fire Safety Regulation 2008                                                                                                                                     | 75(2)    | Power, as a person with an interest in a building who gives the service a written request for a fire safety report for the building, to pay the fee.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Coastal Protection and Management Act 1995</b><br><b>The Purpose of this Act</b><br>An Act about the protection and management of the coast, and for related purposes |          |                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Coastal Protection and Management Act 1995                                                                                                                               | 25(2)(d) | Power to make submissions to the Minister regarding a draft coastal plan.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                               | 25(5)    | Power to make a copy of a draft coastal plan available for inspection by the public.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                               | 34(2)    | Power to comply with a request from the Chief Executive to carry out particular activities necessary to implement a coastal plan.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                               | 57       | Power to:- (a) make submissions to the Minister before a regulation, pursuant to section 54(1)(b), is made declaring, changing the boundaries of or abolishing a coastal management district; and (b) when making a submission, ask the Minister for a response on the submission. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                               | 59(5)    | Power to appeal against the chief executive's decision to give a coastal protection notice to Council.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                               | 60(7)    | Power to appeal against the chief executive's decision to give a tidal works notice to Council.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Coastal Protection and Management Act 1995 | 68(5), (6) and (9) | Power, as an owner of land or as a party with an interest in the land, to:- (a) give written notice to the chief executive claiming compensation at any time during, or within 3 months after, the chief executive's occupation and use of the land; and (b) make an agreement with the chief executive concerning the amount of compensation payable.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 72                 | Power to keep available for inspection by the public any document given to Council under section 70(2)(c) or 71(2)(b).                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 73                 | Power to make an application to the chief executive for an allocation of quarry material in tidal water.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 75(3)©             | Power to make a submission to the chief executive about Council's views on the removal of quarry material or placement of spoil regarding an application for allocation of quarry material.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 80(2)              | Power, as an allocation notice holder, to give the chief executive written notice:- (a) about the quantity of quarry material removed under the allocation in a period where a condition requires it; or (b) about the quantity of quarry material removed under the allocation in a quarter within 20 business days after the end of a quarter.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 82                 | Power, as an allocation notice holder, to apply to the chief executive to transfer all or part of the allocation to another person.                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 83                 | Power, as an allocation notice holder, to apply to the chief executive officer to renew the allocation notice.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 86(1)              | Power, as an allocation notice holder, to make representations to the chief executive showing why the allocation notice should not be amended, suspended or cancelled.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 88                 | Power, as an allocation notice holder, to surrender the allocation.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 115B(5)(a)         | <del>Power to endorse the plan of subdivision with the local government's acceptance of the trusteeship of the reserve. Power to endorse a plan of subdivision with Council's acceptance of trusteeship of the reserve.</del>                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 119(2)             | <del>In the specified circumstances, the power to certify on a plan of subdivision that shows an artificial waterway that - (a) the waterway, and any access channel associated with the waterway, is constructed in accordance with the development approval for the waterway; and (b) if the waterway is not a canal - you are satisfied arrangements have been made, or will be made, for the maintenance and management of the waterway. Power to certify a plan of subdivision which shows an artificial waterway.</del> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 121                | Power to maintain and keep clean each canal in its area and access channel for a canal in its area, whether or not the access channel is in its area.                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 123(5)             | Power:- (a) as an owner of freehold land; or (b) an occupier of land, other than freehold land, adjacent to State tidal land; or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to occupy and use State tidal land to carry out tidal works in accordance with a development permit or to maintain and use infrastructure constructed as part of tidal works.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 124                | Power:- (a) as an owner of freehold land adjacent to State tidal land; or (b) as an occupier of land, other than freehold land, adjacent to State tidal land ;or (c) as a public utility provider; or (d) as a trustee under any law or agreement, to ensure that tidal works are maintained in a safe condition.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 134(3)(a)          | Power, as an owner or occupier of land, to allow an authorised person to enter the land.                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 136                | Power to claim compensation if Council incurs a loss or expense because of the exercise or purported exercise of a power under chapter 3, part 2, division 1 by an authorised person.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995 | 150 and 152        | Power, as an owner of an interest in land, to claim compensation if the existing use that may be made of the land is changed by a prohibition imposed by the coastal plan or the declaration of a coastal management district.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 153(3) and (4) | Power, as an owner of an interest in land, to appeal against the decision of the chief executive regarding a claim for compensation under section 150.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 159            | Power to make an appeal to the Planning and Environment Court against the chief executive's decision to give Council a coastal protection or tidal works notice.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 164A           | Power to bring a proceeding in the Planning and Environment Court for a declaration about a matter done, to be done or that should have been done, for chapter 2, part 3, division 2.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 165            | Power to:- (a) where the chief executive has delegated powers under the Coastal Protection and Management Act 1995, to exercise those powers; and (b) sub-delegate the powers delegated by the chief executive under subsection (1) to an appropriately qualified entity.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 190            | Power to elect not to be the assessment manager (in which case Council cannot be a referral agency) for an application to make a minor change to a deemed approval under section 177.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 190(5)         | In the specified circumstances, the power to elect not to be the assessment manager for an application to amend.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 193            | Power to elect not to be the responsible entity for a request to make a permissible change to a deemed approval under section 177.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coastal Protection and Management Act 1995                                                                                                                                                                                                                                                                                                                                                                                             | 206(5)         | <del>In the specified circumstances, power to elect not to be the responsible entity for the change application.</del> Power to elect not to be the responsible entity for a change application.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Coexistence Queensland Act 2013</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Coexistence Queensland Act 2013                                                                                                                                                                                                                                                                                                                                                                                                        | 26(3)          | Power, as an entity given a notice under subsection 26(1), to comply with the notice.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Coexistence Queensland Act 2013                                                                                                                                                                                                                                                                                                                                                                                                        | 26(4)          | Power, as an entity given a notice under subsection 26(1), to inform the chairperson that an exemption applies to the requirement.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Disaster Management Act 2003</b><br><b>The Purpose of this Act</b><br>The main objects of this Act are as follows –<br>a) To help communities –<br>(i) Mitigate the potential adverse effects of an event; and<br>(ii) Prepare for managing the effects of an event; and<br>(iii) Effectively respond to; and recover from, a disaster or an emergency situation;<br>b) To provide for effective disaster management for the State. |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Disaster Management Act 2003                                                                                                                                                                                                                                                                                                                                                                                                           | 29             | <del>Power to establish a Local Disaster Management Group for the local government's area.</del> Power to establish a Local Disaster Management Group for the local government area.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003                                                                                                                                                                                                                                                                                                                                                                                                           | 31             | <del>Power to agree to unite with other local governments, with the approval of the Minister and the district disaster coordinator, for the purpose of establishing a local group.</del> Power to agree to unite with one or more other local government/s for the purpose of establishing a local group.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003                                                                                                                                                                                                                                                                                                                                                                                                           | 37             | <del>Power to give written notice of the members of a local group to:</del><br>(a) the chief executive; and<br>(b) the chairperson for the disaster district in which the local group is situated. Power to provide, at least once a year, written notice of the members of a Local Disaster Management Group to the chief executive and the chairperson of the district group for the disaster district in which the Local Disaster Management Group is situated. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003                                                                                                                                                                                                                                                                                                                                                                                                           | 57(1)          | <del>Power to prepare a plan (a local disaster management plan) for disaster management in the local government's area.</del> Power to prepare a local disaster management plan for disaster management in the local government's area.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                            |              |                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
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| Disaster Management Act 2003               | 57(2)(g)     | Power to consider other matters that are appropriate for inclusion in the local disaster management plan.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003               | 59           | Power to review, or renew, its local disaster management plan when local government considers it appropriate.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003               | 59(1)        | Power to review or renew a local disaster management plan when considered appropriate, subject to sub-section 2.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003               | 60           | Power to, on payment of the appropriate fee, give a person a copy of the local disaster management plan.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003               | 60(1)(c)     | Power to consider the places where a copy of the local disaster management plan should be available for inspection, free of charge, by members of the public. Power to decide the other places at which the local disaster management plan is to be available for inspection.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
|                                            | 60(3)        | Power to decide the fee for provision of a copy of the local disaster management plan.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Act 2003               | 61           | Power to, with the approval of the Minister and the district group for the disaster district in which the local government is situated, to agree to unite with other local governments for the purpose of preparing a local disaster management plan. Power to agree to unite with one or more other local governments for the purpose of preparing a local disaster management plan. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Disaster Management Regulation 2014</b> |              |                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Disaster Management Regulation 2014        | 5(1)         | Power to appoint a person to a district disaster management group for a disaster district.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 5(1)(c)(i)   | Power to appoint a person, if there is 1 local government only in the disaster district for the district group, as a member of a district group.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 5(1)(c)(ii)  | Power to appoint a person, if there are 2 or more local governments in the disaster district and none of the local governments unite under section 31 of the <i>Disaster Management Act 2003</i> , as a member of a district group.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 5(1)(c)(iii) | Power to appoint a person, if there are 2 or more local governments in the disaster district and all the local governments unite under section 31 of the <i>Disaster Management Act 2003</i> , as a member of a district group.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 5(1)(c)(iv)  | Power to appoint a person, if there are 3 or more local governments in the disaster district and not all the local governments unite under section 31 of the <i>Disaster Management Act 2003</i> , as a member of a district group.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 5(6)         | Power to inform the chief executive of the department, and the chairperson of the district group, of an appointment under section 5(1).                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 7(1)         | Power to nominate a person to a temporary district disaster management group.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 7(1)(b)      | Power to nominate a person as a member of a temporary district group.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 9(1)         | Power to appoint a person as a member of a local group. Power to appoint a person as a member of a local disaster management group.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 9(4)         | Power to be satisfied that a person has the necessary expertise or experience to be appointed as a member of a local group.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Disaster Management Regulation 2014        | 10(1)        | Power to appoint the chairperson and deputy chairperson of a local group. Power to appoint a chairperson and deputy chairperson of a local disaster management group.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Economic Development Act 2012</b>       |              |                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Economic Development Act 2012              | 36B          | Power to make a submission about a draft provisional land use plan.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012              | 36C(3)       | Power to consult with MEDQ about a draft provisional land use plan.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012              | 36I(3)       | Power to make a submission about a proposed amendment of a provisional land use plan.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012              | 36I(3)       | Power to consult with MEDQ about a proposed amendment of a provisional land use plan.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012              | 40B          | Power to consult with MEDQ about a proposed declaration under section 40C(1).                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |                                                     |                                                                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
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| Economic Development Act 2012 | 40H(1)                                              | Power to consult with MEDQ about a proposed PDA instrument change.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40I                                                 | Power, if asked by MEDQ, to prepare the proposed instrument for the planning instrument change.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40J(a)                                              | Power to consult with MEDQ about a proposed instrument for a planning scheme change.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40J(b)                                              | Power, as the proposer of the planning instrument change, to consult with any government entity, GOC or other entity it considers will be likely to be affected by the proposed planning instrument change.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40K(2)                                              | Power, as the proposer of the planning instrument change, to give MEDQ the proposed instrument for its approval.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40K(6)                                              | Power, as the proposer of the planning instrument change, to amend the proposed instrument for a planning instrument change in compliance with conditions imposed by MEDQ under section 40K(3)(b).                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 40M(2)                                              | Power to publish on its website the planning instrument change made or approved under section 40K.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 41(5)(b)                                            | Power to make submissions to MEDQ about the proposed planning instrument change.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 42A, 42B, 42C, 42D, 42E, 42G, 42H, 42I, 42J and 42L | Power as the proposer to prepare a proposed planning instrument change. For the avoidance of doubt this power includes all actions and all matters required to be considered under sections 42A, 42B, 42C, 42D, 42E, 42G, 42H, 42I, 42J and 42L of the <i>Economic Development Act 2012</i> .                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 43(3)                                               | Power to agree to the making of a regulation making an interim local law.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 51AJ                                                | Power, as the enforcement authority under the Planning Act for a Planning Act approval and where chapter 3, part 2, division 4, subdivision 3 applies, to commence proceedings in the court seeking a declaration mentioned in section 51AJ(3).                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 51AQ(2)                                             | Power, as the enforcement authority under the Planning Act for a Planning Act approval and where chapter 3, part 2, division 4, subdivision 3 applies, to give an infrastructure charges notice if the circumstances in section 51AQ(2) apply.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 51AU(6)                                             | Power, as a distributor-retailer under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> (SEQW(DRR)A) and where a water connection aspect of a water approval mentioned in section 51AU of the <i>Economic Development Act 2012</i> is amended, to give an infrastructure charges notice under the SEQW(DRR)A in relation to the amendment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 52(3)                                               | Power to comply with a request by MEDQ to supply documents or information.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 58(2)(a)                                            | Power to consult with MEDQ about a proposed development scheme.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 82(1)(b)                                            | Power as an owner of land to consent to the making of a PDA development application.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 84(4)(d)                                            | Power to make submissions to MEDQ about a PDA development application.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 98(1)                                               | Power as an owner of land to consent in writing to the cancellation of a PDA development approval.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 116E(3)(d)                                          | Power as a superseding public sector entity to continue to make and levy the infrastructure expenses recoupment charge.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 122(2)                                              | Power to consult with MEDQ about a proposed infrastructure agreement likely to continue to apply in relation to land after the land ceases to be in, or to be PDA-associated land for, a priority development area.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 127(4)                                              | Power as a directed entity to do everything reasonably necessary to comply with a direction given by MEDQ.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 128(4)                                              | Power as a directed entity to comply with a direction given by MEDQ to provide or maintain stated infrastructure in, or relating to, a stated priority development area.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012 | 169(4)                                              | Power to subdelegate a function or power of                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |         |                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
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| Economic Development Act 2012     | 171B    | Power, where serving a document under the Economic Development Act 2012, to effect service by giving the receiver a communication stating that: (a) the relevant document can be viewed on a stated website or other electronic medium; and (b) the receiver may ask for a copy of the relevant document.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012     | 171B(6) | Power, where serving a document under section 171B(1) or (2), and where the receiver has asked for a copy of the relevant document, to give the receiver a copy of the relevant document.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012     | 213(2)  | Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Economic Development Act 2012     | 214(2)  | Power as a directed entity, in the circumstances specified in subsection (1), to comply with the direction.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Electrical Safety Act 2002</b> |         |                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Electrical Safety Act 2002        | 30      | Power as a person conducting a business or undertaking to ensure the business or undertaking is conducted in a way that is electrically safe.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 36      | Power as an installer to comply with the requirements of subsection 36(2).                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 37      | Power as a repairer to comply with the requirements of subsections 37(2) and (3).                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 38      | Power as a person in control of electrical equipment to ensure it is electrically safe.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 48E     | Power as a person to register any matter, or record any information about a matter in the national register.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 49(1)   | Power to give an electrical safety undertaking.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 54(1)   | Power, as a person who has given an electrical safety undertaking, to, with the written agreement of the regulator:-<br>(a) withdraw the undertaking; or<br>(b) vary the undertaking.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 57AA    | Power as a person is conducting a business or undertaking that includes the performance of electrical work to ensure:- (a) the electrical work is performed by the holder of an electrical work licence that authorises the performance of the work; and (b) any supervision of the electrical work is carried out by the holder of an electrical work licence that authorises the performance of the work. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 57AB    | Power, as a relevant person, in the circumstances listed in subsection 57AB(1):- (a) keep a register of licensed workers in a way that complies with subsection 57AB(3); and (b) if asked by an inspector, make the register available for immediate inspection by the inspector.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 57AC    | Power, as a relevant person, in the circumstances listed in subsection 57AC(1), to comply with those matters listed in subsection 57AC(2).                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 57B(2)  | Power, as the recipient of a notice under subsection 57B(1), to give written representations to the regulator.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 57B(6)  | Power, as the recipient of a notice under subsection 57B(1), to comply with the requirement.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 138(2)  | Power to comply with a requirement of an inspector to give reasonable help made under subsection 138(1)(i).                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 141(6)  | Power to comply with a requirement of an inspector made under subsection 141(1)(a) or (b).                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 141G(9) | Power to comply with a requirement of an inspector made under subsection 141G(6) or (8).                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 141H(2) | Power to comply with a requirement of an inspector made under subsection 141H(1).                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 141L(3) | Power to comply with a requirement of an inspector made under subsection 141L(2).                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002        | 142B    | Power to claim compensation from the State where Council incurs loss or expense because of the exercise or purported exercise of a power under Part 11, Division 2.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Electrical Safety Act 2002               | 143(5)  | Power to comply with a requirement of an inspector made under subsection 143(3).                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 146B    | Power to comply with an improvement notice.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 147(6)  | Power to comply with:- (a) a direction of an inspector made under subsection (2)(a); and (b) the electrical safety protection notice.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 148(3)  | Power to comply with an unsafe equipment notice.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 149B(1) | Power to comply with a non-disturbance notice.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 149H(1) | Power to display a notice issued by an inspector that affects a Council workplace in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 169     | Power, as a person affected by an original decision, to apply for the decision to be reviewed.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 172     | Power, as a person affected by decision listed in subparagraphs 172(a) to (e), to apply to QCAT for the decision to be reviewed.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 186A(1) | Power, in the circumstances listed in subparagraphs 186A(1) and (1A), to make a written request to the regulator that a prosecution be brought.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 186A(3) | Power, in the circumstances listed in subparagraph 186A(3), to make a written request to the regulator to refer the matter to the Director of Public Prosecutions for consideration.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Act 2002               | 187J(1) | Power to comply with an order made under Part 13, Division 3.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Electrical Safety Regulation 2013</b> |         |                                                                                                                                                                                                                                                                                                         |                         |                                                                |
| Electrical Safety Regulation 2013        | 11      | Power, as a person conducting a business or undertaking at a workplace, to manage risks to health and safety associated with electrical risks at the workplace in accordance with the <i>Work Health and Safety Regulation 2011</i> , chapter 3, part 3.1.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 14      | Power, as a person conducting a business or undertaking, to ensure that electrical work is not carried out on electrical equipment while the equipment is energised.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 15      | Power, as a person conducting a business or undertaking, to ensure that, before electrical work is carried out on electrical equipment, the equipment is tested by a competent person to decide whether or not it is energised.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 16      | Power, as a person conducting a business or undertaking, to ensure that electrical equipment that has been de-energised to allow electrical work to be carried out on it is not inadvertently re-energised while the work is being carried out.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 18      | Power, as a person conducting a business or undertaking, to ensure that electrical work on energised electrical equipment is not carried out unless one of the requirements in subsection 18(1) are met.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 19      | Power, as a person conducting a business or undertaking, to ensure the steps listed in subsection 19(1) are taken before electrical work on energised electrical equipment commences at a workplace                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 20      | Power, as a person conducting a business or undertaking, to ensure that only persons authorised by Council enter the immediate area in which electrical work on energised electrical equipment is being carried out.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 21      | Power, as a person conducting a business or undertaking, to ensure that, while electrical work is being carried out on energised electrical equipment, all persons are prevented from creating an electrical risk by inadvertently making contact with an exposed energised component of the equipment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013        | 22      | Power, as a person conducting a business or undertaking, to ensure that electrical work on energised electrical equipment is carried out in accordance with the requirements of subsections 22(1) and (2).                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Electrical Safety Regulation 2013 | 23    | Power, in the circumstances listed in subsection 23(1), to:- (a)keep a copy of the risk assessment;<br>(b)keep a copy of the safe work method statement;<br>(c)ensure a copy of each assessment and each statement is readily accessible to any worker engaged by Council to carry out electrical work to which the assessment or statement relates; and (d)ensure that a copy of each assessment and each statement is available for inspection under the Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 28    | Power, as a person conducting a business or undertaking, to ensure workers who are required to perform, or help in performing, electrical work are competent in rescue and resuscitation in accordance with recognised practices in the electricity industry.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 31(2) | Power, as a person conducting a business or undertaking, to ensure Council's workers do not contravene subsection 31(1).                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 32(2) | Power, as a person conducting a business or undertaking, to ensure Council's workers do not contravene subsection 32(1).                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 68(1) | Power, as a person conducting a business or undertaking, to ensure, so far as is reasonably practicable, that no person, plant or thing at the workplace comes within an unsafe distance of an overhead or underground electric line.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 68(2) | Power, as a person conducting a business or undertaking, where it is not reasonably practicable, to ensure the safe distance of a person, plant or thing from an overhead or underground electric line, to take those steps required by subsection 68(2).                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 71(1) | Power, as a person conducting a business or undertaking that performs electrical work on an electrical installation, to ensure the electrical installation, to the extent it is affected by the electrical work, complies with the requirements of subsection 71(1).                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 72(2) | Power, as a person conducting a business or undertaking that performs work on water equipment, to ensure that a person does not contravene subsection 72(1).                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 73(2) | Power, as a person conducting a business or undertaking that performs work on an electric motor, to ensure that a person does not contravene subsection 73(1).                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 74    | Power, in the circumstances set out in section 74, to take all reasonable steps to ensure the defect is fixed.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 76(2) | Power, as the person in control of the electrical installation that receives electricity distributed by an electricity entity, to do those things required by subsection 76(2).                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 77(1) | Power, as the person in control of the electrical installation, to ensure that any structure supporting an electric line or item of electrical equipment forming part of the electrical installation complies with the requirements of subsection 77(1).                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 78    | Power, as the person in control of the electrical installation, to maintain, to a reasonable extent, the integrity of the insulation of any electric line, or connection to an electric line, that is part of the electrical installation                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 79    | Power, as the person in control of an overhead electric line, to ensure that trees and other vegetation are trimmed, and other measures taken, to prevent contact with the line that is likely to cause injury from electric shock to any person or damage to property.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 80(1) | Power, as the person in control of an overhead electric line, to ensure that , if the line is disconnected from its electricity supply, the line is:- (a)dismantled as soon as practicable after disconnection; or<br>(b)maintained so it is electrically and mechanically safe.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 82(2) | Power, as the transferor of residential land, to, on or before the date of possession for the land, give the transferee of the land written notice of whether an approved safety switch has been installed for the general purpose socket-outlets installed in the domestic residence on the land.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 83(1) | Power, as the transferor of residential land, to, within 90 days after the date of possession for the land, give the regulator a written notice stating the transfer and safety switch information.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 84(2) | Power, in the circumstances set out in subsection 84(1), to have an approved safety switch installed for the general purpose socket-outlet.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Electrical Safety Regulation 2013 | 85(2)  | Power, as the owner of the residential land in the circumstances set out in subsection 85(1), to ensure an approved safety switch is installed for the general purpose socket-outlet as soon as practicable after becoming aware of the proposed residential tenancy agreement or that the proposed residential tenancy agreement has been entered into. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 101(1) | Power, as a person conducting a business or undertaking, to ensure that any unsafe electrical equipment at the workplace complies with subsection 101(1).                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 102(1) | Power, as a person conducting a business or undertaking, to ensure that any cord extension set or flexible cable at the workplace complies with subsection 102(1).                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 104(1) | Power, as a person conducting a business or undertaking, to ensure that all electrical equipment for the performance of work complies with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites)                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 104(3) | Power, as a person conducting a business or undertaking, to ensure, for the purposes of the business or undertaking, electrical equipment mentioned in AS/NZS 3012, clause 3.1 is not fitted with a tag that includes the test or retest date for the equipment unless the requirements of subsection 104(3).                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 104(5) | Power, as a person with management or control of a workplace where construction work is being carried out, to ensure that all construction wiring at the workplace complies with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites).                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 106(2) | Power, as a person conducting a business or undertaking to which section 105 applies, to ensure workers carrying out work for the person do not use a double adaptor or piggyback plug.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 107    | Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that specified electrical equipment of the person at the workplace complies with the requirements of subsections 107(1), (3) and (4).                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 110(2) | Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that each safety switch, other than a portable safety switch, at the workplace complies with subsection 110(2).                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 110(3) | Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that each portable safety switch the person has at the workplace complies with subsection 110(3).                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 110(4) | Power as a person conducting a business or undertaking to which section 105 applies, to ensure that each safety switch that is not working properly complies with subsection 110(4).                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 112    | Power as a person conducting a business or undertaking to which section 111 applies, to ensure that specified electrical equipment of the person at the workplace is not used to perform work unless it complies with subsections 112(1), (2) and (3).                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 113(2) | Power, as a person conducting a business or undertaking to which section 111 applies, to ensure that each safety switch, other than a portable safety switch, at the workplace complies with subsection 113(2).                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 113(3) | Power, as a person conducting a business or undertaking to which section 111 applies, to ensure that each portable safety switch the person has at the workplace complies with subsection 113(3).                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 113(4) | Power, as a person conducting a business or undertaking to which section 111 applies, to ensure that each safety switch that is not working properly complies with subsection 113(4).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 209(2) | Power, in the circumstances listing in subsection 209(1), before the work starts, to give the electricity entity whose works include the electric line written notice in a form approved by the electricity entity.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 209(4) | Power, in the circumstances listing in subsection 209(1), to pay the costs reasonably incurred by the electricity entity acting under subsection 209(3).                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 230(2) | Power, , as a person conducting a business or undertaking, to keep a copy of the report of the examination, inspection or test for at least 5 years after the report is made.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |        |                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
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| Electrical Safety Regulation 2013 | 241(2) | Power, before installing a cathodic protection system, to:- (a) advise all relevant persons for the proposed cathodic protection system of the proposal to install the system; and (b) allow the relevant persons to examine the proposal.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 242    | Power, as the owner of a cathodic protection system, to ensure that the system is designed and installed in accordance with the requirements of the cathodic protection standard.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 243(1) | Power, as the owner of a cathodic protection system, to comply with the requirements of subsection 243(1).                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 244    | Power, as the owner of a cathodic protection system, to perform tests.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 245    | Power, as the owner of a cathodic protection system that is a registered system, to perform further tests and interference tests.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 246    | Power, as the owner of a relevant system, to perform interference tests on all foreign structures for the system.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 247    | Power, as the owner of a cathodic protection system, where required by the regulator, to perform interference tests on a foreign structure for the system not previously tested by the owner.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 248(1) | Power, as the owner of a cathodic protection system in the circumstances required by subsection 248(1), to keep records of tests carried out under this division for 10 years.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 248(2) | Power, as the owner of a cathodic protection system, if asked by the regulator, to give copies of the records within 14 days after the request.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 249(2) | Power, as the owner of a cathodic protection system, if required by the regulator, to provide access to, and facilities for the testing of, the system.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 250    | Power, as the owner of a cathodic protection system, to ensure the system complies with the requirements of section 250 for a cathodic protection system.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 251    | Power, as the owner of a cathodic protection system, to ensure the system complies with the requirements of section 251 for a cathodic protection system.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 252    | Power, as the owner of a cathodic protection system, to ensure that the tolerances for measuring instruments used to test the system comply with the safety and technical requirements of the cathodic protection standard.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 253    | Power, as the owner of a registrable system installed on land or premises not owned by the owner of the system, to identify the location of each anode groundbed of the system by erecting as close as practicable to the anode groundbed a clearly visible, durable sign suitably and indelibly inscribed with the location of the anode groundbed and the name of the owner of the system. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 255    | Power to apply for registration of a cathodic protection system that is a registrable system and give the regulator further relevant information the regulator requires to decide the application.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 259(1) | Power, as the owner of a registered system, to give notice of the change in name or address.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 261    | Power, as the owner of a registered system, to give notice of the removal or the making inoperable.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 262(1) | Power, as the owner of a registered system that is changed or where its method of operation is changed, to advise the regulator and give written notice complying with subsection 262(2).                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 262(3) | Power, where required by the regulator, to take all or part of the action an applicant for registration of a registrable system is required to take under Part 13.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 265(1) | Power, as a person who conducts a business or undertaking, to ensure that the regulator is notified, in a way that complies with subsections (2) to (4) , immediately after becoming aware that a serious electrical incident or dangerous electrical event arising out of the conduct of the business or undertaking has occurred.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electrical Safety Regulation 2013 | 265(6) | Power, as a person who conducts a business or undertaking, to keep a record of each serious electrical incident or dangerous electrical event for at least 5 years after the day that notice of the incident or event is given to the regulator.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Electrical Safety Regulation 2013     | 269(2)          | Power, if a serious electrical incident or dangerous electrical event happens at a place, to ensure, so far as is reasonably practicable, that the site where the incident or event occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Electricity Act 1994</b>           |                 |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Electricity Act 1994                  | 102(2)          | Power, as a road authority, to enter a written agreement with an electricity entity.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 102(4)          | Power, as a road authority, to give an electricity entity information about lines and levels for proposed roadworks.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 103             | Power, as a road authority, to consult with an electricity entity.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 106             | Power, as a public entity, to require an electricity entity to alter the position of the electricity entity's works in a publicly controlled place if the works could interfere with the exercise of the public entity's powers for the place.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 117(2)          | Power, as a public entity, to refer a dispute with an electricity entity arising under Chapter 4, Part 4 of the Act to the Regulator.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 214,215,216,217 | Power, as a person whose interests are affected by a decision mentioned in schedule 1, to apply to the reviewer for internal review of the decision, including all steps necessary to progress the internal review (such as applying for a statement of reasons, applying to QCAT for a stay, participating in a mediation or arbitration). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Act 1994                  | 219             | Power, as a person whose interests are affected by a decision of the regulator under section 218 to apply to QCAT for an external review of the decision.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Electricity Regulation 2006</b>    |                 |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Electricity Regulation 2006           | 18(3)           | Power, as a public entity, to agree on a different consultation period with an electricity entity.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Regulation 2006           | 19(1)           | Power, as a public entity, to impose reasonable requirements on an electricity entity that proposes to undertake action on a publicly controlled place.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Regulation 2006           | 20(2)           | Power, as a public entity, to require an electricity entity to provide additional warning or protection devices to safeguard the public whilst taking action on a publicly controlled place.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Regulation 2006           | 21(2)           | Power, as a public entity, to agree with an electricity entity about the restoration of a publicly controlled place that has been opened or broken up, including the power to impose reasonable conditions and requirements for the restoration.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Regulation 2006           | 22(2)           | Power, as a public entity, to agree with an electricity entity about the way maintenance work is to be carried out.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Electricity Regulation 2006           | 24              | Power, as a local government, to consult with a person about the installation of a low voltage electricity line beyond the person's property, including the power to state in writing whether or not Council has any objection to the proposal.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Environmental Offsets Act 2014</b> |                 |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Environmental Offsets Act 2014        | 12(3)           | Power to make an environmental offsets policy available for inspection.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 14 and 15       | Power, as an administering agency, to impose an offset condition if the circumstances in sections 14 and 15 apply.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 19(1)           | Power to consider a notice of election and any offset delivery plan.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 19(2)           | Power to decide whether it is appropriate to deliver the environmental offset in the way stated in the notice of election, and any offset delivery plan, or whether the offset should be delivered in a different way and to give notice of the decision.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 19(7)           | Power to agree to amend either or both of the agreed delivery arrangement and an offset delivery plan.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 19A             | Power to give the notice required to be given under subsection (4).                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 20              | Power to enter another agreed delivery arrangement.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014        | 25A             | Power to decide an application to remove duplicate conditions, make other amendments to the authority, and give notice of the decision.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 26    | Power, as a relevant agency, to enter an environmental offset agreement.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 28    | Power, as a relevant agency, to enter another environmental offset agreement that varies, or terminates and replaces, an earlier environmental offset agreement.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 35    | Power, in the circumstance specified in subsection 35(1)(a), to give a compliance notice in relation to the terms of the environmental offset agreement.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 39    | Power, where Council has given a compliance notice and the person contravenes it by not doing something, to do the thing and recover any reasonable costs or expenses incurred in doing it as a debt.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 89(1) | Power to credit amounts received by Council as a financial settlement offset to Council's trust fund.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 89(2) | Power to transfer an amount received by Council as a financial settlement offset in one of the circumstances listed in subsection (2).                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 90    | Power, as an administering agency, to keep a register of the matters listed in subsection one, make the register available for inspection and give information held on the register to the chief executive.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Act 2014                                                                                                                                                                                                                                                                       | 95B   | Power, as an administering agency, to decide an application to amend:- (a) an existing authority; (b) an authority granted, on or after commencement, as the result of an application that was made but not dealt with, before commencement, and to do all things authorised or required by section 95B following the making of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Environmental Offsets Regulation 2014</b>                                                                                                                                                                                                                                                         |       |                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 16(2) | Power, as an owner of land proposed to be included within a new area covered by a later environmental offset agreement, to decide whether or not to consent to the amended declaration of the environmental offset protection area.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 14    | Power, as a decision maker, to decide an application for an area of land to be identified as an advanced offset and to do all things authorised or required by section 14 following the making of the decision.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 14(7) | Power, as a decision maker, to remove an advanced offset from the register kept under section 90 of the Act.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 15    | Power, as a decision maker, to decide an application to vary the boundary of an area of land identified as an advanced offset and to do all things authorised or required by section 15 following the making of the decision.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 18(2) | Power, as a relevant entity, to extend the time for applying for internal review.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Offsets Regulation 2014                                                                                                                                                                                                                                                                | 19    | Power, as a relevant entity, to review a reviewable decision, make an internal review decision and to do all things authorised or required by section 19 following the making of the decision.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Environmental Protection (Water) Policy 2009</b><br><b>The Purpose of this Act</b><br>The purpose of this policy is to achieve the object of the Act in relation to Queensland Waters                                                                                                             |       |                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Environmental Protection (Water) Policy 2009                                                                                                                                                                                                                                                         | 16(2) | Power, as a recognised entity, in cooperation with the chief executive, to develop and implement a healthy waters management plan.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection (Water) Policy 2009                                                                                                                                                                                                                                                         | 24(2) | Power to cooperate with the Chief Executive (fisheries) in developing and implementing a healthy waters management plan.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Environmental Protection Act 1994</b><br><b>The Purpose of this Act</b><br>An Act to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends. |       |                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |



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| Environmental Protection Act 1994 | 42 and 43   | Power, as an affected person, to make written comments to the chief executive about a TOR notice.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 54          | Power to make a written submission about a submitted EIS.                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 128         | Power, as an administering authority, to give an applicant a notice about an application that is not a properly made application.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 128(2)      | In certain circumstances, the power to give the applicant a notice.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 129         | Power to agree a further period within which the applicant must give notice under section 128                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 129(2)      | In certain circumstances, the power to agree to a further period with the applicant.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 130(3)(a)   | Power, as an administering authority, to give a notice or other document relating to an application made by joint applicants, to the principal applicant nominated in the application.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 130(3)(b)   | Power, as an administering authority, to make a requirement under Chapter 5 relating to an application made by joint applicants, to the principal applicant nominated in the application.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 130(3)      | In certain circumstances, the power to:<br>(a) give a notice or other document relating to the application to all the applicants, by giving it to the principal applicant nominated in the application; or<br>(b) make a requirement under this chapter relating to the application of all the applicants, by making it of the principal applicant nominated in the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 131(d)      | In certain circumstances, power to be satisfied that a change would not adversely affect the ability of the authority to assess the changed application.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 132         | Power, as an administering authority, to refuse to allow a change to an application if the change would result in the application not being a properly made application and the applicant does not take action to make the remade application properly made.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 133         | Power, as an administering authority, to give written agreement that a change to an application is a minor change.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 133(1)(b)   | Power to agree in writing to the change.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 134(4)      | In certain circumstances, the power to be satisfied that the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 136(b)(i)   | Power, as an administering authority, to determine satisfaction that the requirements under the application stage have been complied with.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 140         | Power, as an administering authority, to make a written information request to the applicant to give further information needed to assess the application.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 140(1)      | Power to ask the applicant, by written request (an <i>information request</i> ), to give further information needed to assess the application.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 143(2)      | In certain circumstances, the power to include in an information request a requirement that the applicant provide an EIS for the application.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 145 and 147 | Power, as an administering authority, to agree to extend the applicant's information request response period.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 145(1)      | Power to, by written notice given to the applicant and without the applicant's agreement, extend the information request period by not more than 10 business days.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 145(3)      | Power to request a further extension of the information request period.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 147(3)      | Power to, within 5 business days after receiving the request:<br>(a) decide whether to agree to the extension; and<br>(b) give an information notice of the decision.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 148 (b)(i)  | Power, as an administering authority, to determine not to make an information request.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                |                                                                                                                                                                                                                                                           |                         |                                                                |
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| Environmental Protection Act 1994 | 150(1)(d)      | In certain circumstances, the power to be satisfied that the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 152(3)         | Power to:<br>(a) give the applicant an information notice about the decision before the application notice is given; and<br>(b) decide an additional or substituted way to give or publish the application notice.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(2)         | In certain circumstances, power to decide whether to allow the application to proceed under this part as if the noncompliance had not happened.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(3)         | In certain circumstances, power to be satisfied that there has been substantial compliance with the public notice requirements.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(4)         | In certain circumstances, power to within 10 business days after the decision is made, give the applicant written notice of the decision.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(5)(b)(i)   | In certain circumstances, power to:<br>(a) fix a substituted way to give or publish the application notice; and<br>(b) give the applicant written notice of the substituted way.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(5)(b)(ii)  | In certain circumstances, power to:<br>(a) fix a new submission period for the application; and<br>(b) give the applicant written notice of the period.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 159(5)(b)(iii) | In certain circumstances, power to give the applicant an information notice about the decision.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 160            | Power to, within the submission period, make a submission to the administering authority about the application.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 161(3)         | Power to accept a written submission even if it is not a properly made submission.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 162(1)         | In certain circumstances, power to, by written notice, amend or replace a submission.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 168(2)         | In certain circumstances, the power to, by written notice given to the applicant and without the applicant's agreement, extend the period mentioned in subsection 168(1) by not more than 20 business days.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 168            | Power, as an administering authority, to, by written notice to the applicant, extend the decision period and further extend the decision period with the written agreement of the applicant.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 168(4)         | Power to request a further extension of the decision period.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 170(2)(a)      | In certain circumstances, the power to decide that that the application be approved subject to the standard conditions for the relevant activity or authority.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 170            | Power, as an administering authority, to approve a standard application subject to the standard conditions for the relevant activity or authority.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 170(2)(b)      | In certain circumstances, the power to decide that the applicant be issued an environmental authority on conditions that are different to the standard conditions for the activity or authority.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 171            | Power, as an administering authority, to approve a variation application subject to the standard conditions for the relevant activity or authority or subject to conditions which are different to the standard conditions for the activity or authority. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 171(2)(a)      | In certain circumstances, the power to decide that the application be approved subject to conditions that are different to the standard conditions for the activity or authority.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 171(2)(b)      | In certain circumstances, the power to decide that the applicant be issued an environmental authority subject to the standard conditions for the activity or authority.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 172            | Power, as an administering authority, to refuse a site- specific application or approve a site-specific application subject to conditions.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 172(2)         | In certain circumstances, the power to decide that the application:<br>(a) be approved subject to conditions; or<br>(b) be refused.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 173(1)         | Power to refuse an application if the applicant is not a registered suitable operator.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |         |                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
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| Environmental Protection Act 1994 | 173(3)  | In certain circumstances, power to refuse an application for an environmental authority.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 181     | Power, as an administering authority after making a decision under division 2, subdivision 2, to give written notice of the decision.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 194A    | Power, as an administering authority, to make a final decision on an application for an environmental authority.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 195     | <del>In certain circumstances, power to issue an environmental authority to the applicant.</del> Power, as an administering authority, to issue an environmental authority.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 197     | Power, as an administering authority, to include a copy of an environmental authority in the relevant register.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 198(2)  | <del>In certain circumstances, power to give the application an information notice about the decision.</del> Power, as an administering authority, to give an information notice to the applicant for an environmental authority.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 198(4)  | <del>In certain circumstances, power to give any submitter for the application an information notice about the decision.</del> Power, as an administering authority, to give an information notice about the decision to any submitter for the application.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 203     | Power, as an administering authority, to impose a condition on an environmental authority or draft environmental authority to which section 115 applies.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 203(1)  | Power to impose a condition on an environmental authority or draft environmental authority if:<br>(a) it considers the condition is necessary or desirable; and<br>(b) if the authority is for an application to which section 115 applies - the condition relates to the carrying out of the relevant prescribed ERA.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 203(2)  | In certain circumstances, power to impose a condition on an environmental authority or draft environmental authority.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 204(2)  | In certain circumstances, power to impose on the authority a condition requiring the holder of the authority to take all reasonable steps to ensure the relevant activity complies with the eligibility criteria for the activity.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 209(4)  | Power to enter into an agreement to establish obligations, or secure the performance, of a party to the agreement about a condition.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 211     | <del>In certain circumstances, power to amend an environmental authority to correct a clerical or formal error.</del> Power, as an administering authority, to amend an environmental authority to correct a clerical or formal error by giving written notice to the holder but only if the amendment does not adversely affect the interests of the holder or anyone else. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 212(2)  | Power to amend the environmental authority to ensure compliance with conditions included in a determination made by the NNTT under the Commonwealth Native Title Act, section 38(1)(c).                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 212(3)  | Power to give written notice of the amendment to the environmental authority holder.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 212A(2) | Power to amend the environmental authority to ensure it is consistent with the regional interests development approval.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 212A(3) | Power to given written notice the amendment to the environmental authority holder.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 213     | Power, as an administering authority, to amend an existing environmental authority issued subject to conditions to replace the existing standard conditions with new standard conditions issued by the chief executive and to give written notice of the amendment to the environmental authority holder.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 213(2)  | In certain circumstances, power to amend the existing authority to replace the existing standard conditions with the new standard conditions.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 213(3)  | In certain circumstances, power to give written notice of the amendment to the environmental authority holder.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 214(2)  | In certain circumstances, power to amend the environmental authority.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |             |                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Environmental Protection Act 1994 | 214(3)      | In certain circumstances, power to give:<br>(a) an information notice about the amendment to the holder of the environmental authority;<br>and<br>(b) written notice of the amendment to the assessment manager for the development application.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 213         | Power, as an administering authority, to amend an existing environmental authority issued subject to conditions to replace the existing standard conditions with new standard conditions issued by the chief executive and to give written notice of the amendment to the environmental authority holder.                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 215         | Power, as an administering authority, to make an amendment to an environmental authority:-<br>(a) which is necessary or desirable because of a matter mentioned in section 215(2) and where the procedure required by Chapter 5, Part 6, Division 2 is followed; or<br>(b) if the holder has agreed in writing to the amendment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 215(1)(a)   | Power to consider the amendment is necessary or desirable because of a matter mentioned in subsection (2) and the procedure under division 2 is followed.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 216 and 219 | Power, as an administering authority, to make particular amendments to an environmental authority in accordance with the procedure required by Chapter 5, Part 6, Division 2.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 217         | Power to give the environmental authority holder a written notice (the <i>proposed amendment notice</i> ).                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 218         | Power to consider any written representation made within the period stated in the proposed amendment notice by the holder of the environmental authority.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 219(1)      | In certain circumstances, power to believe a ground exists to make the proposed amendment, and to make the amendment.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 219(3)      | Power to give the holder written notice of the decision.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 220         | Power to give the environmental authority holder an information notice about the decision.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 221(2)(b)   | In certain circumstances, power to issue the amended environmental authority to the holder.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227A        | Power, as an administering authority, to refuse an amendment application to which section 227A(1) applies, to require the environmental authority holder to make a site specific application and to give written notice of the refusal to the applicant.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227A(2)     | Power to refuse application within 10 business days after receiving the amendment application.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227A(3)     | Power to require the holder of the environmental authority to make a site-specific application for a new environmental authority.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227A(5)     | Power to give written notice of any refusal.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227AAB(2)   | Power, as an administering authority where an amendment application is not a properly made amendment application, to give the applicant a notice stating all the matter contained in the subsection.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 227AAC(2)   | Power, as an administering authority where a notice has been issued under subsection 227AAB(2), to agree to a further period to take the action mentioned in subsection 227AAB(2)(c).                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 228(1)      | <del>Power to decide whether the proposed amendment is a major or minor amendment.</del> Power, as an administering authority after receiving an amendment application, to decide whether the proposed amendments is a minor or major amendment.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 229         | Power to give the applicant a written notice.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                         |                                                                |
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| Environmental Protection Act 1994 | 230(2)      | In certain circumstances, power to be satisfied that:<br>(a) there is likely to be a substantial increase in the risk of environmental harm under the amended environmental authority; and<br>(b) the risk is the result of a substantial change in:<br>(i) the quantity or quality of contaminant permitted to be released into the environment; or<br>(ii) the results of the release of a quantity or quality of contaminant permitted to be released into the environment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 233(3)      | In certain circumstances, power to:<br>(a) decide another way of publishing the notice for subsection (2)(b)(ii); and<br>(b) give the applicant an information notice about the decision before the notice is published.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 234         | Power, as an administering authority, to set the submission period for the application by written notice.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 237         | Power, as an administering authority, to give written agreement to the continued assessment of a changed application to amend an environmental authority.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 237(1)(b)   | Power to agree in writing to the change.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 238(3)      | Power, as an administering authority, to request further information needed to assess a changed amendment application which is not a minor change and to which the information stage applies.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 238(3)(a)   | In certain circumstances, power to within 10 business days after notice of the change is received, ask the applicant to give further information needed to assess the application.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 238(7)      | <del>In certain circumstances, power to be satisfied the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.</del> Power, as an administering authority, to decide that the notification stage be repeated in respect of a changed amendment application which would be likely to attract a submission objecting to the change.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 240 and 242 | Power, as an administering authority, to:- (a) decide to approve or refuse an amendment application;<br>(b) if the amendment is approved, to make other amendments to the conditions of the environmental authority;<br>(c) give notice of the decision to the applicant; and<br>(d) include a copy of any amended environmental authority in the register                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 240(1)      | Power to decide either to approve or refuse the application:<br>(a) for a condition conversion – within 10 business days after the application is received (for a condition conversion); or<br>(b) otherwise, within 10 business days after notice of the assessment level decision is given to the applicant.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 240(2)      | Power to be satisfied the proposed amendment is necessary or desirable.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 240(3)      | In certain circumstances, power to make any other amendments to the conditions of the environmental authority it considers:<br>(a) relate to the subject matter of the proposed amendment; and<br>(b) are necessary or desirable.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 242(1)(b)   | In certain circumstances, power to issue the amended environmental authority to the applicant.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 242(3)      | Power to within 5 business days after the decision is made, give the applicant an information notice about the decision.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 247         | Power, as an administering authority, to decide to approve an application to amalgamate environmental authorities or refuse an amalgamation application to which section 247(1)(b) applies and impose conditions on the amalgamated environmental authority.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |           |                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                                                                |
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| Environmental Protection Act 1994 | 247(1)    | Power to, within 20 business days after the day the amalgamation application is received, decide to:<br>(a) approve the application; or<br>(b) if the application is for an amalgamated local government authority or amalgamated project authority—refuse the application.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 247(2)(c) | Power to be satisfied there is an appropriate degree of integration between the activities.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 247(3)    | Power to be satisfied the relevant activities for the existing environmental authorities are being carried out as a single integrated operation.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 248       | Power, as an administering authority that decides to approve an amalgamation application, to amalgamate the existing authorities, issue it to the applicant and include a copy of it in the relevant register.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 248(b)    | In certain circumstances, power to issue to the applicant:<br>(a) if the application is for an amalgamated corporate authority – an amalgamated corporate authority; or<br>(b) if the application is for an amalgamated local government authority – an amalgamated local government authority; or<br>(c) if the application is for an amalgamated project authority – an amalgamated project authority. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 249       | Power to, within 10 business days after refusing an amalgamation application, give the applicant an information notice about the decision.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 250C      | Power, as an administering authority, to:- (a) de-amalgamate an environmental authority;<br>(b) issue the de-amalgamated environmental authorities;<br>(c) impose conditions on each de-amalgamated environmental authority to the extent necessary for the de-amalgamation; and<br>(d) include each environmental authority in the relevant register.                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 250C(a)   | Power to de-amalgamate the relevant authority within 15 business days after receiving a de-amalgamation application that complies with section 250B.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 254       | Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to transfer all or part of the environmental authority to another entity.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 254(1)    | Power to consider each transfer application and decide to:<br>(a) approve the transfer; or<br>(b) refuse the transfer.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 255(1)(b) | In certain circumstances, power to issue the amended environmental authority (the <i>transferred environmental authority</i> ) to each holder.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 255(2)    | In certain circumstances, power to, within 10 business days after the decision is made, give the existing holder and the proposed holder written notice of the decision.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 258(2)    | In certain circumstances, power to by written notice (a <i>surrender notice</i> ), require the holder of the environmental authority to make a surrender application.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 261(2)    | In certain circumstances, power to approve a surrender application for part of the environmental authority.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 264       | Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(b)(i) and 264(b)(ii) have been met.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 264(2)(a) | Power to agree to a methodology.                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 265       | <del>Power to ask the applicant, by written request, to give further information needed to assess the surrender application.</del> Power, as an administering authority, to make a written request to an applicant to give further information needed to assess an application to surrender an environmental authority.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 266       | Power, as an administering authority, to approve or refuse a surrender application.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 266(1)    | Power to decide to:<br>(a) approve the surrender application; or<br>(b) refuse the surrender application.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
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| Environmental Protection Act 1994 | 269(a)                               | Power to be satisfied the conditions of the environmental authority have been complied with.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 269(b)(i)                            | Power to be satisfied the land on which each relevant activity for the environmental authority has been carried out has been satisfactorily rehabilitated.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 269(b)(ii)                           | Power to be satisfied the land will be satisfactorily rehabilitated under a transitional environmental program.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 269(c)                               | Power to be satisfied of another circumstance prescribed by regulation.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 275                                  | Power, as an administering authority, after deciding a surrender application to take the steps listed in subsections 275(a) or 275(b) as applicable.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 275(a)(ii)                           | In certain circumstances, power to give the applicant written notice of the decision.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 275(b)                               | In certain circumstances, power to give the applicant an information notice about the decision.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 278, 279, 280, 281, 282, 283 and 284 | Power, as an administering authority, to:- (a) cancel, suspend or extend the suspension of an environmental authority if an event mentioned in section 278(2) has occurred; (b) follow the procedures in Chapter 5, Part 11, Division 2; (c) give notice of the decision; and (d) record the action in the relevant register.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 278(1)                               | In certain circumstances, power to cancel or suspend an environmental authority .                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 280(1)                               | Power to give the environmental authority holder a written notice.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 281                                  | Power to consider any written representation made within the stated period by the environmental authority holder.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 282(1)                               | In certain circumstances, power to believe a ground exists to take the proposed action.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 282(1)(a)                            | In certain circumstances, power to suspend the environmental authority for no longer than the proposed suspension period.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 282(1)(b)                            | In certain circumstances, power to either cancel the environmental authority or suspend it for a fixed period.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 282(3)                               | Power to decide not to take the proposed action and, if so, give the environmental authority holder written notice of the decision.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 283(1)                               | Power to give the environmental authority holder an information notice about the decision.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 283(2)                               | In certain circumstances, power to give written notice of the decision to the chief executive administering the resource legislation.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 284AA(2)                             | Power, as an administering authority in the circumstances set out in subsection 284AA(1), to cancel an environmental authority if the procedure in Chapter 5, Part 11, Division 2 is followed.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 284C and 284F                        | Power to decide whether to approve the application or refuse the application. Power, as an administering authority, to:- (a) approve or refuse an application made by the holder of an environmental authority to suspend or extend the suspension of the environmental authority; (b) record the decision in the appropriate register; and (c) if the decision is to refuse, give the holder an information notice about the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 284F(1)(a)(ii)                       | In certain circumstances, power to give the holder of the environmental authority written notice of the decision.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 284F(1)(b)                           | In certain circumstances, power to give the holder an information notice about the decision.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 287                                  | Power to agree with the holder in writing to a shorter period.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 292(1)                               | Power to, by condition of an environmental authority, require the holder of the environmental authority to give the administering authority financial assurance.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |           |                                                                                                                                                                                                                                                               |                         |                                                                |
|-----------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Environmental Protection Act 1994 | 292(2)    | Power to be satisfied the condition is justified.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 292(3)    | Power to require a financial assurance to remain in force until satisfied no claim is likely to be made on the assurance.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 295(1)    | Power to decide the amount and form of financial assurance required under a condition of an environmental authority.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 295(2)(c) | Power to agree with the holder of the environmental authority to a further period.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 295(4)    | Power to form an opinion as to the amount that represents the total of likely costs and expenses that may be incurred taking action to rehabilitate or restore and protect the environment because of environmental harm that may be caused by the activity.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 296       | Power to, within 5 business days after making a decision under section 295(1), give an information notice about the decision to the holder of the environmental authority.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 299(2)    | Power to must give written notice to the entity who gave the financial assurance.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 300       | Power to consider any written representations made within the stated period by the entity who gave the financial assurance.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 301(1)    | Power to decide whether to make a claim on or realise the financial assurance.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 301(2)    | In certain circumstances, power to give the entity an information notice about the decision.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 304(1)    | Power to, by written notice, require the applicant to give it a compliance statement for the financial assurance before deciding the application.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 305(1)(a) | Power to approve or refuse the application.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 305(1)(b) | In certain circumstances, power to give the applicant an information notice about the decision.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 305(3)    | Power to be satisfied no claim is likely to be made on the assurance.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 305(5)    | Power to withhold making a decision under subsection (1).                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 306(1)    | In certain circumstances, power to, at any time, require the holder of an environmental authority or small scale mining tenure for which financial assurance has been given to change the amount of the financial assurance.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 306(3)    | Power to give written notice to the holder of the environmental authority or small scale mining tenure.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 306(6)    | In certain circumstances, power to consider any written submissions made by the holder within the stated period.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 308(2)    | In certain circumstances, power to give the environmental authority holder a written notice complying with subsection (3) (an <i>annual notice</i> ).                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 308       | Power, as the administering authority, to impose a condition on an environmental authority requiring the holder to give financial assurances as security for compliance with the environmental authority and for costs or expenses mentioned in section 316C. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 310       | Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 310(1)    | In certain circumstances, power to change the anniversary day, for an environmental authority for which an annual fee is prescribed under a regulation, to another day (the <i>new day</i> ).                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 311       | <del>Power to decide whether or not to change the anniversary day to the new day.</del> Power, as an administering authority, to give notice of the decision under section 310.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 312       | Power to give the holder:<br>(a) if the decision is to change the day – written notice of the decision; or<br>(b) if the decision is not to change the day – an information notice about the decision.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |               |                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
|-----------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Environmental Protection Act 1994 | 314           | Power, as an administering authority that receives an application under section 312, to approve or refuse the application and give the applicant notice of the decision.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 314(2)        | In certain circumstances, power to require the holder of the environmental authority to:<br>(a) make a site-specific application for a new environmental authority under part 2; or<br>(b) make an amendment application for the authority under part 7.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 314(3)        | Power to give written notice of the proposed requirement to the holder of the environmental authority.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 314(5)        | Power consider any representations made by the holder within the stated period.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 315           | Power, as an administering authority, to require the holder of an environmental authority for which financial assurance has been given to change the amount of the financial assurance, including giving written notice to the holder.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 315(1)        | Power to ask any entity for advice, comment or information about an application made under this chapter at any time.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316D          | Power, as an administering authority in the circumstances referred to in 316C, to make a claim on or realise a financial assurance.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316E          | Power, as an administering authority in the circumstances set out in subsection 316E(1) and (2) give written notice to the entity who gave the EPA assurance or the entity who paid the surety.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316G          | Power, as an administering authority, to decide whether to make a claim on, or realise, the EPA assurance, or to ask for payment of the costs and expenses mentioned in subsection 316D(2)(b) and give an information notice about the decision.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316GD         | Power, as an administering authority, to:- (a) grant or refuse the temporary authority; and (b) if the decision is refuse, give an information notice for the decision.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316GE         | Power, as an administering authority, to:- (a) impose conditions on the authority; and (b) notify the applicant of the proposed conditions.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316GF         | Power, as an administering authority, to give the temporary authority to the applicant.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316I(2)       | Power, as the administering authority, to give an annual notice.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316I(4)       | Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316L and 316M | Power, as an administering authority, to change the anniversary day for an environmental authority for which an annual fee is prescribed, in the circumstances provided for by section 316L(1)(a) and 316L(1)(b).                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316P          | Power, as an administering authority to, in the circumstances specified in section 316P(1)(a) and 316P(1)(b):- (b) require the holder of the environmental authority to make a site-specific application for a new environmental authority under Chapter 5 Part 2 or make an amendment application for the authority under Chapter 5 Part 7; give written notice of the proposed requirement prior to making it. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316N          | Power, as an administering authority, to give the holder:- (a) if the decision is the change the day – written notice of the decision; or<br>if the decision is not to change the day – an information notice for the decision.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 316Q          | Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 318A          | Power to make submissions about a proposed ERA standard.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 319C(2)       | Power, as a person, to take measures as far as is reasonably practicable to rehabilitate or restore the environment to its condition before the harm.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 320C          | Power, as person aware of an event, or who ought reasonably have been aware of an event, described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
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| Environmental Protection Act 1994 | 320D        | Power, as employer aware of an event, or who ought reasonably have been aware of an event, described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 320DA(1)    | Power, as a person mentioned in section 320A(2)(a), to within 24 hours after becoming aware or the time when they ought reasonably to have become aware of an event or change mentioned in section 320A(2)(b)(i) or (ii) give the administering authority written notice of the matters stated in subsection (2).                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 320DA(3)    | Power, as a person mentioned in section 320A(2)(a), to within 20 business days after becoming aware or the time when they ought reasonably to have become aware of an event or change mentioned in section 320A(2)(b)(iii) give the administering authority written notice of the activity.                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 320DB(1)    | <del>Power to give the administering authority written notice of the activity.</del> Power, as a local government mentioned in section 320A(3)(c), to within 20 business days after becoming aware or the time when Council ought reasonably to have become aware that the activity has been, or is being, carried out on land in its area, give the administering authority written notice.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 320DB(2)    | <del>Power to give the administering authority written notice of:</del><br><del>(a) the nature of the event or change in the condition and the circumstances in which the event or change happened or is happening; or</del><br><del>(b) within 24 hours after becoming aware of the event or change in condition of the land.</del><br>Power, as a local government mentioned in sections 320A(3)(a) or 320A(3)(b), to within 24 hours after becoming aware or the time when Council ought reasonably to have become aware of the matter mentioned in section 320A(3)(a) or (b), give the administering authority written notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 322 and 323 | Power, as an administering authority, to require a person to conduct or commission an environmental audit and give an environmental report about the audit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 322(1)      | In certain circumstances, power to, by written notice, require the holder of an environmental authority to:<br>(a) conduct or commission an audit (an environmental audit) about a stated matter concerning a relevant activity; and<br>(b) give the administering authority an environmental report on the audit.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 322(2)      | Power to be reasonably satisfied the audit is necessary or desirable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 323(1)      | Power to be satisfied that:<br>(a) a person is, or has been, contravening:<br>(i) a regulation; or<br>(ii) an environmental protection policy; or<br>(iii) an agriculture ERA standard; or<br>(iv) a transition environmental program; or<br>(v) an enforceable undertaking, or<br>(b) a person is, or has been, contravening any of the following provisions:<br>(i) section 363E;<br>(ii) section 440Q;<br>(iii) section 440ZG;<br>(i) a provision of chapter 8, part 3D, 3E or 3F.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 323(2)      | Power to, by written notice (also an audit notice), require the person to:<br>(a) Conduct or commission an audit (also an environmental audit) about the matter; and<br>(b) give the administering authority an environmental report about the audit                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326B        | Power, as an administering authority, to require a person to conduct or commission an environmental investigation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Act 1994 | 326B(1)    | Power to be satisfied on reasonable grounds that:<br>(a) an event has happened causing environmental harm while an activity was being carried out; or<br>(b) an activity or proposed activity is causing, or is likely to cause environmental harm.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326B(2)    | Power to, by written notice (an investigation notice), require the person who has carried out, is carrying out or is proposing to carry out the activity to:<br>(a) conduct or commission an investigation (an environmental investigation) about the event or activity; and<br>(b) submit an environmental report about the investigation to the authority.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326BA(1)   | Power to be satisfied that circumstances contained in subsection (a) – (c) apply to the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326BA(2)   | Power to give written notice (an investigation notice) requiring a prescribed responsible person for the land to:<br>(a) conduct or commission an investigation; and<br>(b) give the administering authority an investigation report.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326F       | Power, as an administering authority, to ask for further information and extend the time for making a request under subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326F(2)    | Power to, by written notice, ask the recipient to give further information needed to decide whether to approve the environmental report.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G       | Power, as an administering authority, to accept the report or refuse to accept the report and to give notice of the decision.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G(4)    | Power to decide to accept the report or to refuse to accept the report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G(5)    | Power to be satisfied that the report does not adequately address the relevant matters for the environmental investigation to which the report relates.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G(7)    | In certain circumstances, power to extend the period mentioned in subsection (6) for making the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G(7)(a) | Power to be satisfied that there are special circumstances for extending the time.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326G(8)    | Power to give the recipient written notice of the decision within 5 business days after making the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326H       | Power to do one or more of the following:<br>(a) require the recipient to prepare and submit a transitional environmental program to it;<br>(b) if the recipient is the holder of an environmental authority – amend the conditions of the authority;<br>(c) serve an environmental protection order on the recipient; or<br>(d) take any other action it considers appropriate. Power, as an administering authority which has accepted an environmental report under section 326G, to do 1 or more of the things listed in subsection (1). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326I       | Power, as an administering authority which has refused to accept an environmental report under section 326G(4)(b), to, by written notice, require the recipient to conduct or commission another environmental investigation and submit a report on the investigation.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326I(2)    | Power to require the recipient to conduct or commission another environmental investigation and submit a report on the investigation to it.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 326I(3)    | Power to give written notice to the recipient.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 332        | Power, as an administering authority, to require a person or public authority to apply to the administering authority for the issue of a transitional environmental program.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 332(1)     | Power to require a person or public authority to prepare and submit for approval a draft transitional environmental program as a condition of an environmental authority.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 332(2)     | In the specified circumstances, the power to require a person or public authority to prepare and submit for approval a draft transitional environmental program.                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 333        | Power to apply for the issue of a transitional environmental program to the administering authority for approval.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
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| Environmental Protection Act 1994 | 333(1)         | Power, as an administering authority, to by written notice require the person or public authority that submitted the draft transitional environmental authority to give further information.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 333(3) and (4) | Power to give the administering authority the requested information and ask the administering authority to extend the information response period.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 334A(1)        | Power to, by written notice, ask the person or public authority that submitted the draft transitional environmental program to give further information needed to decide whether to approve the draft program.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 335            | Power to make a submission in relation to an application for the issue of a transitional environmental program.                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 335(2)         | Power to give public notice of the application for the issue of a transitional environmental program.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336            | Power, as an administering authority, to invite parties to a conference to help it determine whether or not to approve a draft transitional environmental program.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336A           | Power, as an administering authority, to seek advice, comment or information about an application for the issue of a transitional environmental program.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336(2)         | Power to give written notice to all persons invited to attend a conference of when and where the conference is to be held.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336(3)         | If its considered impracticable to give notice to all persons invited to attend a conference, the power to give notice of the conference by publishing a notice in the newspapers you decide.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336(4)         | In the specified circumstances, the power to appoint an independent person to mediate a conference.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 336A(1)        | Power to ask any person for advice, comment or information about a submission for approval of a transitional environmental program at any time.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 337            | Power, as an administering authority, to extend the period for decision about an application for the issue of a transitional environmental program and approve a transitional environmental program.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 337(1)         | In the specified circumstances, the power to decide whether to approve a draft transitional environmental program within the specified time period.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 337(2)         | In certain circumstances, power to extend the period mentioned in subsection (1) for making the decision.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 337(2)         | Power to gives an information notice about the decision to extend to the person or public authority that submitted the program and any submitters.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 338(1)         | In deciding whether to approve or refuse to approve a draft program or the conditions (if any) of the approval, the power to:<br>(a) comply with any relevant regulatory requirement; and<br>(b) subject to paragraph (a), consider the specified criteria.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 339(1) nd (2)  | Power, as an administering authority, to: - (a) approve a transitional environmental program with or without conditions; or<br>(b) refuse to approve a transitional environmental program.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 339(1)         | Power to:<br>(a) approve a draft transitional environment program:<br>(i) as submitted; or<br>(ii) as amended at the request, or with the agreement, of the administering authority; or<br>(b) refuse to approve a draft transitional environmental program.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 339(2)         | Power to impose on an approval of a draft transitional environmental program:<br>(a) any conditions the authority must impose under a regulatory requirement;<br>(b) a condition requiring the holder of the approval to give an amount of financial assurance as security for compliance with the transitional environmental program and any conditions of the program; and<br>(c) any other conditions the administering authority considers appropriate. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 340            | Power, as an administering authority, to: - (a) where the administering authority approves the application issue the transitional environmental program; and<br>(b) where the administering authority refuses the application or imposes conditions – give an information notice.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |             |                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
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| Environmental Protection Act 1994 | 340(1)      | Power to , within 8 business days after making a decision under section 339, give the person or public authority that submitted the program a written notice about the decision.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 340(2)(b)   | If the program is approved, power to state any conditions imposed on the approval by the administering authority.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 340(2)(c)   | If the program is approved, power to state the day the approval ends.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 340(3)      | If the program is refused, or approved with conditions, power to give an information notice.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 342         | Power, as an administering authority, to approve an application for a transitional environmental program if there has been substantial compliance with public notice requirements.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 342(2)      | In the specified circumstances, the power to consider and decide whether to approve a draft transitional environmental program if satisfied there has been substantial compliance with the Environmental Protection Act 1994.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 343A        | Power, as an administering authority when issuing a transitional environmental program, to include a note in the environmental authority.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 343A(2)(B)  | In certain circumstances, power to give the holder of the environmental authority a copy of the environmental authority including the note.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344         | Power, as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AA       | Power, as an administering authority, to amend a transitional environmental program to correct a clerical or formal error, and to give written notice of the amendment.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AB(1)    | Power, as an administering authority, to amend a transitional environmental program, or a condition imposed on a transitional environmental program, at any time.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AB(1)(b) | Power, as the holder of a transitional environmental program, to agree in writing to the amendment.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AB(1)(b) | Power, as the holder of a transitional environmental program, to agree in writing to the amendment.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AC(2)    | Power, as an administering authority, to within the relevant period amend the transitional environmental program to give effect to the amendment, issue the amended transitional environmental program to the holder and include a copy of the amended transitional environmental program in the relevant register. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AE(1)    | Power, as an administering authority, to give the holder of the transitional environmental program a proposed amendment notice.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AR(1)(d) | Power, as the holder of a transitional environmental program, to make written representations to show why the proposed amendment should not be made.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AF       | Power, as an administering authority, to consider any written representation made by the holder of the transitional environmental program.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AG(1)    | Power, as an administering authority, to make the amendment decision.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AG(4)    | Power, as an administering authority, to give the holder written notice of the decision not to make the proposed amendment.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344AH       | Power, as an administering authority, to give the holder of the transitional environmental program an information notice.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344(3)      | In the specified circumstances, the power to approve an amendment of an approval for a transitional environmental program for an environmentally relevant activity.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344(4)      | Without limiting the matters to be considered in deciding an application, the power to have regard to the specified criteria.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344A(2)     | Power to may recover the reasonable costs or expenses of taking the action by making a claim on or realising the financial assurance or part of it.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344A(3)     | Power to give written notice to the person who gave the financial assurance.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344B        | Power to consider any written representations made within the stated period by the person who gave the financial assurance.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344C(1)     | Power to, within 10 business days after the end of the stated period, decide whether to make a claim on or realise the financial assurance.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                           |                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Environmental Protection Act 1994 | 344C(2)                   | Power to, within 5 business days after making the decision, give the person an information notice about the decision.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344E(1)                   | Power to cancel the approval for a transitional environmental program for the reasons provided in that subsection.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344E(1)(b)                | Power to be satisfied the approval holder has:<br>(i) disposed of the place or business to which the program relates; or<br>(ii) ceased the activity to which the program relates.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344E(2)(a)                | Power to give a notice stating the details of the cancellation to the approval holder.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344F(2)(a)                | Power to withdraw the notice by another written notice.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 344G(2)                   | Power to give the holder of the environmental authority a copy of the authority that does not include the note.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 352(1)                    | In the specified circumstances, the power to give written notice to a person of:<br>(a) receiving a program notice; and<br>(b) the day by which a draft transitional environmental program dealing with the activity must be submitted for approval.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 355(1)                    | In certain circumstances, power to apply to the Court for an order that section 353(1) does not apply to the person for any continuation of the original offence.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 334E                      | Power, as an administering authority, to cancel a transitional environmental program, give notice of the decision or record details of the decision in a register.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 334F                      | Power, as an administering authority, to withdraw the notice or remove the record.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 334G                      | Power, as an administering authority, to give the holder of the environmental authority a copy of the authority that does not include the note.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 352                       | Power, as an administering authority, to give written notice of the matters listed in section 352(1)..                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 355                       | Power, as an administering authority, to apply to the Court for an order that section 353(1) does not apply.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357(2)                    | Power, as an administering authority who has made an application to the Court under section 355, to apply to the Court for an order pending decision on the application                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357C, 357D, 357E and 357F | Power, as administering authority, to –<br>• grant an application for a temporary emissions licence, with or without conditions, as submitted or on different terms than have been requested in the application; or<br>• refuse to grant the application for a temporary emissions licence; and<br>• where necessary, give an information notice | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357E(1)                   | Power to:<br>(a) grant the application for a temporary emissions licence:<br>(i) as submitted;<br>(ii) on different terms than have been requested in the application; or<br>(b) refuse to grant the application for a temporary emissions licence.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357E(2)                   | Power to impose conditions on the temporary emissions licence it considers are necessary or desirable.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357F                      | Power to give the applicant an information notice about the decision if the decision is to:<br>(a) grant the application on different terms than have been requested in the application; or<br>(b) refuse the application.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357J                      | <del>In certain circumstances, power to amend, cancel or suspend a temporary emissions licence.</del> Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 357J(b)                   | Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 358                       | In the specified circumstances, the power to issue an order (an <i>environmental protection order</i> ) to a person.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Environmental Protection Act 1994 | 359           | Before deciding to issue an environmental protection order, the power to consider the standard criteria.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 362           | Power, as an administering authority, to issue an environmental enforcement order.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 363N(2)       | Power, as an administering authority, to decide a person has a relevant connection with a company.                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 363P(1)       | Power, as an administering authority, to issue an environmental enforcement order to a related person of the company.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369C(2)       | Power, as a recipient of an environmental enforcement order, to give written notice to the buyer of the existence of the order.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369C(6)       | Power, as a recipient of an environmental enforcement order, to provide written notice of the disposal to the administering authority.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369D(2)       | Power, in the circumstances listed in subsection (1), to give written notice of ceasing to carry out the activity to the administering authority.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369E(2)(a)    | Power, as an owner and/or occupier of land in the circumstances listed in subsection (1), to give consent to the entry.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369E(2)(b)    | Power, in the circumstances listed in subsection (1), to give written notice of the entry to the owner and occupier of the land.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369H(2)       | Power, in the circumstances listed in subsections (1) and (2), to recover as a debt from another person who caused or permitted the contamination incident to happen, the amount of loss or expense incurred by the recipient in complying with the order.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369J(1)       | Power, as an administering authority, to issue a cost recovery notice.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369J(4)       | Power, as an administering authority, to recover the amount stated in the cost recovery notice from the recipient as a debt.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 369Q(1)       | Power, as an administering authority, to issue an environmental enforcement order under division 2 to a related person of a high risk company.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 376           | Power, as the land's owner, to:- (a) make a written submission to the administering authority in response to a show cause notice issued pursuant to section 375; (b) make the declaration mentioned in section 375(2)(e); and (c) include a copy of any investigation report mentioned in section 375(4).                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 379B and 379C | Power, as the owner of land, to make an inclusion request and respond to any request for further information from the administering authority.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 390           | Power, to give the administering authority:- (a) a contaminated land investigation document accompanied by a declaration and a statement; and (b) a statement as owner of the land agreeing to the draft plan.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 392(1)        | Power, as a prescribed responsible person, to make a written submission in response to a show cause notice issued pursuant to section 391.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 394(5)        | Power, as a prescribed responsible person, to comply with a notice issued by the administering authority pursuant to this section.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 395           | Power, as a prescribed responsible person, to :- (a) obtain the consent of the owner or occupier to enter the land; (b) give the owner or occupier written notice of the intention to enter the land; (c) agree with the owner or occupier about reasonable compensation because of the loss or damage; and (d) appear in any proceeding before a court of competent jurisdiction (including instructing a legal representative to appear) where agreement about compensation cannot be reached. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 397           | Power, as a prescribed responsible person, to comply with a requirement of the administering authority given pursuant to this section.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 402           | Power to apply to amend a site management plan and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 4 as they relate to the application.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 403           | Power, as owner or occupier of land, to consent to the amendment of a site management plan for the land by the administering authority.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Act 1994 | 404       | Power, as the person who released the contaminant, the relevant local government or the owner of the land, to prepare a draft amendment of a site management plan if requested to do so by the administering authority and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 5 as they relate to the draft amendment.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 407       | Power, as owner of land, to give a lessee or proposed lessee notice that particulars of the land have been recorded in the contaminated land register.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 408       | Power, as an owner of land in a circumstance listed in subsection (1), to give the notice required by subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 445(2)    | <del>Power to appoint an employee of a local government to be an authorised person</del> Power, as chief executive officer, to appoint an employee of the Council to be an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 448       | <del>In the specified circumstances, the power to issue an identity card to each authorised person appointed.</del> Power, as administering executive, to issue an identity card to each authorised person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 451       | Power, as an administering authority, to require a person to provide information for the enforcement or administration of this Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 451(1)    | In the specified circumstances, the power to give a notice under section 451 of the Environmental Protection Act 1994 to a person requiring the person to give information relevant to the administration and enforcement of the Environmental Protection Act 1994.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 452       | Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 454       | Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 454(3)(b) | Power, as an administering authority, to issue a notice that an authorised person will enter land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 454(1)    | Power to believe on reasonable grounds land is contaminated land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 455       | Power, as the occupier of access land, to consent to an authorised person's entry onto the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 454(3)(b) | Power to give written notice to the owner and occupier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 458(2)    | In the specified circumstances, the power to give written notice of an application made under section 458(1) of the Environmental Protection Act 1994 to:<br>(a) the owner of the land; and<br>(b) if the owner is not the occupier of the land - the occupier; and<br>(c) if the application is for an order to carry out work mentioned in section 458(1)(a) of the Environmental Protection Act 1994:<br>(i) the environmental authority holder; or<br>(ii) transitional environmental program approval holder; or<br>(iii) the registered operator.<br>(d) if the application is for an order to take actions required under a clean-up notice – the recipient of the notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |           |                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
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| Environmental Protection Act 1994 | 463(2)    | <del>In the specified circumstances, the power to direct the destruction or disposal of a forfeited thing.</del> Power, as administering executive to direct the destruction or disposal of a forfeited thing that becomes the property of Council.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 465(3)    | Power, as a corporation, to comply with a written notice requiring Council to nominate an executive officer or employee who is authorised to answer a question under section 465(3).                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 478       | Power as a person to whom an emergency direction is given to comply with the direction and to take the steps required by subsection (b).                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 489       | Power, as an administering authority, to waive payment of costs of investigation or remediation work.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 490       | In the specified circumstances, the power to issue a certificate.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 490(5)    | Power, as the administering executive, to sign a certificate stating any of the matters listed in subsection 490(5).                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 490(6)(a) | Power, as the administering executive, to sign a certificate stating any of the matters listed in subsection 490(6)(a).                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1995 | 490(10)   | Power, as the administering executive, to sign a certificate stating that stated costs and expenses were incurred and the way and purpose for which they were incurred.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1995 | 501(1)(c) | Power, as an administering authority, to make an application to the court for an order against a defendant for costs.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 502A(2)   | <del>Power to carry out work or take any other action reasonably necessary to fulfil the requirements of an order made against a person under section 502.</del> Power, as an administering authority, to carry out work or take other action reasonably necessary where a person has failed to comply with an order made under section 502. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 505       | Power, as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 506       | Power, as a person who has made an application pursuant to section 505, to seek an order of the Court pending determination of the application.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 507       | Power, as the administering authority, to: (a) accept or reject an enforceable undertaking; (b) given written notice of the decision and the reasons for the decision (c) publish a copy of any undertaking on Council's website; and (d) take all reasonable steps to have any proceedings in relation to the contravention discontinued.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 507(1)    | Power to accept an enforceable undertaking.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 507(3)    | Power to give written notice of:<br>(a) administering authority's decision to accept or reject the enforceable undertaking; and<br>(b) the reasons for the decision.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 507(4)    | Power to form a reasonable belief that the undertaking will:<br>(a) secure compliance with the Act; and<br>(b) enhance the protection of the environment.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 509       | Power, as the administering authority, to agree in writing to the withdrawal or variation of an enforceable undertaking and to publish notice of the withdrawal or variation on Council's website.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 509(1)    | Power to give written agreement to:<br>(a) withdraw the undertaking; or<br>(b) vary the undertaking.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 510       | <del>Power to amend an enforceable undertaking with the written agreement of the person who made the undertaking.</del> Power, as the administering authority, to amend an enforceable undertaking by written agreement.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |               |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
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| Environmental Protection Act 1994 | 511           | Power to:<br>(a) amend an enforceable undertaking to correct a clerical or formal error; and<br>(b) give written notice of the amendment to the enforceable undertaking. Power, as the administering authority, to make an amendment to an enforceable undertaking to correct a clerical or formal error and give written notice of the amendment.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512           | Power, as the administering authority, to:- (a) amend or suspend an enforceable undertaking where satisfied one of the circumstances in subsections 512(1)(a) to (d) apply; and<br>(b) comply with the requirements of subsection 512(2) to (7).                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(1)        | Power to amend or suspend an enforceable undertaking if the administering authority is satisfied of the requirements in paragraphs (a) – (d).                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(2)        | Power to give a notice stating proposed action in respect of the enforceable undertaking.                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(4)        | Power to consider written representations.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(5)        | Power to decide to take action under the section.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(6)        | Power to give an information notice about the decision within 10 business days after making the decision.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 512(7)        | Power to give written notice of a decision not to take action.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 513(2)        | <del>Power to apply to the Magistrates Court for an order about contravention of enforceable undertaking.</del> Power, as the administering authority, to apply to the Magistrates Court for an order if a person contravenes an enforceable undertaking.                                                                                                                                                            | Chief Executive Officer | Chief Executive Officer                                        |
| Environmental Protection Act 1994 | 516           | Power to exercise all the powers of the chief executive that have been delegated to Council. (Sub section (3) permits sub delegation of these powers to a qualified entity).                                                                                                                                                                                                                                         | Chief Executive Officer | Chief Executive Officer                                        |
| Environmental Protection Act 1994 | 517(2)        | <del>Power to delegate their powers under this Act to an appropriately qualified employee of the local government.</del> Power, as chief executive officer, to delegate powers as administering executive or otherwise under the Act to an appropriately qualified employee of the local government and authorising sub-delegation by the employee of the powers delegated.                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 518(1)(a)(ii) | Power, where the chief executive has delegated the powers as an administering authority to Council, to exercise those delegated powers.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 521           | Power to exercise all the powers of an administering authority when a dissatisfied person applies to Council for review of an original decision.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 521(2)(a)(ii) | In the specified circumstances, the power to allow a longer period within which an application for a review of an original decision must be made.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 521(5)        | In the specified circumstances, the power to, within the decision period for a review of an original decision:<br>(a) review the original decision; and<br>(b) consider any submissions properly made by a recipient of a review notice; and<br>(c) make a decision (the review decision) to:<br>(i) confirm or revoke the original decision; or<br>(ii) vary the original decision in a way considered appropriate. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 521(8)        | Within 10 business days after making a review decision, the power to give written notice of the review decision to the applicant and persons who were given notice of the original decision.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 524           | Power, as a dissatisfied person, to appeal to the Land Court against a review decision of an original decision mentioned in schedule 2, part 1.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 526           | Power, as a party to an appeal, to ask the Land Court to conduct or provide mediation for the appeal, participate in the mediation and attempt to settle the appeal at mediation.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 531           | Power, as a dissatisfied person, to appeal to the Planning and Environment Court against a review decision of an original decision, other than a review decision to which Chapter 11, Part 3, Division 3, Subdivision 1 of this Act applies or a review decision that relates to an original decision mentioned in Schedule 2, Part 3.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Act 1994 | 531(1)           | In certain circumstances, power to may appeal against the decision to the Court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 539A(1)          | Power, as an applicant for internal review of an original decision mentioned in schedule 2, part 1 or 2, to apply for a stay of the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 540, 541 and 542 | Power, as an administering authority, keep the registers listed in section 540(1) and keep them available for inspection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 544(1)           | Power to approve forms. Power, as administering executive, to approve forms for use under the Environmental Protection Act 1994.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 546              | Power, as an administering authority, to prepare and submit a report to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 548(3)           | Power, as an administering authority, to consult with the chief executive about guidelines the chief executive proposes for administering authorities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 549(2)           | Power to consult with the chief executive about guidelines the chief executive proposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 568              | Power to, subject to the terms of an approval under division 2:<br>(a) conduct environmental audits and prepare environmental reports about audits under chapter 7, part 2, division 2; and<br>(b) evaluate site investigation reports, validation reports, draft site management plans and draft amendments of site management plans prepared under chapter 7, part 8 against criteria prescribed under a regulation (the prescribed criteria) and:<br>(i) if the report or plan does not comply with the prescribed criteria—prepare a report about the evaluation; or<br>(ii) if the report or plan complies with the prescribed criteria—provide written certification that it complies with the criteria; and<br>(c) audit or evaluate another matter or thing prescribed under a regulation and prepare a report or written certification about the audit or evaluation. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 574BA            | Power, in the circumstance referred to in subsection 574BA(1), to recover the administering authorities reasonable costs and expenses in performing the function.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 579(4)           | Power, as the owner or occupier of the land, to claim compensation for any compensatable effect in a proceeding brought in a court of competent jurisdiction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 620              | Power, as an administering authority, to change or cancel a condition of an environmental authority given continuing effect under section 619(2)(d) or 619(4)(d) of this Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 620(2)           | In the specified circumstances, the power to change or cancel a condition of a environmental authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 620(5)(b)        | In the specified circumstances, if a condition has changed or cancelled, the power to, within the specified time period, give the registered operator:<br>(i) a copy of the development conditions as applying after the change or cancellation; and<br>(ii) a registration certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 621              | Power, as an administering authority, in relation to an activity being carried out under section 619(1) of this Act, to give the person carrying out the activity a development approval and a registration certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 621(1)           | Power to, for an activity being carried out under an environmental authority mentioned in section 619(1) of the Environmental Protection Act 1994, give to the person carrying out the activity:<br>(a) if the activity was carried out at 1 location - a development approval for the location; or<br>(b) if the activity was carried at more than 1 location and is not a mobile and temporary environmentally relevant activity - a development approval for each location; or<br>(c) if the activity is a mobile and temporary environmentally relevant activity - a development approval for a mobile and temporary environmentally relevant activity.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 621(2)           | If the person carrying out the activity does not have a registration certificate for the activity, the power to also give the person a registration certificate for the activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Act 1994 | 621(4)    | If you act under section 621(1) or (2) of the Environmental Protection Act 1994, the power to give the person carrying out the activity an information notice about your decision to give the approval or approval and certificate.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 623       | Power, as an administering authority, to give the registered operator for a level 1 approval for a level 1 chapter 4 activity taken to be a registration certificate under section 619, a notice stating that section 316 applies to the registration certificate.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 623(2)    | In the specified circumstances, the power to give a registered operator a notice stating that you are satisfied that the risk of environmental harm from carrying out the activity is no longer insignificant.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 626(3)(a) | In the specified circumstances, the power to, by written notice, ask an applicant to give a stated document or information relevant to an application.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 634       | Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 6                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 634(1)    | In the specified circumstances, the power to amend a condition about financial assurance imposed under Part 7, Chapter 13 of the Environmental Protection Act 1994 to require the giving of replacement financial assurance, in a form and amount decided by you.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 671(2)    | <del>Power to consider, or continue to consider, the draft transitional environment program and decide whether to approve an existing draft transitional environment program under the unamended Act.</del> Power, as an administering authority, to consider or continue to consider, a draft transitional program submitted under section 332 or 333 before 4 April 2011 and decide whether to approve it under the unamended Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 697(1)    | <del>Power to decide whether to approve the application or refuse the application.</del> Power, as an administering authority, to approve or refuse an application made by the holder of a transitional authority, to convert the conditions of the transitional authority to the standard conditions for the authority or relevant activity.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 698(1)    | In certain circumstances, power to:<br>(a) amend the environmental authority to give effect to the conversion; and<br>(b) issue the amended environmental authority to the applicant.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 698B      | Power, as an administering authority, to approve an application to convert a surrendered registration certificate to an environmental authority that has been suspended under Chapter 5, Part 11A of this Act.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 698(2)    | In certain circumstances, power to give the applicant an information notice about the decision.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 698B      | Power to approve an application to convert the surrendered registration certificate to an environmental authority that has been suspended under chapter 5, part 11A (a <i>conversion application</i> ).                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 699       | Power, as an administering authority, to amend an environmental authority to which a requirement applies to impose a condition about the financial assurance and to give written notice of the amendment to the authority holder.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 699(4)    | Power to amend the environmental authority to impose a condition about financial assurance.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 699(5)    | Power to give written notice of the amendment.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 701(2)    | Power to amend the new authority to impose conditions consistent with the environmental management plan.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Act 1994 | 812(1)    | Power, as an administering authority, to continue to keep a register of the environmental protection orders, direction notices and clean-up notices that were issued under the unamended Act before the commencement of the current Act.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| <b>Environmental Protection Regulation 2008</b><br><b>The Purpose of this Act</b><br>The objective of this Act is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends. |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 19B   | Power to consider the following assessment benchmarks:<br>(a) an environmental objective assessment against the environmental objectives and performance outcomes stated in schedule 5, part 3, table 2;<br>(b) the standard criteria;<br>(c) if the concurrence ERA is to be carried out in a strategic environmental area – the impacts of the activity on the environmental attributes for the area under the Regional Planning Interests Act 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 51(1) | When making an environmental management decision relating to an activity, other than a prescribed ERA, power to:<br>a) carry out an environmental objective assessment (to be carried out in accordance with Schedule 5, Part2) against the environmental objective and performance outcomes mentioned in schedule 5, part 3, tables 1 and 2;<br>b) consider the environmental values declared under this regulation;<br>ba) if the activity is to be carried out in a strategic environmental area – consider the impacts of the activity on the environmental attributes for the area under the Regional Planning Interests Act 2014;<br>c) consider each of the following under any relevant environmental protection policies:<br>(i) the management hierarchy;<br>(ii) environmental values;<br>(iii) quality objectives;<br>(iv) the management intent; and<br>d) consider the matters of national environmental significance. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 51(2) | For an environmental management decision relating to a prescribed ERA, power to:<br>a) carry out an environmental objective assessment (to be carried out in accordance with Schedule 5, Part2) against the environmental objective and performance outcomes mentioned in schedule 5, part 3, table 1; and<br>b) consider the matters mentioned in subsection (1)(b), (ba) and (c).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 52(1) | When making an environmental management decision relating to an activity, power to consider imposing conditions about the specified matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 53(1) | When making an environmental management decision relating to an activity, power to consider whether to impose conditions about the release of contaminants from the activity on the receiving environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 53(2) | Power to consider the specified matters when considering whether to impose a monitoring condition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008                                                                                                                                                                                                                                                                                          | 58(2) | When making an environmental management decision relating to an activity that involves, or may involve the release of water or waste to a referable wetland or a significant coastal wetland for treatment, power to refuse to grant the application after considering the specified matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2008 | 63(2)         | When making an environmental management decision relating to an activity that involves, or may involve, the release of waste directly to groundwater, power to refuse to grant the application after consideration of the specified matters.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 64I(2)        | In certain circumstances the power to notify the administering authority of the change in the waste type within 24 hours after receiving the test results for the retesting.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 64I(3)(a)-(e) | In certain circumstances, the power within 10 business days after receiving the test results for the retesting of the waste, to prepare and give the administering authority a written report specifying state matters.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 64J(1)        | Power for each load of tested waste transported to a receiver to record the prescribed information for the load in the approved form.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 64J(2)        | Power to in certain circumstances, to give the prescribed information for the load to the receiver.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 65(2)         | Power to, in certain circumstances, make a record of the prescribed information for the load in the approved form.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 65(3)         | Power to, in certain circumstances, give written notice of the omission or inaccuracy to the administering authority.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81U(1)(b)     | Power to enter a written agreement with another person (the agent) to do the thing for the waster handler.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81W(1)        | Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81X(1)        | Power to apply to the administering executive for a consignment number for a number of matters.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81Y(1)        | Power to apply to the administering authority for an exemption for the transportation of trackable waste to this part applies.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZF(1)(b)    | Power to require the owner or occupier of relevant premises in the local government area, to supply at the relevant premises, enough waste containers, other than standard general waster containers, to contain the general waste produced at the relevant premises. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZF(2)       | Power to consider reasonable, the number of standard general waste containers required at the relevant premises.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZG(1)(a)    | Power to require the occupier of the relevant premises to store general waste at the relevant premises in another type of waste container other than a standard general waste container.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZH(1)(a)    | Power to require a waste container supplied for the premises to be kept at a particular place at the premises.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZH(2)(a)    | Power to arrange to collect waste from the container at the place.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZI(2)       | Power to require the prescribed person to ensure certain things are supplied at the premises.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZI(2)(a)(i) | Power to require the level of an elevated stand for the holding of all waste containers.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2008 | 81ZL(2)(a)(ii) | Power to require drainage of an imperviously paved area where all waste containers can be placed.                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZJ(2)        | Power to give a written notice to the occupier of the relevant premises stating a number of matters listed in s81ZJ(2)(a) – (c).                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZK(2)(a)     | Power to approve and give written approval to the owner or occupier of the relevant premises for depositing or disposing of the waste.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZK(2)(b)     | Power to impose conditions on the approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZL(1)        | Power to require the occupier of the relevant premises where there is industrial waste to do a number of things as set out in section 81ZL(1)(a) – (c).                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZL(1)(a)     | Power to require the number of industrial waste containers to be supplied at the premises for storing the waste at the premises safely, efficiently and without causing a nuisance.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZL(1)(b)     | Power to require the occupier of the relevant premises to keep the waste containers at a place at the premises.                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZL(4)        | Power to approve a type of container as an industrial waste container for the storing of industrial waste at the premises within the local government area.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZM           | Power to require the occupier of the relevant premises where there is industrial waste to treat the waste to a standard.                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZM           | Power to approve the standard to treat waste for the occupier of the relevant premises where there is industrial waste.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZQ(1)        | Power to consent to the matters set out in section 81ZQ(1)(a) – (c).                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 81ZR(2)(b)     | Power to give reasonable instructions to a person to deal with waste.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 133            | Power to require the holder of a relevant authority to pay the authority the difference between the annual fee and the reduced annual fee.                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 150(3)         | In the specified circumstances, as soon as practicable after commencement, power to:<br>(a) give the holder of the registration certificate a notice stating that, under this regulation, the activity is no longer an environmentally relevant activity; and<br>(b) from the anniversary day of the registration certificate, the holder no longer needs a registration certificate to carry out the activity.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2008 | 151(2)         | In the specified circumstances, as soon as practicable after commencement, power to give the holder of a relevant authority a notice stating that:<br>(a) under this regulation, the activity is still an environmentally relevant activity;<br>(b) the provision of schedule 2 applicable to the holder's activity;<br>(c) from the anniversary day of the relevant authority, the holder is taken to have a relevant authority to carry out the activity mentioned in the provision of schedule 2 applicable to the holder's activity. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2008        | 153(2) | In the specified circumstances, as soon as practicable after commencement, power to give the holder of an environmental authority a notice stating that:<br>(a) under this regulation, the activity is still an environmentally relevant activity;<br>(b) the provision of schedule 5 or 6 applicable to the holder's activity;<br>(c) from the anniversary day of the former environmental authority, the holder is taken to have an environmental authority to carry out the activity mentioned in the provision of schedule 5 or 6 applicable to the holder's activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Environmental Protection Regulation 2019</b> |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Environmental Protection Regulation 2019        | 21(4)  | <del>Power to consider the specified benchmarks under section 22(2).</del> Power, where Council is a referral agency for a development application for a material change of use for a concurrence ERA to assess the development application against the matters stated in subsection 21(2)(a) to (c).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019        | 35(1)  | <del>Power to when making an environmental management decision relating to an environmentally relevant activity, other than the prescribed ERA; (a) carry out an environmental objective assessment against the environmental objective and performance outcomes mentioned in schedule 8, part 3, division 1 and 2; and (b) consider the environmental values declared under this regulation; and (c) if the activity is to be carried out in a strategic environmental area – consider the impacts of the activity on the environmental attributes for the area under the Regional Planning Interests Act 2014; and (d) consider each of the following under any relevant environmental protection policies: (i) the management hierarchy; (ii) environmental values; (iii) quality objectives; (iv) the management intent; and (e) if the bilateral agreement requires the matters of national environmental significance to be consider – consider those matters.</del> Power, as an administering authority making an environmental management decision relating to an environmentally relevant activity, other than a prescribed ERA to do those things required in subsections 35(1)(a) to 35(1)(e).                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019        | 35(3)  | <del>In the specified circumstances, power to: (a) carry out an environmental objective assessment against the environmental objective and performance outcomes mentioned in schedule 8, part 3, division 1; and (b) consider the matters mentioned in subsection (1)(b), (c) and (d).</del> Power, as an administering authority making an environmental management decision relating to a prescribed ERA to do those things required in subsections 35(3)(a) and 35(3)(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019        | 35(4)  | In the specified circumstances, power to:<br>(a) carry out an environmental objective assessment against the environmental objectives for water and groundwater mentioned in schedule 8, part 3, division 1, to the extent the performance outcomes for the environmental objectives relate to fine sediment, or dissolved inorganic nitrogen, entering the water of the Great Barrier Reef;<br>(b) consider each environmental value, declared under this regulation, to the extent the value relates to fine sediment, or dissolved inorganic nitrogen, entering the water of the Great Barrier Reef; and<br>(c) if the activity is to be carried out in a strategic environmental area – consider the impacts of the activity on each environmental attribute for the area under the Regional Planning Interests act 2014, to the extent the attribute relates to fine sediment, or dissolved inorganic nitrogen, entering the water of the Great Barrier Reef; and<br>(d) consider each of the following matters under a relevant environmental protection policy, to the extent the matter relates to fine sediment, or dissolved inorganic nitrogen, entering water of the Great Barrier Reef:<br>(i) the management hierarchy;<br>(ii) environmental values;<br>(iii) quality objectives;<br>(iv) the management intent. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2019 | 36(1)   | <del>Power to, when making an environmental management decision relating to an activity, consider whether to impose conditions about each of the specified matters.</del> Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose conditions about each of the matters listed in subsections 36(1)(a) to 36(1)(m).                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 37      | Power, as an administering authority making an environmental management decision relating to an activity, to consider whether to impose monitoring conditions about the release of contaminants from the activity on the receiving environment.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 37(1)   | Power to, when making an environmental management decision relating to an activity, consider whether to impose monitoring conditions about the release of contaminants from the activity on the receiving environment.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 37(2)   | Power to, when considering whether to impose a monitoring condition, consider the specified matters.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 40      | Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste to a wetland for treatment, to refuse to grant the application for a reason listed in subsection 40(2).                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 40(2)   | In the specified circumstances, power to refuse to grant an application if the authority considers that, because of the activity, the wetland may be destroyed or reduced in size or the biological integrity of the wetland may not be maintained.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 41      | Power, as an administering authority making an environmental management decision relating to an activity that involves, or may involve, the release of water or waste directly to groundwater, to refuse to grant the application for a reason listed in subsection 40(2).                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 41(2)   | In the specified circumstances, power to refuse to grant an application if the authority considers one of the specified matters to be relevant.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 41AA(3) | <del>Power to consider the relevant activity will, or may, have a residual impact.</del> Power, as an administering authority in the circumstances set out in subsection 41AA(1), to refuse to grant the application if the relevant activity will, or may have, a residual impact.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 47      | Power, as a person who generates waste, if required by an authorised person, to retest the waste under chapter 5, part 1, division 2.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 51(2)   | <del>In the specified circumstances, power to notify the administering authority of the change in waste types within 24 hours after receiving the test results for the retesting.</del> Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to notify the administering authority of the change within 24 hours after receiving the test results for the retesting.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 51(3)   | <del>In the specified circumstances, within 10 business days of receiving the test results for the retesting of the waste, power to give the administering authority a written report stating the specified things.</del> Power, as a generator of waste in the circumstances prescribed in subsection 51(1), to give a written report to the administering authority containing those things prescribed in subsection 51(3). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 52      | Power, as a generator of tested waste in the State, to:-<br>(a) for each load of the waste transported to a receiver, record the prescribed information for the load in the approved form;<br>(b) give the prescribed information for the load to the receiver; and<br>(c) keep the record mentioned in subsection 52(1) for at least 5 years.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 52(1)   | Power to, for each load of the waste transported to a receiver, record the prescribed information for the load in the approved form.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 52(2)   | Power to, before or when the load is given to a receiver, give the prescribed information for the load to the receiver.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 53(2)   | In the specified circumstances, power to, before or when the receiver is given the load, record the prescribed information for the load in the approved form.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2019 | 53       | Power, as a receiver in the State who is given a load of tested waste, to:- (a) record the prescribed information for the load in the approved form;<br>(b) within 24 hours after becoming aware of an omission or inaccuracy in the prescribed information, give written notice of the omission or inaccuracy to the administering authority;<br>and<br>(c) keep the record mentioned in subsection 53(2) for at least 5 years. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 53(3)    | In the specified circumstances, power to within 24 hours after becoming aware of an omission or inaccuracy in the prescribed information, give written notice of the omission or inaccuracy to the administering authority.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 73       | Power, as a waste handler to pay the fee to the chief executive when giving prescribed information about the transportation of trackable waste to the administering authority.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 78(1)    | Power, as a generator, to give the transporter the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 78(2)    | Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period after giving the waste to the transporter.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 79(2)    | Power, as a transporter, to give the receiver the prescribed information about the waste and to record the prescribed information about the waste.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 79(3)    | Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 79(4)    | Power, as a transporter, to keep the record mentioned in subsection 79(2)(b) for at least 5 years.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 80(1)    | Power, as a receiver, to record the prescribed information about the waste.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 80(2)    | Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 80(3)    | Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 80(4)    | Power, as a transporter, to keep the record mentioned in subsection 80(1) for at least 5 years.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 84(1)    | Power, as a receiver, to record the prescribed information about the waste.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 84(2)    | Power, as a receiver, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 84(3)    | Power, as a receiver, to give the administering authority written notice of a discrepancy in information received from the transporter.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 84(4)    | Power, as a receiver, to keep the record mentioned in subsection 84(1) for at least 5 years.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 87(1)    | Power, as a generator, to give the transporter the prescribed information about the waste and to record the prescribed information about the waste.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 87(2)    | Power, as a generator, to give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed period.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 87(4)    | Power, as a receiver, to keep the record mentioned in subsection 87(1)(b) for at least 5 years.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 88(2)    | Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 90(1)(b) | In the specified circumstances, power to enter into a written agreement with another person to do the thing for the waste handler.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 88(2)    | Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 92       | Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3 and to take all steps necessary to advance the application.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Environmental Protection Regulation 2019 | 93            | Power to apply to the administering executive for a consignment number for a load of trackable waste to be transported into Queensland and to take all steps necessary to advance the application.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 93(1)         | In the specified circumstances, power to apply to the administering authority for a consignment number.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 94            | Power to apply to the administering executive for an exemption for the transportation of trackable waste to which Chapter 5, Part 9 applies and to take all steps necessary to advance the application.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 94(1)         | Power to apply to the administering authority for an exemption for the transportation of trackable waste for which this part applies.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 97            | Power to apply to the administering executive for a generator identification number.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 101(1)(b)     | <del>Power to require the owner or occupier of a relevant premises in a local government area to supply at the relevant premises, enough waste containers, other than standard general waste containers, to store the general waste produced at the relevant premises. Power to require an owner or occupier of relevant premises to supply waste containers other than standard general waste containers.</del>                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 101(2)        | <del>Power to determine the amount of standard general waste containers reasonably required at a premises, and to supply to the relevant premises that number of standard general waste containers. Power to supply premises with standard general waste containers.</del>                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 102(1)(a)     | Power to require the occupier of a relevant premises to store general waste at the relevant premises in another type of waste container than a standard general waste container.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 101(3)        | In the specified circumstance, power to recover the reasonable costs of supplying the container as a debt payable by the owner or occupier of the relevant premises to the local government.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 102(1)(a)     | Power to require the occupier of a relevant premises to store general waste at the relevant premises in another type of waste container than a standard general waste container.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 103(1)(a)     | <del>In the specified circumstances, power to require that the occupier of serviced premises ensure that a waste container supplied for the premises is kept at a particular place at the premises. Power to require a waste container to be kept at a particular place at a premises.</del>                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 103(2)(a)     | In the specified circumstances, power to arrange to collect waste from the container at a place.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 104(2)        | <del>In the specified circumstances, power to require the person to ensure each of the specified things is supplied at the premises. Power to require a prescribed person of serviced premises, other than a detached dwelling, to supply:</del><br>(a) an elevated stand at a level required by Council; or<br>(b) an imperviously paved and drained area for the waste containers, and<br>(c) a hose cock and hose in the vicinity of the stand or paved area; and<br>(d) a suitable enclosure for the waste containers. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 104(2)(a)(i)  | Power to specify a level required by the local government for an elevated stand holding all waste containers.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 104(2)(a)(ii) | Power to require an imperviously paved area where all waste containers can be placed to be drained.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 105           | Power to give a written notice about the removal of general waste.                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 105(2)        | In the specified circumstances, power to give the occupier of the relevant premises a written notice stating the specified things.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 106           | Power to give a written approval to the owner or occupier of relevant premises for depositing or disposing of general waste and to impose conditions on the approval.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 106(2)(a)     | In the specified circumstances, power to give a written approval (a relevant approval) to the owner or occupier of the relevant premises for depositing or disposing of the waste.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2019 | 106(2)(b)                            | In the specified circumstances, power to impose conditions on the approval.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 107(1)                               | <del>Power to require the occupier of relevant premises where there is industrial waste to do the specified things.</del> Power to require the occupier of relevant premises where there is industrial waste to:<br>(a) supply industrial waste containers;<br>(b) keep the waste containers at a place at the premises that Council requires; and<br>(c) keep each waste container clean and in good repair | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 107(2)                               | <del>In the specified circumstances, the power to supply industrial waste containers at the premises.</del> Power, where the occupier does not supply the waste containers required under subsection 107(1)(a), to supply industrial waste containers.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 107(4)                               | Power to approve a type of waste container for storing industrial waste at premises within the local government's area.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 108                                  | <del>Power to determine the standard that industrial waste must be treated to for disposal of the waste at a waste facility.</del> Power to require occupier of relevant premises where there is industrial waste, to treat the waste to the standard approved by Council for disposal of the waste at a waste facility.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 108                                  | Power to require the occupier of relevant premises where there is industrial waste to treat the waste to a standard for disposal of the waste at a waste facility.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 112(1)                               | Power to consent to a person: (a) entering the facility other than to deposit waste; or (b) remaining on the facility after depositing waste; or (c) interfering with waste at, or removing the waste from, the facility.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 113(2)(a)                            | In the specified circumstances, the power to display signs giving reasonable directions at the facility.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 113(2)(b)                            | In the specified circumstances, the power to give reasonable instructions to a person who transports and delivers waste to the waste facility                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 113(2)(c)                            | In the specified circumstances, the power to request the person who transports and delivers waste to waste facility to give information to the owner or operator about the type and amount of waste being delivered.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 117(2)                               | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive the information identified in subsection 117(2).                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 117(7)                               | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to comply with a notice issued by the chief executive pursuant to subsection 117(6).                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 119                                  | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to keep the information listed in section 119.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 120                                  | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to make written representations to the Minister in response to a notice issued pursuant to subsection 120(4).                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 123                                  | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to apply to the chief executive for an estimation technique approval and to respond to any request for further information.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 127                                  | Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to give the chief executive a written notice claiming that the information required to be given under section 117(2) or (7) should be treated as confidential and to respond to any requests for further information.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 130, 131, 132, 133, 134, 135 and 136 | Power to administer and enforce those provisions of the Act devolved to Council under Chapter 8, Part 1.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 155                                  | Power, as an administering authority, to recover as a debt an unpaid fee under the Act.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019 | 166(1)                               | Power, as a holder, to give the chief executive the documents listed in subsection 166(1).                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 170           | Power, as a holder, to keep the records listed in in subsections 170(a) to (d).                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 171(3)        | Power, as a holder, to comply with a notice issued by an authorised person pursuant to subsection 171(2).                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 172           | Power, as a holder, to give the administering authority written notice that eligibility for the reduced annual fee under subsections 165(1)(c)(i) or (ii) has stopped.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 173(2)        | <del>Power to require, by written notice, the holder of a relevant authority to pay the authority the difference between the annual fee and the reduced annual fee.</del> Power, as an administering authority, to require by written notice the holder to pay the difference between the annual fee and the reduced annual fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 174(3)        | Power, as an administering authority, to recover as a debt from the holder of an environmental authority an unpaid supplementary annual fee for an amended environmental authority.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 175           | Power, as an administering authority, to, by written notice, require the holder of an environmental authority for regulated waste transport to pay a supplementary annual fee and if unpaid, to recover the supplementary annual fee as a debt.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 177(2)        | Power, as an administering authority, to, by written notice, require the holder to pay:- (a) the annual fee or the outstanding amount of the fee; and (b) the late payment fee stated in schedule 15 of the Regulation.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 177(3)        | Power, as a holder, to comply with a notice issued pursuant to subsection 177(2).                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Environmental Protection Regulation 2019                                                                                                                                                                                                                                 | 178(2)        | Power, as a holder, to pay the administering authority a fee for its assessment of the holder's annual returns and monitoring compliance with the transitional environmental program.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Fire and Emergency Services Act 1990</b><br><b><u>The Purpose of this Act</u></b><br>An Act to establish the Queensland Fire and Emergency Service, to establish a fund for particular purposes, to provide for the prevention of and response to fires and emergency |               |                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 58D           | Power to comply with a requirement issued by an authorised fire officer under subsection (2).                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 59            | Power, at the direction of an authorised fire officer, to exercise a power conferred upon the authorised fire officer.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 64(2)         | Power as an occupier of land to ask the commissioner to give a notice under section 64(1) o an occupier of adjoining land.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 65(1)         | Power to apply to the commissioner for a permit to light a fire on land.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 67            | Power, as occupier of the land, to: (a) take all reasonable steps to extinguish or control the fire; and (b) report the existence and location of the fire to a person identified in subsection 67(b).                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 68(1)         | Power, as occupier of land, to: (a) enter the land on which the fire is burning and any other land in order to gain access to the land where the fire is burning; and (b) take on to the land, equipment for extinguishing or controlling the fire; and (c) take all reasonable measures to extinguish or control the fire.      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 69            | Power to comply with a requisition notice.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 96            | Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to provide information sought by the commissioner in a notice.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 97,99 and 100 | Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to prepare an off-site emergency plan and to amend the plan.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                                                                     | 98(2)         | Power to pay to the commissioner charges for any advice or other assistance provided in preparation of an off-site emergency plan.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Fire and Emergency Services Act 1990 | 101                                           | Power to implement an off-site emergency plan.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 102(1)                                        | Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104E                                          | Power, as the occupier of a building, to maintain a fire and evacuation plan and to provide instructions to prescribed persons in the building concerning the action to be taken by them in the event of fire threatening the building.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104F(2)                                       | Power to pay to the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104G(2)                                       | Power to consult with the commissioner about a notice under section 104G(1).                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104G(3)                                       | Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 104G(1).                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104I(9)                                       | Power to consult with an authorised officer about a notice under section 104I(7) or (8).                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104SI(2)(b)(ii)                               | Power to nominate a person to be appointed an assessor by the commissioner to help QCAT in section 104SG(1) proceedings.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104SG(2)                                      | Power to nominate persons as assessors.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 104SI(2)(b)(ii)                               | Power to nominate persons as assessors to assist QCAT in proceedings mentioned in s104SG(1).                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 105(1)<br>'Prescribed property' paragraph (b) | In the specified circumstances, power to determine that a portion of a parcel of land separately held by an owner should be classed as a separate parcel for the purposes of Part 10 of the Fire and Rescue Service 1990.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 109(1)                                        | Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 111(2)                                        | Power to collect annual contributions and other amounts imposed by the local government pursuant to Part 10 of the <i>Fire and Emergency Service Act</i> .                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 112(1)                                        | Power to collect annual contributions and other amounts imposed by the local government pursuant to Part 10 of the <i>Fire and Emergency Service Act</i> .                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 112(2)                                        | <del>In the specified circumstances, power to give the owner of each prescribed property within its area a levy notice.</del> Power to give the owner of a prescribed property a levy notice.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 113(3)                                        | Power to give the chief executive information which is relevant to the determination of an appeal against a local government's determination, if required by the chief executive.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 113(6)                                        | <del>In certain circumstances, the power to amend the levy notice, to revoke the levy notice and give a new levy notice.</del> Power to amend, revoke or revoke and give a new levy notice if the chief executive allows an appeal.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 113(7)                                        | <del>In certain circumstances, the power to amend the levy notice, to revoke the levy notice and give a new levy notice.</del> Power to amend, revoke or revoke and give a new levy notice if the chief executive allows an appeal.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 117(3)                                        | <del>The power to decide the way in which Council keeps the administration fee.</del> Power to decide the way in which it keeps an administration fee for performing functions under Part 10 of the Fire and Emergency Service Act.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 118(1)                                        | Power to make payments to the department, for the fund, out of its operating fund from moneys received or recovered by the local government under Part 10.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 118(4)                                        | Power to prepare and submit a return in the approved form                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990 | 121(2)                                        | <del>Power to refuse an application to pay an outstanding amount in instalments or grant an application to pay an outstanding amount in instalments subject to any conditions thought fit.</del> Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 126(1)   | <del>Power to, by notice in writing, require an owner of prescribed property to pay an amount not exceeding an amount representing the prescribed per centum of the amount of arrears, by way of collection fee.</del> Power to engage a debt collector (authorised to perform a debt collection activity under the Debt Collectors (Field Agents and Collection Agents) Act 2014) to collect any arrears of annual contribution payable by an owner of prescribed property, and to require by notice in writing the owner to pay an amount by way of a collection fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 128A     | Power to contribute amounts raised via special rates or charges, or separate rates or charges, to rural fire brigades operating in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 133(2)   | Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 134(2)   | <del>Power to nominate a local controller of an SES unit.</del> Power to nominate a person to be the local controller for an SES unit.                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 136(3)   | Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 136(4)   | Power to consult with the commissioner about the appointment of a person as a SES coordinator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 140      | <del>Power to enter an agreement with the Commissioner that sets out responsibilities of each party in relation to the SES in the local government's area.</del> Power to enter an agreement with the Department which sets out the responsibilities of each party in relation to the SES in Council's local government area.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 141(2)   | Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 142(3)   | Power to consult with the commissioner about the functions of an ES unit in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 146(2)   | <del>Power to nominate an ES unit co-ordinator of the ES unit.</del> Power to nominate a person to be a ES unit coordinator.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Fire and Emergency Services Act 1990                                                                                                                                                                                              | 152C(4)  | Power to produce to an authorised person any document or record mentioned in subsection (2)(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Food Act 2006</b><br><b>The Purpose of this Act</b><br>An Act to provide for matters relating to handling and selling food, securing the safety and suitability of food and fixing standards for food, and for other purposes. |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
| Food Act 2006                                                                                                                                                                                                                     | 23(1)    | Power to administer and enforce the following provisions of the Food Act 2006: a ) section 39(1); (b) chapters 3 and 4; (c) chapter 6, other than section 159.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                     | 24       | Power to administer and enforce sections 32, 33, 35 and 36 of the <i>Food Act 2006</i> , in conjunction with the State.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                     | 25(1)(a) | Power to agree with the chief executive that the State may do a thing that is a matter of administration and enforcement for local government under section 23(1) of the <i>Food Act 2006</i> . . Power to agree with the chief executive that the State may do a thing that is a matter of administration and enforcement for local government under section 23(1) of the Food Act 2006.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                     | 25(1)(b) | Power to agree with the chief executive that Council may do a thing that is a matter of administration and enforcement for the State under section 22(1) of the <i>Food Act 2006</i> .                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                     | 27(a)    | Power to consult with the chief executive in relation actions taken by the State on Council's behalf under section 26(2).                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                     | 27(a)    | Power to consult with the chief executive in relation actions taken by the State on Council's behalf under section 26(2).                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Food Act 2006 | 28(4)    | Power to consult with the chief executive about the chief executive asking Council to provide information about matters administered and enforced by Council, either solely or in conjunction with the State, under the Food Act 2006.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 55       | <del>Power to consider the application and decide to grant, or refuse to grant, the application.</del> Power to consider and grant, or refuse to grant, an application for a licence to carry on a licensable food business.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 56(1)    | Power to be satisfied that the specified criteria are fulfilled.                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 56(2)    | <del>Power to obtain and consider the written advice of an auditor about whether or not the auditor considers the food safety program complies with section 98.</del> Power to obtain and consider the written advice of an auditor about whether a food safety program complies with section 98.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 57       | Power to have regard to the specified matters in relation to the suitability of a person to hold a licence.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 58       | Power to decide whether premises are suitable for carrying on a licensable food business.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 58(b)    | In deciding whether premises are suitable for carrying on a licensable food business, the power to obtain and consider the written advice of an authorised person about whether or not the authorised person considers the premises are suitable for carrying on the business.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 59(1)(a) | <del>Power to make inquiries to decide the suitability of -</del><br>(i) the applicant to hold a licence; and<br>(ii) the premises for carrying on a licensable food business. Power to make enquiries as to the suitability of the applicant to hold a licence, and the suitability of the premises for carrying on a licensable food business. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 59(1)(b) | <del>In the specified circumstances power to give notice to the applicant requiring the applicant to provide the local government with further information or a document.</del> Power to require the applicant to give Council further information or documents that Council reasonably requires.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 60(2)    | The power to give an applicant an information notice for the decision if the decision is to refuse.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 62(1)    | Power to consider more time is needed to make a decision about an application because of the complexity of matters that need to be considered in deciding the application.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 62(2)    | <del>In the specified circumstances, the power to give notice to the applicant that further consideration of the application is required.</del> Power to extend the time needed to make a decision about the application.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 62(3)    | <del>In the specified circumstances, the power to agree with the applicant on the day by which the application must be decided.</del> Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 64       | <del>In the specified circumstances, the power to issue a provisional licence to the applicant.</del> Power to issue a provisional licence, at any time prior to deciding an application for a licence.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 67       | <del>Power to decide a term of a licence other than a provisional licence of not more than 3 years.</del> Power to decide the term of the licence. (Note: not more than 3 years).                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 68(1)    | <del>Power to decide a term of provisional licence of not more than 3 months.</del> Power to decide the term of the provisional licence. (Note: not more than 3 months).                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |          |                                                                                                                                                                                                                                                    |                         |                                                                |
|---------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Food Act 2006 | 68(2)    | <del>Power to issue a notice to extend the term of licence.</del> Power to extend, and further extend, the term of a provisional licence (to a total period of not more than 3 months after the provisional licence was issued).                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 69(1)(e) | <del>In the specified circumstances, the power to impose other reasonable conditions considered appropriate for the food business.</del> Power to impose reasonable conditions on the licence.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 69(2)(b) | Power to consider it necessary to impose a condition.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 69(3)    | Power to give an information notice for the decision.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 71       | Power to give the licensee notice of the imminent expiry of a licence.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 72(3)    | <del>Power to consider the application and decide to renew, or refuse to renew, the licence.</del> Power to consider and renew, or refuse to renew, the licence for an application made under section 72(1) of the Food Act 2006.                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 72(4)    | Power to have regard to the specified matters.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 72(5)    | Power to give an information notice to the licensee if the local government decides to refuse to renew the licence or impose conditions on the licence.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 73(3)    | <del>Power to consider the application and decide to restore, or refuse to restore, the licence.</del> Power to consider and restore, or refuse to restore, the licence, where application has been made under section 73(1) of the Food Act 2006. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 73(4)    | Power to have regard to the specified matters.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 73(5)    | Power to give a person an information notice for the decision if the local government decides to refuse to restore the licence, or impose conditions on the licence.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 74(3)    | <del>Power to consider the application and decide to amend, or refuse to amend, the licence.</del> Power to consider and amend, or refuse to amend, a licence, where application has been made under section 74(1) of the Food Act 2006.           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 74(4)    | Power to amend a licence by changing the location of the premises from which the licensee proposes to carry on a licensable food business.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 74(5)    | In the specified circumstances, the power to be satisfied on reasonable grounds that the premises are suitable for carrying on a licensable food business.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 74(6)    | Power to give a licensee a licence and an information notice for a decision if the local government decides to refuse to amend the licence.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 74(7)    | Power to give the licensee an information notice for the decision if the local government decides to impose conditions on the licence.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Food Act 2006 | 75(1)    | <del>In the specified circumstances power to require the applicant to give the local government further information or a document.</del> Power to require the applicant to give Council further information or documents Council reasonably requires to decide the application (for an application that is made under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. sections 72(1), 73(1) and 74(1)). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 77(4)    | Power to give an information notice where Council has failed to decide an application within 30 days of receipt under Chapter 3, Part 5, Division 2, Subdivision 1, i.e. Sections 72(1), 73(1) and 74(1).                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 78(2)    | In the specified circumstances, the power to have regard to the specified matters regarding the suitability of a person to hold a licence.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 79(1)(a) | Power to form a belief that a ground exists to suspend or cancel a licence.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 79(2)    | <del>In the specified circumstances, the power to give the licensee a show cause notice.</del> Power to give a show cause notice.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 80(2)    | <del>In the specified circumstances, the power to consider all representations.</del> Power to consider representations about a show cause notice.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 81       | <del>In the specified circumstances, the power to form a belief that a ground no longer exists to suspend or cancel a licence.</del> Power to end the show cause process after considering representations made by the licensee.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 82(1)(b) | Power to form a belief that a ground exists to suspend or cancel a licence.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 82(2)(a) | <del>In the specified circumstances, the power to suspend the licence for not longer than the proposed suspension period.</del> Power to suspend a licence after considering representations (if any).                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 82(2)(b) | <del>In the specified circumstances, the power to cancel the licence or suspend it for a period.</del> Power to cancel a licence after considering representations (if any).                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 82(3)    | Power to give an information notice to the licensee for the decision if the local government decides to take action under s82(2).                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 83(1)    | <del>In the specified circumstances, the power to suspend a licence immediately.</del> Power to suspend a licence immediately.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 83(2)    | Power to give an information notice and show cause notice, as required, before suspending a licence pursuant to section 83(1).                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 83(2)(a) | Power to give an information notice to the licensee together with a show cause notice about the decision to suspend a licence.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 83(4)    | Power to give the licensee a licence.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 90(1)    | Power, as the second local government, to take the same action as the first local government (except the power to cancel, suspend impose conditions or other similar action in relation to the licence).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Food Act 2006 | 91(1)(b) | Power to consider that a licensee has done or omitted to do something, if done or omitted to be done in the first local government's area, would be a contravention of the conditions of the licence.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 91(2)    | <del>In the specified circumstances, the power to advise the first local government of the thing done or omitted to be done.</del> Power, as the second local government, to advise the first local government of the thing done or omitted to be done by a licensee of a mobile food business.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 92(2)    | <del>In the specified circumstances, the power to take action in relation to the thing done or omitted to be done by the licensee.</del> Power, as the first local government, to take action, in relation to a thing done or omitted to be done by the licensee in the second local government area.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 97       | Power to consider and grant, or refuse to grant, an application for a replacement licence.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 97(1)    | Power to consider the application and decide to grant, or refuse to grant, the application.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 97(2)    | Power to be satisfy the licence has been destroyed, lost or stolen, or damaged in a way to require its replacement.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 97(3)    | Power to issue another licence to the applicant to replace the damage, destroyed, lost or stolen licence.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 97(5)    | Power to give an information notice to the applicant for the decision if the local government decides to refuse to grant the application.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 103(1)   | <del>Power to consider the application and decide to accredit, or refuse to accredit, the food safety program.</del> Power to consider an application and to accredit, or refuse to accredit, the food safety program.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 103(2)   | <del>Power to obtain and consider the written advice of an auditor about whether or not the auditor considers the food safety program complies with the criteria in section 104.</del> Power to obtain and consider the written advice of an auditor about whether or not the food safety program complies with the criteria in section 104. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 104      | Power to be satisfied that the food safety program meets the specified criteria.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 105(1)   | <del>In the specified circumstances, the power to give notice to the applicant requiring the applicant to give further information or a document to a local government.</del> Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application.       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 106(2)   | Power to give an applicant an information notice for a decision if the local government decides to refuse to accredit a food safety program.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 107(4)   | <del>Power to give an information notice to the applicant if the application is refused under section 107.</del> Power to give an information notice to the applicant where the application is refused under section 107.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 108(1)   | <del>In the specified circumstances, the power to consider more time is needed to make a decision.</del> Power to decide that more time is needed to make a decision about the application.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 108(2)   | In the specified circumstances, the power to give notice to the applicant of the specified matters.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Food Act 2006 | 108(3)    | <del>In the specified circumstances, the power to agree with the applicant on a day by which the application must be decided.</del> Power to agree with the applicant, at any time prior to the final consideration day, about the day upon which the application must be decided.                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 109(2)(a) | In the specified circumstances, the power to decide how often the holder of the program must have compliance audits of the program conducted under this Act.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 109(2)(b) | The power to give the holder of a food safety program an information notice for the decision.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 109(2)    | Power, after accrediting an applicant's food safety program, to decide how often the program must have compliance audits.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 109(3)    | In deciding the frequency of audits for subsection (2)(a), the power to have regard to the stated matters.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 110       | Power to determine changes to the frequency of compliance audits for a food safety program accredited by Council.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 110(1)    | In the specified circumstances, the power to change the frequency of compliance audits for a food safety program if considered necessary to make the change in the interest of public health or safety                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 110(2)    | In the specified circumstances, the power to have regard to the results of a compliance or non-conformance audit of the program.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 110(3)    | The power to give an information notice for the decision to the holder of a food safety program if the local government decides to change the frequency of compliance audits for the food safety program.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 110(4)    | Power to give the holder of a food safety program a notice of change if the local government decides to change the frequency of compliance audits for the food safety program.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 112(4)    | <del>Power to consider the application and decide to approve, or refuse to approve, the amendment.</del> Power to consider an application and approve, or refuse to approve, the amendment of an accredited food safety program.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 112(5)    | Power to be satisfied that the stated criteria are fulfilled.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 112(6)    | Power to give an information notice to an applicant for a decision if the local government decides to refuse to approve an amendment.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 113(1)    | <del>In the specified circumstances power to require the applicant to give the local government further information or a document.</del> Power, before deciding the application, to require the applicant to give further information or documents reasonably required to decide the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 114       | Power, by notice, to direct the holder of a Council accredited food safety program to amend the program.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 114(1)    | In the specified circumstances, the power to direct the holder of a food safety program to amend the program.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 114(2)    | Power to give a notice to the holder of a food safety program for a direction under section 114(1).                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 114(3)(c) | Power to give an information notice with a notice of direction made under section 114(2).                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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|---------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Food Act 2006 | 115(2)    | Power to be satisfied that the amendment complies with the direction under section 114.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 118       | Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 118(1)    | In the specified circumstances, the power to form a belief that a ground exists to cancel the accreditation of a food safety program and to give the holder of the program a show cause notice.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 119       | Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 119(2)    | In the specified circumstances, the power to consider all representations.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 120       | <del>In the specified circumstances, the power to form a belief that a ground no longer exists to cancel the accreditation.</del> Power, after considering written representations by the holder of the accredited food safety program, to take no further action. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 121(1)(b) | In the specified circumstances, the power to form a belief that—<br>(i) a ground still exists to cancel the accreditation; and<br>(ii) cancellation of the accreditation is warranted.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 121(2)    | <del>Power to cancel the accreditation.</del> Power to cancel the accreditation of a food safety program.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 121(3)    | Power to give the holder of a food safety program an information notice for the decision if the local government decides to take action under section 121(2).                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 160(2)    | Power to conduct a nonconformance audit of a food safety program.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 165       | Power, as administering executive, to give directions to an authorised person in the exercise of powers under the Food Act 2006.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 168       | Power to appoint an authorised person for the purposes of the Food Act 2006.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 168(2)    | Power to appoint an employee of the local government as an authorised person.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 168(3)    | Power to appoint an employee of the local government as an authorised person.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 169       | Power, as administering executive, to sign a notice that states the conditions on which an authorised person holds office.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 170       | Power, as administering executive, to issue an identity card to each authorised person.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 193(6)    | <del>Power to consider appropriate how a thing forfeited to the local government may be dealt with.</del> Power, if a seized thing is forfeited to Council, to deal with it a manner considered appropriate.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006 | 210(2)    | Power to approve an improvement notice where remedying the contravention would be likely to stop the food business from operating.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Food Act 2006                                                                                                                                                                                                                         | 222(b)    | Power to form a belief on reasonable grounds that an injunction under the part is necessary.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 223       | <del>Power to apply to the District Court for an injunction in relation to the conduct.</del> Power to apply to the District Court for an injunction.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 237       | Power, as the 'reviewer', to review an original decision under Chapter 3 or Chapter 4 of the Food Act 2006.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 238(2)    | <del>Power to extend the time for applying for the review.</del> Power, as reviewer, to, at any time, extend the time to apply for a review.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 239       | Power, as reviewer, to, after reviewing the original decision, make a further decision to: (a) confirm the original decision; or (b) amend the original decision; or (c) substitute another decision for the original decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 239(1)    | In the specified circumstances, the power to make a further decision after reviewing the original decision.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 239(2)    | Power to give an applicant a notice of the review decision.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 250(4)    | Power to sign a certificate stating that costs sought by Council under section 255 of the Food Act 2006 were incurred.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 255(1)(b) | Power to apply to the Court for an order against a person for the payment of the costs, that the state or local government has incurred in taking a thing or doing something during the investigation of an offence.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 258       | Power to deal with a thing forfeited to Council, under section 257, in manner considered appropriate.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 258(1)    | Power to consider appropriate the way in which the local government may deal with a thing that becomes local government's property.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 258(2)    | Power to destroy or dispose of a thing.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Act 2006                                                                                                                                                                                                                         | 277(2)    | <del>Power to approve forms for the use by the local government under this Act.</del> Power to approve forms for use by the Council under the Food Act 2006.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Food Production (Safety) Act 2000</b><br><b>The Purpose of this Act</b><br>An Act to establish Safe Food Production QLD and provide for food safety matters relating to the production of primary produce, and for other purposes. |           |                                                                                                                                                                                                                                 |                         |                                                                |
| Food Production (Safety) Act 2000                                                                                                                                                                                                     | 83        | Power to approve the appointment of an employee of Council as an authorised officer by Safe Food Production (QLD).                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Food Production (Safety) Act 2000                                                                                                                                                                                                     | 83(1)(c)  | In the specified circumstances, the power to approve the appointment of an employee of Council as an authorised officer by Safe Food.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Housing Act 2003</b><br><b>The Purpose of this Act</b><br>An Act about the provision of housing and related matters                                                                                                                |           |                                                                                                                                                                                                                                 |                         |                                                                |
| Housing Act 2003                                                                                                                                                                                                                      | 25(1)     | <del>Power to enter into an agreement with the chief executive for funding.</del> Power to enter a funding agreement with the Chief Executive.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003                                                                                                                                                                                                                      | 26(2)(b)  | <del>Power to provide a written response to the chief executive.</del> Power, as a funded provider, to respond to a show cause notice issued by the Chief Executive.                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                |               |                                                                                                                                                                                                                                                                                                    |                         |                                                                |
|--------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Housing Act 2003               | 34            | Power, as a funded provider, to comply with the prescribed requirements.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 35(5)         | Power, as a funded provider who has received a compliance notice, to comply with the notice.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 37B           | Power, as an applicant that is a local government, to apply for registration on the State Register, pay the prescribed fee and comply with any requirement for information or documents issued by the Registrar.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 37D           | Power, as a registered provider, to comply with each condition applying to the registration and each applicable code provision.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 37H(6)(b)(ii) | Power to agree with the registrar in writing the relevant day.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 37G(1)(a)     | Power, as a State provider, to apply to the Registrar for the cancellation of the provider's registration.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 37H(3)        | Power, as a State provider, in circumstances mentioned in subsection (1), to ensure that on or before the relevant day, each State community housing asset is transferred in accordance with subsection (3) and any conditions imposed by the chief executive.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38B(3)        | Power, as a registered provider, to comply with the binding instructions stated in a notice of non-compliance.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38C(3)        | Power, as a registered provider who has received a notice of intent to cancel registration, to respond to the notice.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38D(7)        | Power, as a registered provider, to agree with a statutory manager about the provider performing a function exercising a power.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38E(1)        | Power, as a registered provider, to pay the expenses of a statutory manager.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38H(b)        | Power to consent to the release of information concerning Council by the registrar.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38C(4)(b)     | Power to request an extension of time in a notice of intent from the Registrar.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 38H(b)(i)     | Power to consent to the disclosure of information by the registrar as the person from whom the information was obtained.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 56(1)         | Power as an executive officer to comply with a request for information or documents issued by the interim manager.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 59            | Power, as a funded ancillary provider, to pay the amount of an administration cost.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 62(1)         | Power to claim compensation from the Chief Executive where Council has incurred loss or damage because of the exercise or purported exercise of a power under Part 6 of the Act.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 65            | <del>Power to apply to the chief executive for a review of a decision.</del> Power, as an entity entitled to be given a notice under section 64, to apply to a Chief Executive for a review of the decision.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 81(5)         | <del>Power to comply with a notice received from the Chief Executive of an authorised officer requiring the giving of information or documents.</del> Power to comply with a notice received from the Chief Executive of an authorised officer requiring Council to give information or documents. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 81A(1)        | Power, as a registered provider, to ensure that a suitably qualified officer attends a meeting with the Registrar.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 83            | Power, where Council incurs loss or damage because of the exercise or purported exercise of a power under Part 7, to claim compensation from the Chief Executive.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Act 2003               | 94K(1)(b)     | Power, as the registered owner of a lot, to request that the registrar of titles remove the record of the existence of the deed.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Housing Regulation 2015</b> |               |                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Housing Regulation 2015        | 15(1)         | Power to accept an application, in the approved form, from a person for a social housing service.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015        | 17(4)         | Power, as a funded provider who receives funding to provide housing for residential use, where a tenant pays rent for the housing, to keep a record of rent calculations for the tenant stating those matters listed in subsection (4).                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 18       | Power, as a funded provider that receives funding to provide a social housing service, to give the Chief Executive information about each funded property for the service and where necessary, to notify details of changes of the information.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 18(2)    | Power to give the chief executive information, in the approved form, about each funded property for the service.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 19(3)    | <del>Power to comply with a request made under section 19(2) within the time stated in the notice.</del> Power, as a funded provider that receives funding to provide a housing service, to comply with a notice from the Chief Executive for information.                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 26       | Power, where Council has applied to the Chief Executive to lodge a document, to comply with a requisition notice issued by the Chief Executive.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 37(2)    | <del>Power to consult with the chief executive about the most appropriate method for transferring or otherwise disposing of a relevant asset.</del> Power, as an accommodation provider, to consult with the Chief Executive about the most appropriate way of transferring or otherwise disposing of the relevant asset. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 37(3)    | Power to seek the Chief Executive's written consent to transfer or otherwise dispose of a relevant asset in a particular way.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Housing Regulation 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 37(6)    | Power, as an accommodation provider, to comply with a condition imposed by the Chief Executive.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Heavy Vehicle National Law (Queensland)</b><br><b>The Purpose of this Act</b><br>The object of this Law is to establish a national scheme for facilitating and regulating the use of heavy vehicles on roads in a way that—<br>(a) promotes public safety; and<br>(b) manages the impact of heavy vehicles on the environment, road infrastructure and public amenity; and<br>(c) promotes industry productivity and efficiency in the road transport of goods and passengers by heavy vehicles; and<br>(d) encourages and promotes productive, efficient, innovative and safe business practices. |          |                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 26C      | Power, as a party in the chain of responsibility for a heavy vehicle, to ensure, so far as is reasonably practicable, the safety of the party's transport activities relating to the vehicle.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 69       | Power to apply for a vehicle standards exemption permit and to comply with any request from the Regulator for further information.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 75       | Power, as the holder of a permit for a vehicle standards exemption (permit), to apply to the Regulator for an amendment or cancellation of the exemption and to comply with any request from the Regulator for further information.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 76(2)(e) | Power, as the holder of a permit for a vehicle standards exemption permit, to make written representation in response to a notice issued by the Regulator issued under subsection (2).                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 79(1)    | Power, as the holder of a permit for a vehicle standards exemption permit, to comply with a notice issued by the Regulator requiring the return of the permit.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 80(1)    | Power, in the circumstances specified in subsection (1), to apply for a replacement permit.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 82(3)    | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 83(3)    | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 96(1)    | Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the mass requirements applying to the vehicle.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                         |           |                                                                                                                                                                                                                                                                                            |                         |                                                                |
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| Heavy Vehicle National Law (Queensland) | 102(1)    | Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the dimension requirements applying to the vehicle.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 111(1)    | Power, as a person who permits another person to drive a heavy vehicle on a road, to ensure the vehicle, and the vehicle's components and load, comply with the loading requirements applying to the vehicle.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 118(1)    | Power, as a road manager, to consent to the grant of a mass or dimension exemption (notice)                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 119(5)(b) | Power, as a road manager, to consent to the amendment of a map or list imposed on a mass or dimension exemption (notice)                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 123       | Power to apply to the Regulator for a mass or dimension exemption (permit) and to comply with a notice from the Regulator for additional information.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 124(1)(b) | <del>Power to consent to the grant of an exemption.</del> Power, as a road manager, to consent to the grant of a mass or dimension exemption (permit)                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 130(3)    | Power, as an operator of a heavy vehicle, to ensure, so far as is reasonably practicable, the driver of the pilot vehicle or escort vehicle complies with subsection (2). the vehicle, and the vehicle's components and load, comply with the loading requirements applying to the vehicle | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 132(3)    | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 133(3)    | Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 139(1)(b) | Power to consent to a grant for an authorisation.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 142(6)(b) | Power, as a road manager, to consent to the amendment of a map or list imposed on a class 2 heavy vehicle authorisation (notice)                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 145(1)(b) | . Power, as a road manager, to consent to the grant of a class 2 heavy vehicle authorisation (notice). Power, as a road manager, to consent to the grant of a class 2 heavy vehicle authorisation (permit)                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 151(3)    | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 152(3)    | Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(1)    | <del>Power to decide to give consent within the time specified and agree to a longer period for providing consent.</del> Power, as a road manager, to consent or not to consent to the grant of a mass or dimension authority.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(2)    | Power, as a road manager, to ask the Regulator for a longer period of time under section 156(1)(b).                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(2)(b) | Power to ask the Regulator for a longer period under subsection 156(1)(b) and power to consider a route assessment is necessary for deciding whether or not to give the consent under section 156(1).                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(2)(c) | Power to be consulted about a Road Manager's decision to grant consent to the grant of a mass or dimension authority.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(3)    | Power to decide not to give consent to the grant of a mass or dimension authority and power to be satisfied of the things stated in section 156(3)(a) and (b).                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156(6)    | Power to give the Regulator a written statement that explains the Road Manager's decision and complies with section 172.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156A(2)   | Power, as a road manager, to determine that the consent should only be given if the mass of the vehicle under the application for the authority was less than applied for, and give the consent subject to a road condition that the vehicle not exceed the mass.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 156A(4)   | Power to give the Regulator a written statement that explains the road manager's decision and complies with section 172.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 158(4)(d) | Power to decide to give the consent but the consent is inoperative without the other entity's approval.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 159(2)        | <del>Power to notify the Regulator of the things stated in section 159(2)(a) and (b).</del> Power, as a road manager, to notify the Regulator:- (a)that a route assessment is required for the road manager deciding whether to give or not to give the consent;<br>(b)the fee payable (if any) for the route assessment under a law of the jurisdiction in which the road is situated.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 160(1)        | <del>Power to consent to the grant of a mass or dimension authority subject to the specified conditions.</del> Chief Executive OfficerPower, as a road manager, to consent to the grant a mass or dimension authority subject to conditions.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 160(2)        | Power, as a road manager for a mass or dimension authority, to give the Regulator a written statement that explains the road manager's decision and complies with section 172.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 160(2)(a)     | Power to give the regulator a written statement that explains the road manager's decision to give consent to the grant of the authority, subject to the condition and complies with section 172.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 161(1)        | <del>Power to consent to the grant of an authority subject to conditions.</del> Power, as a road manager, to consent to the grant a mass or dimension authority subject to conditions.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 161(2)        | <del>Power to give a Regulator a written statement that explains the Road Manager's decision to consent to the grant of an authority subject to conditions which complies with section 172.</del> Power to give a Regulator a written statement that explains the Road Manager's decision to consent to the grant of an authority subject to conditions which complies with section 172. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 162(1)        | <del>Power to ask the Regulator to impose stated vehicle conditions on an authority.</del> Power, as a road manager, to consent to the grant a mass or dimension authority subject to conditions.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 162(2)        | Power, as a road manager for a mass or dimension authority, to give the Regulator a written statement that explains the road manager's decision and complies with section 172.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 167(2)(b)     | <del>Power to give the Regulator a Notice of Objection to the application under section 167 to a proposed replacement authority within the time specified.</del> Power, as a road manager for a mass or dimension authority, to give the Regulator a notice objecting to the application of section 167 to the proposed replacement authority.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 167(2)(b)(ii) | Power, as a road manager for a mass or dimension authority, to seek an extension of time to give a notice under section 167(2)(b).                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 167(3)        | Power to give written notice to the Regulator that the Road Manager gives or refuses consent.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 169(1)        | <del>Power to give consent to the grant of a mass or dimension authority for a trial period as set in that section.</del> Power, as a road manager for a mass or dimension authority, to give consent to the grant of a mass or dimension authority for a trial period of no more than 3 months.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 170(3)        | Power, as a road manager for a mass or dimension authority, to object to the renewal of the authority for a further trial period.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 174(1)        | Power to be satisfied the use of heavy vehicles on a road under the Authority in the circumstances set out in section 174(1)(a) – (c).                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 174(2)        | <del>Power to ask the Regulator about the matters stated in section 174(2)(a)(i) – (iii) and (2)(b).</del> Power, as a road manager for a mass or dimension authority granted by Commonwealth gazette notice, to request the Regulator to amend or cancel the authority if the circumstances of section 174(1) exist.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 178(1)        | Power to be satisfied the use of heavy vehicles on a road under the Authority will do the things stated in section 178(1)(a) –(c).                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 178(2)        | <del>Power to ask the Regulator about the things stated in section 178(2)(a) and (b).</del> Power, as a road manager for a mass or dimension authority granted by permit, to request the Regulator to amend or cancel the authority if the circumstances of section 178(1) exist.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 190(1) | Power, as a responsible entity for a freight container, to ensure an operator or driver of a heavy vehicle does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 191(1) | Power, as an operator of a heavy vehicle, to ensure a driver of a heavy vehicle does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 191(3) | Power, as an operator of a heavy vehicle, to ensure the freight container is not given to another carrier unless the carrier has been provided with:- (a) a complying container weight declaration for the freight container containing information in the form required under section 192A; or (b ) the prescribed particulars contained in a complying container weight declaration for the freight container.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 264(2) | Power, as a relevant party for the driver, in the circumstances mentioned in subsection (1), to ensure, so far as is reasonably practicable, the driver - (a) does not drive a fatigue-regulated heavy vehicle after making the change unless the driver has complied with section 263; and (b) can comply with his or her obligations in relation to the change.                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 274    | Power, as a person referred to in subsection (1), to apply to the Regulator for a work and rest hours exemption and provide any additional information sought by the Regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 280    | Power, as the holder of a permit for a work and rest hours exemption, to apply to the Regulator for an amendment or cancellation of the exemption and to provide any additional information sought by the Regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 284    | Power to comply with a notice from the Regulator regarding a work and rest hours exemption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 285    | Power, where a permit for a work and rest hours exemption is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 287(3) | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 288(3) | Power, as a relevant party for a driver mentioned in subsection (1), to ensure the driver complies with subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 311    | Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter:- (a) either:-<br>(i) make the electronic work diary capable of recording new information; or<br>(ii) give the driver a new electronic work diary that is in working order; and<br>(b) if the record keeper removes any information relating to any period during the last 28 days from the work diary to make it capable of recording new information—give the driver the removed information in a way that makes the information readily available to the driver; and<br>(c) notify the Regulator in the approved form that the electronic work diary has been filled up.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 312(2) | Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter:- (a) inform the driver that the electronic work diary has been destroyed, lost or stolen unless the driver informed the record keeper about the fault under section 309; and<br>(b) give the driver an electronic work diary that is in working order; and<br>(c) give the driver any information, in a way that makes the information readily available to the driver, that was in the destroyed, lost or stolen electronic work diary that:-<br>(i)is accessible to the record keeper; and<br>(ii)relates to any period during the last 28 days; and<br>(iii)is not stored in the new electronic work diary. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 312(3)  | Power as a record keeper to notify the Regulator in the approved form that the electronic work diary has been destroyed, lost or stolen.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 313(2)  | Power, as a record keeper in the circumstances listed in subsection (1), to, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter inform the driver about the matter unless the driver informed the record keeper about the matter under section 309.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 313(3)  | Power, as a record keeper in the circumstances listed in subsection (1), to, after becoming aware of the matter or having reason to suspect the matter:- (a) direct the driver in the approved form to use a supplementary record in compliance with section 305; and (b) give the driver information that was in the electronic work diary, in a way that makes the information readily available to the driver, that:-<br>(i) is accessible to the record keeper; and<br>(ii) relates to any period during the last 28 days; and<br>(iii) is not stored in the electronic work diary because the electronic work diary is not in working order or is malfunctioning or has malfunctioned; and<br>(c) notify the Regulator in the approved form that the electronic work diary is not in working order or is malfunctioning or has malfunctioned; and<br>(d) ensure the electronic work diary is examined and brought into working order and is not malfunctioning. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 315     | Power, as a responsible party for the driver of a fatigue-regulated heavy vehicle, to ensure, so far as is reasonably practicable, the driver complies with each of Part 6.4, Division 2, Subdivisions 1, 2, 3 and 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 319     | Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle who is undertaking only 100km work under standard hours, to keep a record of the information listed in subsections (1)(a) to (b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 321     | Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle who is undertaking 100+km work under standard hours; or operating under BFM hours, AFM hours or exemption hours, to keep a record of the information listed in subsections (1)(a) to (c) and (3) (where relevant).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 322(4)  | Power, as a record keeper for a driver of a fatigue-regulated heavy vehicle to ensure the driver complies with subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 323(3)  | Power, as a new record keeper for a driver of a fatigue-regulated heavy vehicle to ensure the driver complies with subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 324(2)  | Power, as a record keeper in the circumstances listed in subsection (1), to give the driver the information listed in subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 324A(2) | Power, as a record keeper in the circumstances listed in subsection (1), to give the driver the information listed in subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 336A    | Power, as a record keeper for the driver of a fatigue-regulated heavy vehicle who knows, or has reasonable grounds to suspect, an electronic work diary has been tampered with, to report the matter to the Regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 341     | Power as a record keeper of the driver of a fatigue-regulated heavy vehicle, to keep a record (or a copy) required to be made or kept under Division 3, for the period for which, and way in which subsections (1) to (7) require.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 342     | Power to apply to the Regulator for the approval of an electronic recording system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 351     | Power, as the holder of an electronic recording system approval, to apply to the Regulator for an amendment or cancellation of the approval and give any additional information sought by the Regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 354(3)  | Power, as the holder of the approval in relation to which a direction has been given under subsection (2), to comply with the direction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 354(5)  | Power, as a person given a notice under subsection (3), to give a copy of the notice to each other person to whom the person has supplied an electronic recording system the subject of the approval, or a device forming part of the system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 355(2)  | Power, in the circumstance stated in subsection (1), to remove any electronic message on the system's visual display stating the system is or includes an electronic work diary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 355(4)    | Power, in the circumstance stated in subsection (1), to give each person to whom the holder has supplied an electronic recording system the subject of the approval that constitutes an electronic work diary, or of which an electronic work diary is a part, a notice stating that the approval has been cancelled                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 364       | Power, as the employer of the driver of a fatigue-regulated heavy vehicle to make an application under subsection (1) on behalf of the driver and give any further information sought by the Regulator.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 376(3)    | Power, as a relevant party for a driver mentioned in subsection (2), to ensure the driver complies with subsection (2).                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 384       | Power, as the record keeper for a driver of a fatigue-regulated heavy vehicle, to apply to the Regulator for a fatigue record keeping exemption (permit) and give any further information sought by the Regulator.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 389       | Power, as the holder of a permit for a fatigue record keeping exemption, to apply to the Regulator for an amendment or cancellation of the exemption and give any further information sought by the Regulator.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 390(2)(e) | Power, as the holder of a permit for a fatigue record keeping exemption, to make submissions to the Regulator.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 392(2)    | Power, as the holder of a permit for a fatigue record keeping exemption that is amended or cancelled, to comply with a notice of the Regulator given under subsection (1).                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 393(1)    | Power, as the holder of a permit for a fatigue record keeping exemption that is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement permit. .                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 396(2)    | Power, as the owner of a fatigue-regulated heavy vehicle required by the national regulations to be fitted with an odometer, to maintain the odometer in accordance with the requirements prescribed by the national regulations.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 398(2)    | Power, as the owner of a fatigue-regulated heavy vehicle that is informed under section 397 of a malfunctioning or suspected malfunctioning odometer, to ensure the odometer is examined and brought into working order.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 459       | Power, as the operator of a heavy vehicle, to apply to the Regulator for heavy vehicle accreditation, provide the declaration required by subsection (3) and give any further information or statutory declaration sought by the Regulator.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 460(3)    | Power, as the applicant, to consent to the Regulator obtaining prescribed criminal history information.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 466(2)(a) | Power as an operator to ask the Regulator for an accreditation label for the new relevant vehicle.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 468(3)    | Power, as the operator of a heavy vehicle, to ensure a driver who is operating under a BFM accreditation or AFM accreditation complies with subsection (1).                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 470(2)    | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to, if the accreditation is BFM accreditation or AFM accreditation, ensure each driver who operates under the accreditation:- (a) is inducted into the operator's relevant management system; and (b) at all times, meets the requirements relating to drivers operating under the accreditation (if any). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 470(3)    | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to, if the accreditation is AFM accreditation, ensure each driver who operates under the accreditation is informed of the AFM hours applying under the accreditation.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 470(4)    | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to keep the things listed in subsection (4).                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 470(8)    | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation, to comply with a requirement issued by the Regulator under subsection (7).                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 471(2)    | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation that is amended or suspended, or as an operator that ceases to hold an accreditation, to give notice to any driver of, or scheduler for, a heavy vehicle who may be affected by the amendment, suspension or cessation                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 472            | Power, as a person who holds a heavy vehicle accreditation, to apply to the Regulator for an amendment or cancellation of the heavy vehicle accreditation and give any further information sought by the Regulator.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 473(2)(f)      | Power, as a person who holds a heavy vehicle accreditation, to make written representations in response to a notice given by the Regulator.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 476(2)         | Power, as an operator of a heavy vehicle who holds a heavy vehicle accreditation that is amended, suspended or cancelled, to comply with a notice of the Regulator issued under subsection (1).                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 477(1)         | Power, as a person whose accreditation certificate for a heavy vehicle accreditation is defaced, destroyed, lost or stolen, to apply to the Regulator for a replacement accreditation certificate.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 504(1)         | Power, as an occupier of a place, to consent to its entry by an authorised officer, with or without conditions, and to sign and acknowledgement of the consent.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 516(3)         | Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer to move the vehicle or cause it to be moved to a location stated in the direction.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 517(4)         | Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer to move the vehicle or cause it to be moved to a location stated in the direction and do, or cause to be done, anything else the officer reasonably requires in the direction.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 522(3) and (5) | Power, as a registered operator or owner of a heavy vehicle, to comply with a notice of an authorised officer issued under subsection (2) and to request that the place or time of inspection be changed.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 529AA          | Power, as an operator of a heavy vehicle that is the subject of a self-clearing defect notice, to apply to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 519A(1)        | Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to make a request to an authorised officer for written permission for the vehicle to be used on a road during a period stated in the permission.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 529(3)         | Power, as an operator of a heavy vehicle that is the subject of a major defect notice or minor defect notice, to provide the authorised officer with evidence of adequate repairs or other measures.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 533(7)         | Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 534(5)         | Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 556(3)         | Power, as an operator of a heavy vehicle, to comply with a direction of an authorised officer given under subsection (2).                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 558(3)         | Power, as owner of a thing seized under chapter 10 and not forfeited, to apply to the relevant tribunal or court for the return of the thing.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 559(3)         | Power, as a person served with an embargo notice, to comply with a requirement stated in the notice.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 559(4)         | Power to seek an authorised officer's approval to tamper with an embargoed thing or anything used to restrict access to the thing and enter a place in contravention of a restriction or tamper with anything used to restrict access to a place.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 563            | Power, as owner of a thing or sample seized under chapter 10 and forfeited under section 561(1), to agree with the Regulator to transfer the ownership of the thing or sample to the Regulator.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 565(2)         | Power, as a party mentioned in subsection (1), to apply to the relevant tribunal or court for:-<br>(a)ownership in the thing or sample to be transferred to Council; or<br>(b)the thing or sample to be sold and the Regulator to pay to Council, and any other persons with a registered interest in the thing or sample, an amount commensurate with the value of their respective interest. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 569(2)         | Power, as a responsible person for a heavy vehicle, to comply with a requirement issued by an authorised officer under subsection (1).                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland) | 570(3)    | Power, as a responsible person for a heavy vehicle, to comply with a requirement issued by an authorised officer under subsection (1).                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 570A(5)   | Power to comply with a notice issued by an authorised officer under subsections (2) or (3).                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 573       | Power, as a person given an improvement notice, to take the steps necessary to comply with the notice.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 576C      | Power, as a person given a direction under section 576A(2) or a prohibition notice to comply with the direction or notice.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 577(4)    | Power, as an occupier of a place, to comply with a requirement issued by an authorised officer under subsections (1) or (2).                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 581(1)    | Power to claim compensation from the Regulator if Council incurs costs, damage or loss because of the exercise, or purported exercise, of a power by or for an authorised officer.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 590A(2)   | Power to give an undertaking in relation to the contravention or alleged contravention of the Heavy Vehicle National Law by Council.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 590A(2)   | Power to provide undertaking to the Regulator or an authorised officer (the promisee) in relation to a contravention or alleged contravention of the Law.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 590B      | Power to comply with an undertaking given under section 590A.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 590C(1)   | Power to at any time, with the written agreement of the promisee to withdraw the undertaking or change the undertaking. Power to agree in writing with the promisee to withdraw the undertaking or change the undertaking. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 603       | Power, as a person to whom a supervisory intervention order applies, to apply to the Court to amend or revoke the order.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 604       | Power, as a person to whom a supervisory intervention order applies, to take the steps necessary to comply with the order.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 609       | Power, as a person to whom a prohibition order applies, to apply to the Court to amend or revoke the order.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 610       | Power, as a person to whom a prohibition order applies, to take the steps necessary comply with the order.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 611(2)    | Power, as a road manager, to apply to the Court for a compensation order.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 612(2)(c) | Power, as a road manager and public authority, to sign a certificate.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 613(1)    | Power, as a public authority, to give a copy of the certificate issued pursuant to section 611(2)(c) to the defendant.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 632(A)(4) | Power to introduce evidence of complying with this Law in a way that differs from the code but that provides a standard of safety or protection equivalent to or higher than the standard required in the code.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 641(1)    | Power, as a dissatisfied person for a reviewable decision, to apply to the Regulator for internal review of the decision.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 641(6)(b) | Power, as a person given a decision notice, but not an information notice, for the reviewable decision, to ask the Regulator for a statement of reasons for the decision.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 642(2)    | Power, as a person who has made a review application for a reviewable decision, to apply for a stay of the decision and serve a copy of the application on the Regulator.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 644(3)    | Power, as a person who has made a review application for a reviewable decision, to make representations to the reviewer.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 645(1)    | Power, as a reviewer, to make a review decision.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 645(5)    | Power, as a reviewer who is a road manager, to give a copy of the review decision to the Regulator.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 645(6)    | Power, as a road manager and reviewer, to agree to a longer prescribed period for a review of a reviewable decision.                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland) | 647(1)    | Power to appeal against a review decision relating to a reviewable decision made by the Regulator or an authorised officer.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle National Law (Queensland)                                | 648(2)     | Power, as a person who appeals against a review decision, to apply to the relevant appeal body for a stay of the decision and to serve a copy of the application on the Regulator.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 664(2)     | Power to conduct the review as set out in section 664(2).                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 664(3)     | Power to give an applicant a reasonable opportunity to make written or oral representations to the Reviewer.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 645(1)     | Power to make a review decision.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 645(5)     | Power to give the Regulator notice of a review decision stating the decision and the reasons for the decision.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 645(6)(ii) | Power to agree with the Regulator to a longer period for a review of a reviewable decision.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 715        | Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in a certificate mentioned in section 711, 712, 713 or 714(1).                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 722        | Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in subsection (5).                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle National Law (Queensland)                                | 724        | Power, as a defendant for an offence, to give the complainant notice of the intention to challenge a matter stated in subsection (4).                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Heavy Vehicle National Law Regulation 2014</b>                      |            |                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Heavy Vehicle National Law Regulation 2014                             | 4(2)       | Power, as a road manager, to set the fee payable for a route assessment.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</b> |            |                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 13(1)(b)   | <del>Power to consent to the making of the declaration.</del> Power, as a road manager, to consent to the making of an HML declaration.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 13(3)      | Power to consent to the declarations subject to conditions.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 13(4)      | Power to give the Regulator written reasons for the Road Manager's decision to give consent to the making of the declaration subject to the conditions.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 14(3)      | Power, as a relevant road manager for an HML declaration, to consent to the making of the declaration subject to the condition that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 14(4)      | Power, as a relevant road manager for an HML declaration, to give written reasons for a decision made under subsection 14(3) to the Regulator.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 18         | Power, as a relevant road manager for an HML declaration in the circumstances set out in subsection 18(1), to ask the Regulator to do one or more of the things listed in subsection 18(2).                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 18(1)      | Power to be satisfied of the matters stated in section 18(1)(a) to (c).                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 18(2)(a)   | In certain circumstances, power to ask the Regulator to amend the declaration.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 18(2)(b)   | In certain circumstances, power to ask the Regulator to cancel a declaration.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 22(1)(b)   | Power, as a road manager, to consent to the granting of an HML permit.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 24(1)(a)   | Power to require road conditions or travel conditions be imposed for a HML permit. <del>Power, as a road manager, to consent to the granting of an HML permit subject to conditions.</del>                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation        | 29(4)      | Power, as a road manager, to consent to amendment of an HML permit.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Heavy Vehicle (Mass, Dimension and Loading) National Regulation | 29(4)(c) | Power to be consulted by the Regulator about giving consent to an amendment of a HML permit and power to consent to an amendment of the HML permit.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation | 31(1)    | Power to be satisfied of the matters stated in section 31(1)(a) to (c).                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation | 31(2)(a) | Power to ask the Regulator to amend the HML permit in certain circumstances.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation | 31(2)(b) | In certain circumstances, power to ask the Regulator to cancel a HML permit.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Heavy Vehicle (Mass, Dimension and Loading) National Regulation | 41(1)    | Power to consent to a declaration made under section 40. Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Human Rights Act 2019</b>                                    |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| <b>Purpose of the Act</b>                                       |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| <b>An Act to respect, protect and promote human rights</b>      |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Human Rights Act 2019                                           | 49(2)    | Power, as a party to a proceeding before a court, in the circumstances in subsection 49(1), to make an application to have the proceeding referred to the Supreme Court.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 52(1)(a) | Power, as a party to a proceeding in the Supreme Court, District Court, Land Court or Land Appeal Court, to give notice in the approved form to the Attorney-General and the commission if: (a)a question of law arises that relates to the application of the Act; or (b)a question arises in relation to the interpretation of a statutory provision in accordance with the Act.                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 52(1)(b) | Power, as a party to a proceeding, to give notice in the approved form to the Attorney-General and the commission if a question is referred to the Supreme Court under section 49.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 77       | Power to represent Council and make commitments on Council's behalf at all Human Rights Commission conciliation conferences and negotiations                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 77(1)    | Power, where the commissioner decides to accept a human rights complaint, to comply with the actions taken by the commissioner including:- (a)making submissions to the commission in writing in response to the complaint; (b)complying with a direction to give the commission information relevant to the complaint; (c)participating in a conciliation of the complaint under part 4, division 2, subdivision 4. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 78(5)    | Power, as a relevant entity for a complaint, to comply with a direction given by the commissioner under subsection 78(2).                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 83(1)    | Power, as a party to a complaint, to seek the consent of the commissioner to be represented by another person.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 93(2)    | Power to make submissions to the commissioner about a proposed adverse comment in a report prepared under section 88 or part 4, division 3.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Human Rights Act 2019                                           | 98(3)    | Power to comply with a notice, issued by the commissioner pursuant to subsection 98(1), to provide information.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Industrial Relations Act 2016</b>                            |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Industrial Relations Act 2016                                   | 23(2)    | Power, as the employer, to ask or require an employee to work additional hours if the hours are reasonable under section 26.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                   | 25(1)    | Power, as the employer, to agree with an employee who is not covered by an applicable industrial instrument, to an averaging arrangement.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                   | 28(1)    | Power, as the employer, to decide an employee's request for flexible working arrangements with or without conditions.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                   | 28(3)    | Power, as the employer, to give written notice of the decision on an employee's request for flexible working arrangements.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                   | 33(1)    | Power, as the employer, to agree when an employee is to take annual leave.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                   | 33(3)    | Power, as the employer, and where the employer and employee cannot agree when the employee is to take annual leave, to decide when the employee is to take the leave and give the applicable notice to the employee.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 33(4)    | Power, as the employer, to agree that an employee may take annual leave before becoming entitled to it.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 35(1)    | Power, as the employer, to agree to pay the employee for annual leave otherwise than in advance.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 37(2)    | Power, as the employer, to agree that an employee may cash out a particular amount of annual leave.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 38(3)    | Power, as the employer, to pay an employee for annual leave not taken on termination of employment.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 42(4)    | Power, as the employer, to agree to an employee taking additional unpaid carer's leave.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 43(3)    | Power, as the employer, to agree to an employee who is a short term casual taking additional unpaid carer's leave.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 45(1)    | Power, as the employer, to require an employee to give a doctor's certificate or statutory declaration as evidence of the need to take carer's leave for more than 2 consecutive days.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 45(2)    | Power, as the employer, to require an employee to give a statutory declaration or evidence mentioned in section 45(3)(a) to (d) as evidence of the need to take carer's leave to care for or support a person who has experienced domestic violence.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 49(1)    | Power, as the employer, to require an employee to give a copy of a funeral notice or other evidence as evidence of a death resulting in the taking of bereavement leave.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 49(2)    | Power, as the employer, to require an employee to give evidence to satisfy a reasonable person that the employee was taking compassionate leave because the life of a member of the employee's family or household was threatened by personal illness or personal injury.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 50       | Power, as the employer, to agree to an employee taking additional unpaid bereavement leave or compassionate leave.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 51(2)    | Power, as the employer, to agree to an employee taking unpaid cultural leave                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 52(3)    | Power, as the employer, to agree to an employee taking additional unpaid domestic and family violence leave.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 54(1)    | Power, as the employer, and where an employee has claimed domestic and family violence leave, to ask the employee for evidence that the employee has experienced domestic violence and needs to take leave as a result.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 63(3)(a) | Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee is pregnant and the expected date of birth                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 64(3)(a) | Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee's spouse is pregnant and the expected date of birth                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 71(2)    | Power, as the employer, to inform the employee his/her entitlements and obligations under chapter 2, part 3, division 8.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 72       | Power, as the employer that has decided to implement significant change at a workplace, to advise employees on parental leave about the proposed change before it is implemented and give each employee reasonable opportunity to discuss any significant effect the change will have on the employee's position. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 73(2)    | Power, as the employer, to agree to an employee entitled to parental leave under subdivision 2, or who is taking parental leave, making more than 1 application under subsection (1) within a 12-month period in relation to a particular instance of parental leave.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 74(3)    | Power, as the employer, to agree to an employee on parental leave, making more than 1 application under subsection (1) within a 12-month period.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 76       | Power, as the employer, to decide an application by an employee entitled to or taking parental leave to extend parental leave if the circumstances of section 73 exist, to discuss the application and to give written notice of that decision.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 76       | Power, as the employer, to decide an application by an employee on parental leave to return to work on a part-time basis pursuant to section 74, to discuss the application and to give written notice of that decision.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Industrial Relations Act 2016 | 78(3)    | Power, as the employer, to nominate a time for the employee to resume work.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 79(3)    | Power, as the employer, to agree to an employee taking paid sick leave or other paid leave whilst the employee is on unpaid parental leave.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 80(1)(b) | Power, as the employer, to agree to an employee on parental leave performing work on a keeping in touch day.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 81       | Power, as the employer, to agree that an employee break the period of parental leave by returning to work.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 83       | Power, as the employer, to agree to an employee on parental leave shortening the period of leave.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 84       | Power, as the employer, to give notice to the employee of the day on which the employee must return to work and, if the employee returns to work, to cancel the rest of the parental leave.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 89       | Power, as the employer of an employee whose present work is, because of pregnancy or breastfeeding, a risk to the health or safety of the employee or their unborn or newborn child, to:- (a)temporarily adjust the employee's working conditions or hours of work, or (b)transfer the employee to other appropriate work; or (c)in the circumstances in subsection 89(5), grant the employee birth-related leave, or any available paid sick leave. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 92(1)    | Power, as the employer of a replacement employee, to give the replacement employee written notice of the temporary nature of the employment and the parent's right to return to work.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 97(2)    | Power, as the employer, to agree when an employee is to take long service leave.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 97(3)    | Power, as the employer, and where the employer and employee cannot agree when the employee is to take long service leave, to decide when the employee is to take the leave and give the applicable notice to the employee.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 98(4)    | Power, as the employer, where the employee is on long service leave and where the ordinary rate is increased or reduced, to pay the employee at the increased or reduced rate for the leave period to which the increased or reduced rate applies.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 101      | Power, as the employer, to agree on when, and the way in which, the employee will be paid for long service leave.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 104      | Power, as the employer of a casual or regular part-time employee, to agree that the employee's entitlement to long service leave may be taken in the form of its full time equivalent.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 110(2)   | Power, as the employer, to agree in writing with the employee that the employee be paid for all or part of an entitlement to long service leave instead of taking the leave.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 111(2)   | Power, as the employer, upon an employee's death, to pay the employee's legal personal representative any amount payable for the employee's entitlement to long service leave that has not already been paid.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 116(2)   | Power, as the employer, to ask an employee to work on a public holiday if the request is reasonable.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 121(1)   | Power, as the employer, to dismiss an employee if the circumstances of section 121(1) exist.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 127(2)   | Power, as the employer who obtains other acceptable employment for the employee or cannot pay the amount, to apply to the commission for an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 129      | Power, as the employer, to give each employee before, or as soon as practicable after, the employee starts working for the employer, the information and documents required by section 129(1).                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 137(9)   | Power, as the employer, where a magistrate has made an order about an offence against section 137(4) and that order states both alternatives of section 137(8), to decide how to comply with that order in terms of the alternatives.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 147(2)(b)      | Power, as an employer, to apply to the commission to:- (a)make a modern award; or (b)make an order varying a modern award.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 150(3)(b)(iii) | Power, as an employer, to apply to the commission to make an order revoking a modern award.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 156(1)(b)(i)   | Power, as a person to whom a modern award applies, to apply to the commission to review the award.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 165            | Power, as an employer, to make a certified agreement with 1 or more employee organisations that represent, or are entitled to represent, Council's employees, or the employees of Council at the time the agreement is made.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 167(a)         | Power, as an employer, to consent to the making of a bargaining award.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 169(2)         | Power, as a proposer, to give a notice of intention to:- (a)the other proposed parties to the negotiations; (b)if the negotiations relate to a project agreement—all relevant employee organisations and the commission.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 170(2)         | Power, as a recipient of a notice of intention where the negotiations:- (a)relate to a project agreement; or (b)involve a multi-employer agreement,to give written notice of Council's intention to be a party to the negotiations to the proposer and the commission. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 171(2)         | Power, as the employer and where the circumstances of section 171(1) exist, to take reasonable steps to ensure compliance with section 171(2).                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 171(4)         | Power, as the employer and where the circumstances of section 171(1) exist, to give the relevant employee organisation a reasonable opportunity to represent the employee as required by section 171(4).                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 172(2)         | Power, as the employer and where the circumstances of section 172(1) exist, to negotiate with the single bargaining unit.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173            | Power, as negotiating party, to negotiate in good faith and do all things listed in subsections (2) to (5).                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 175(1)(b)      | Power, as negotiating party, where the peace obligation period has ended, to ask the commission to help the parties reach an agreement.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 175(2)         | Power, as one of the negotiating parties, to notify the commission that the parties intend to resume negotiating without the commission's help.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 176(2)         | Power, as a negotiating party, to comply with an attendance notice and negotiate on Council's behalf at a conciliation conference.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 178(1)         | Power, as one of the negotiating parties, to apply to the commission for arbitration of the matter.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 179A(2)        | Power, as one of the negotiating parties, to consent to the full bench referring arbitration of the matter to a commissioner sitting alone.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 181(1)         | Power, as one of the negotiating parties, to agree matters with the other negotiating parties before or during an arbitration of the matter.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 183(1)         | Power, as a negotiating party, to agree with the other negotiating parties the nominal expiry date for the arbitration determination.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 184(1)         | Power, as a negotiating party, to apply to the commission for a scope order.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 189(1)         | Power, as a party to an agreement, to apply to the commission to certify the agreement.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 190(2)         | Power, as a party to a proposed bargaining award, to apply to the commission to:- (a)make the bargaining award; and (b)terminate the relevant modern award.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 194            | Power, as a person who will be covered by a proposed bargaining instrument, to take action that may be necessary to enable the commission to grant the application, including participating in a conciliation on Council's behalf.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 196(1)(b)      | Power, as a party to a proposed bargaining instrument, to sign it on Council's behalf.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 213(3)         | Power, as an employer in the circumstances set out in subsection (1), to apply to the commission for a decision under subsection (3).                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
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| Industrial Relations Act 2016 | 223(1)       | Power, as the employer, on or before the nominal expiry date of a bargaining instrument, to, apply to the commission to extend the nominal expiry date.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 225(1)       | Power, as an employer, to apply to the commission to amend a bargaining instrument.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 225(2)(a)(i) | Power, as an approving party, to approve an amendment to a bargaining instrument.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 225(5)       | Power, as a person to whom a bargaining instrument applies, to apply to the commission to amend the instrument in one of the ways set out in subsection (5) and to agree to any amendment.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 226(2)       | Power, as a party to a bargaining award or a proposed new party to the award, to, in the circumstances set out in subsection (1), apply to the commission to amend the bargaining award so the award applies to the proposed new party.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 227(1)       | Power, as the employer, on or before the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 228(1)       | Power, as the employer, after the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 228(2)       | Power, as the person who intends to terminate the agreement or determination to give all other persons to whom the agreement or determination applies, notice of the intention.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 228(3)(b)(i) | Power, as a party to an agreement or determination that does not provide for the way it may be terminated, to agree to the agreement or determination being terminated.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 232          | Power, as a negotiating party for a proposed bargaining instrument, to take protected industrial action for the proposed instrument subject to the requirements of Chapter 4, Part 8.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 236          | Power, as the employer intending to take the industrial action, to give notice of the intention to all of the negotiating parties for the proposed bargaining instrument, either in writing or by taking other reasonable steps to notify employees of the intended action.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 237(3)       | Power, as the employer taking industrial action that is the lockout of an employee, to refuse to pay the employee for the period of the lockout.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 240(1)       | Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, or threatened to be engaged in.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 241(1)       | Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, where the industrial action has threatened, is threatening or would threaten:- (a)to endanger the life, personal safety or health, or welfare of the State's population or part of it; or (b)to cause significant damage to the State's economy or an important part of it. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 242(2)       | Power, as the employer, to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation under chapter 4 because of a circumstance in section 171(5).                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 250(3)       | Power, as a party to a certified agreement or a bargaining award, to sign the affidavit prepared pursuant to subsection (2) on behalf of Council.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 251(4)       | Power, as a relevant party subject to a direction of the commission, to comply with the direction on behalf of Council, including signing any affidavit required under subsection (3).                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 261(1)       | Power, as a party to an industrial dispute, in the circumstances referred to in subsection (1), to give the registrar written notice of the dispute.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 263(a)       | Power, as a party directly involved in an industrial cause, to request the registrar act as mediator in the cause.                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 264(1)       | Power, as a person served with an attendance notice, to attend the compulsory conference and agree to measures which attempt to prevent or settle the dispute.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 265(3)       | Power, as a person the subject of an order, to prepare, file and sign an affidavit under subsection (3)(c).                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |        |                                                                                                                                                                                                                                     |                         |                                                                |
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| Industrial Relations Act 2016 | 265(7) | Power, as a person served with a show cause notice, to show cause to the full bench at the stated time why Council should not be dealt with under section 266.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 268(1) | Power, as the employer, to pay or refuse to pay, an employee for a period when the employee engages in a strike.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 269(2) | Power, as an employer against whom the strike was organised, engaged in or threatened, to make an application to the commission for an order for a contravention of section 268.                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 309(1) | Power, as a person who has been affected by a contravention of Chapter 8, Part 1, to apply to the commission for the commission to deal with the dispute.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 312(2) | Power, as an applicant or an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 318(2) | Power, as an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 318(5) | Power, as a party, to seek further conciliation, or settle the matter, at any time before an order is made under section 321 or 322.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 329(1) | Power, as the employer that has decided to dismiss 15 or more employees for economic, technological or structural reasons, to dismiss the employees if the circumstances of section 329(1) apply and give the requisite notices.    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 330    | Power, as the employer, to give each employee organisation the opportunity to consult on the ways listed in section 330(1).                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 333    | Power, as the employer, to stand down an employee if the circumstances of section 333 apply.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 338(1) | Power, as the employer, to apply to the commission for an authorised officer's authority under section 337 to be revoked or suspended.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 339(1) | Power, as the employer, to keep a time and wages record for each industrial instrument employee as required by section 339.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 339(5) | Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 339(1)(d) for the employee, worked out to the previous 30 June.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 340(1) | Power, as the employer, to keep a time and wages record for each non-industrial instrument employee as required by section 340.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 340(5) | Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 340(1)(d) for the employee, worked out to the previous 30 June.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 341(1) | Power, as the employer, to keep an employee register as required by section 341.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 343(1) | Power, as the employer, when paying an employee wages, to give the employee a written statement as required by section 343(2).                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 344(2) | Power, as the employer, when asked by the inspector to inspect, or for electronic access to, the time and wages record, to comply with the request.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 346(2) | Power, as the employer, when asked by the registrar to inspect, or for electronic access to, the time and wages record, to comply with the request.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 346(4) | Power, as the employer, when directed by the registrar, to give the employee register or index to a stated person, at a stated reasonable time and place.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 347    | Power, as the employer, to agree to an employee inspecting the time and wages record for that employee's particulars, as permitted by section 347(2)(a) and (b), and to give the particulars to the employee in writing.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 347(2) | Power, as the employer, to agree to an employee inspecting the time and wages record:-<br>(a) more than once in any 12-month period; or<br>(b) outside the employer's business hours; or<br>(c) during the employee's working time. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 348(2) | Power, as the employer, to require an authorised officer to produce the officer's authorisation.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 348(5) | Power, as the employer, where an authorised officer fails to produce the officer's authorisation, to treat the office as a trespasser.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 350               | Power, as the employer, when asked by the authorised officer for an item in section 350(1), to comply with the request and to refuse to comply if the circumstances of section 350(3) or 350(5) exist.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 354B              | Power, as the employer, to keep an authorisation given under this section at, or in a place where it can be accessed from, a workplace of the employer in Queensland.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 354C              | Power, as the employer in the circumstances set out in subsection 354C(1), to give the information referred to in subsection 354C(2).                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 354C(5)           | Power, as an employer who has given information to the registered employee organisation under subsection 354C(2)(a), to notify the employee.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 359(4)            | Power, as the employer, to keep an accurate written account of the amounts received from the prime contractor, and of the way the amounts have been disbursed or disposed of.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 359(5)            | Power, as the employer, to produce the account for inspection to an employee in the circumstances set out in subsection (a) to (c) and allow the employee to make a copy of the account.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 361(2)            | Power, as a prime contractor served with an attachment notice, to keep from the amounts payable, or to become payable, by the prime contractor to the employer for the contracted work, an amount sufficient to satisfy:- (a)the claim for wages stated in the notice; and (b)all further claims for wages stated in notices of attachment served on the prime contractor within 7 days after the service of the first notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 361(4)            | Power, as a prime contractor served with an attachment notice, to pay the amount to which the notice relates to a clerk of the Magistrates Court.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 362(4)            | Power, as a prime contractor, to pay the amount stated in the relevant order to the employee from the amounts attached and kept in the hands of the prime contractor.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 366               | Power, as a prime contractor, to ask the employee to sign a discharge for the amount paid for a claim for wages to which an order under section 362 relates.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 371(5)            | Power, as the employer, where an employee's consent authorising a deduction to be made from wages is not written, to, before making the deduction, give the employee written acknowledgement of the consent.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 373(1)            | Power, as the employer, to pay each employee's wages at least monthly to the employee.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 375(2)            | Power, as the employer, where the circumstances in subsection (1) apply, to immediately at the end of the 30 days, pay the wages payable to the former employee to the public trustee.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 376(2)            | Power, as the employer, to recover an amount to which the employee is not entitled by deducting amounts from the employee's wages for a subsequent pay period or periods.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 377               | Power, as the employer, where an employee ceases employment without giving the employer the notice required by an industrial instrument, to deduct from the employee's wages an amount stated by an industrial instrument.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 394(1)            | Power, as the employer, to contribute, for eligible employees, to the approved superannuation fund at the level required by the relevant industrial instrument.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 463(1)            | Power, as a person who may be directly affected by the declaration, to apply to the commission for a declaration about an industrial matter.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 467(1) and 468(1) | Power, as an employer, to apply to the commission for an interpretation of an industrial instrument, other than a certified agreement or bargaining award.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 469(1) and (2)    | Power, as a person bound by the agreement, to apply to the commission for an interpretation of a certified agreement or bargaining award.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 469(4)            | Power, as a party to an industrial cause, to agree, in writing, for the decision of the commission to bind the parties.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 470(1)(b)         | Power, as a party to a dispute, to make a referral agreement with the other parties to the dispute.                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 470(2)            | Power, as a party to a dispute, in the circumstances set out in subsection (1), to apply to the commission for the commission to perform its dispute resolution functions.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 471(1)    | Power, as a party to a contract, in the circumstances set out in subsection (1), to apply to the commission for the commission to amend or declare void (wholly or partly) the contract.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 473(1)    | Power, as a person under section 474, to apply to the commission for the commission to grant an injunction:- (a)to compel compliance with an industrial instrument, a permit or this Act; or (b)to restrain or prevent a contravention, or continuance of a contravention, of an industrial instrument, a permit or this Act; or (c)for the prevention or settlement of an industrial dispute involving allegations of sexual harassment or sex or gender-based harassment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 479       | Power, as an employer, to apply to the full bench for the orders set out in section 479 about a demarcation dispute.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 483B      | Power, as an employer, to apply to the Commission for an order declaring an entity, other than an organisation, to be an ineligible entity.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 484(1)    | Power, as a person mentioned in section 485, to apply to the full bench or the commission for proceedings to be reopened.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 529(1)€   | Power, as a party to proceedings, to appoint in writing, an agent to represent Council in the proceedings.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 547C(4)   | Power, as a party to an unpaid amount claim referred for conciliation, to advise the Registrar that Council does not wish to participate in conciliation.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 547G(2)   | Power, as a party to an unpaid amount claim referred for conciliation, to:- (a)participate in the conciliation; (b)agree on a resolution of all or part of the unpaid amount claim; and (c)sign the agreement.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 547H(1)   | Power, as a party to an unpaid amount claim, to apply to the industrial tribunal for the claim for an order giving effect to an agreement reached in a conciliation process.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 554(1)    | Power, as a person aggrieved by a decision of the court or the full bench constituted by the president and 2 or more other members, to appeal to the Court of Appeal.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 554(2)    | Power, as a person aggrieved by a decision of the full bench constituted by the president and 2 or more other members, to seek the leave of the Court of Appeal to appeal.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 556       | Power, as a person aggrieved by a decision of a magistrate, to appeal to the court.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 557(1)    | Power, as a person aggrieved by a decision of the commission, to appeal to the court.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 557(2)    | Power, as a person aggrieved by a decision of the commission, to seek the leave of the court to appeal.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 560(1)    | Power, as a person aggrieved by a decision of the registrar, to appeal to the full bench.                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 560(2)    | Power, as a person aggrieved by a decision of the registrar, to seek the leave of the full bench to appeal.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 564(2)    | Power to apply to the industrial tribunal to allow a longer period in which to start an appeal.                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 572       | Power, as a person mentioned in column 2 of schedule 3, to apply to the relevant industrial tribunal for an order in relation to a contravention, or alleged contravention, of a civil penalty provision.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 912(2)    | Power, as a person subject to a requirement from an inspector to produce a document, to comply with the requirement.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 915(2)    | Power, as an employer subject to a written demand by an inspector under subsection (1), to comply with the demand.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 928(1)(b) | Power, as an employer, to pay wages payment to an employee under the Act, a relevant industrial instrument or a permit, in accordance with the employee's written direction.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 934(2)    | Power, as the employer in a workplace where an industrial instrument applies, to display a copy of the industrial instrument as required by section 934(2).                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016                                                                                                                                                                                                                 | 935(2)   | Power, as the employer, where a person whose employment with the employer has been terminated has asked for a certificate described in section 935(1), to give the certificate.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Industrial Relations Regulation 2018</b>                                                                                                                                                                                                   |          |                                                                                                                                                                                                                                                                                                                |                         |                                                                |
| Industrial Relations Regulation 2018                                                                                                                                                                                                          | 4(1)(c)  | Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to notify the employee that another absence from work breaks the employee's continuous service.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Regulation 2018                                                                                                                                                                                                          | 4(5)(b)  | Power, as the employer, when working out continuous service under section 123(1) of the <i>Industrial Relations Act 2016</i> , to withdraw a notice to the employee given under section 4(1)(c)                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Information Privacy Act 2009</b><br><b>The Purpose of this Act</b><br>An Act to provide safeguards for the handling of personal information in the public sector environment and to allow access to and amendment of personal information. |          |                                                                                                                                                                                                                                                                                                                |                         |                                                                |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 29(1)    | Power to be satisfied on reasonable grounds that noncompliance with the IPP is necessary in certain circumstances.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 33       | Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 33(a)    | Power to agree with an individual to transfer an individual's personal information to an entity outside Australia                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 33(c)    | Power to be satisfied on reasonable grounds that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 33(d)(i) | Power to form a reasonable belief that the recipient of the personal information is subject to a law, binding scheme or contract that effectively upholds principles for the fair handling of personal information that are substantially similar to the IPPs or, if the agency is a healthy agency, the NPPs. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 34       | Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                  | 34(1)    | Power to enter into a service arrangement with a service provider.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 44(3) | Power to consider a person has an appropriate interest in the amendment of the personal information.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 47    | Power, as agency, to give access to a document created after the application for access is received.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 49    | Power, as agency, to search for a document on a backup system if it considers the search is appropriate.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 49(2) | Power to consider a search for a document from a backup system is appropriate.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 50(2) | <del>Power to delegate the power to deal with an application to another officer of the agency.</del><br>Power, as agency's principal officer, to deal with an access or amendment application provided the application does not involve making a healthcare decision or appointing a health care professional. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 50(5)(b) | <del>Power to appoint an appropriately qualified health care professional to make a health care decision in relation to the application.</del> Power, as agency, to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access or amendment application.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 52(1)(b) | Power to decide that an application is outside the scope of this Act for 1 or more of the following reasons:<br>(i) the document is not a document of an agency, or document of a Minister, for this chapter;<br>(ii) the entity is not an agency for this chapter;<br>(iii) the application is made to the information commissioner, RTI commissioner or privacy commissioner. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

| Information Privacy Act 2009 | 52(2) | Power to give prescribed written notice to the applicant of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 53(2) | <del>Power to inform a person how an application does not comply with a relevant application requirement.</del> Power, as agency, to contact the person and tell them how the application does not comply with a relevant application requirement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 53(3) | <del>Power to give a reasonable opportunity to consult with a view to making application in a form complying with all relevant application requirements.</del> Power, as agency, to refuse to deal with an access or amendment application if: (a) the application does not comply with all relevant application requirements; and (b) the applicant has been afforded a reasonable opportunity to consult with a view to making the application comply. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 53(6) | <del>Power to decide that an application does not comply with all relevant application requirements and to give the applicant prescribed written notice of the decision.</del> Power, as agency, to give prescribed written notice of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 54 | Power, as agency, to refuse to deal with an access application if: (a)the application should have been made under the Right to Information Act (because it is for access to a document other than to the extent it contains the applicant's personal information); and (b)reasonable efforts have been made to inform the applicant that the application: (i)can not be made under the Information Privacy Act; and (ii)should be made under the Right to Information Act; and (iii)may be changed so it can be made under the Information Privacy Act, or may be dealt with under the Right to Information Act by paying the application fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

| Information Privacy Act 2009 | 54(2) | Power to make reasonable efforts to inform the applicant of the matters set out in 54(2). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

| Information Privacy Act 2009 | 54(3) | Power to give the applicant a reasonable opportunity to consult as mentioned in 54(2)(c). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 54(5)(b) | Power to consider whether an application is an application that can be made under this Act and power to give the applicant prescribed written notice of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 55(1) | <del>At any time before a deemed decision is taken to have been made in relation to an access or amendment application, power to ask the applicant for a further specified period to consider the application.</del> Power, as agency, at any time before a deemed decision is taken to have been made in relation to an access or amendment application, to ask applicant for a further specified period to consider the application. Note: more than one request can be made (section 55(2) Information Privacy Act | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 55(3) | <del>Power to continue to consider the application and make a considered decision in relation to it in certain circumstances.</del> Power, as agency, to continue to consider an access or amendment application, if a further specified period has been requested under section 55(1), the applicant has not refused the request, and no notice that the applicant has applied for review has been received. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 56(1) | <p><del>Power to give access to a document of which may reasonably be expected to be of concern to a government, agency or person.</del> Power, as agency, to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency, or person (a "relevant third party"), only if reasonably practicable steps are taken to obtain the relevant third party's views on whether: (a)the document is a document for Chapter 3 of the Information Privacy Act (document of an agency or a Minister under the Right to Information Act); or (b)the information is exempt information or contrary to public interest information.</p> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 56(3)(b) | Power to decide:<br>(i) that a document is a document for this chapter; or<br>(ii) that the information is not exempt information or contrary to public interest information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 56(3)(c) | Power to give prescribed written notice of the decision in 56(3)(b) to the applicant and the relevant third party. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

| Information Privacy Act 2009 | 56(3)(d) | In the specified circumstances, power to defer giving access to a document. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 56(4) | Power to give the applicant written notice when access is no longer deferred under 56(3)(d).                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 57(2) | <del>In the specified circumstances, power to transfer an access or amendment application to another agency.</del> Power, as agency, to transfer an access or amendment application to another agency if the document is not in the original agency's possession, but is, to the original agency's knowledge, in the other agency's possession, and the other agency consents. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 57(2)(b) | Power to consent to a transfer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 59       | Power, as agency, to refuse to deal with the application without having identified any or all of the documents, if the documents contain information of a stated kind or relate to a stated subject matter and it appears that all of the documents are comprised of exempt information (as defined in Schedule 3 of the <i>Right to Information Act</i> ).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 59(2)    | Power to refuse to deal with an application without having identified any or all of the documents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 60(1)    | <del>Power to refuse to deal with an access or amendment application, or, if the agency or Minister is considering 2 or more access or amendment applications by the applicant, all the applications, if when using the power to consider the work involved in dealing with the application or all the applications would, if carried out :-</del><br>(a) substantially and unreasonably divert the resources of the agency from their use by the agency in the performance of its functions. Power, as agency, to refuse to deal with an access or amendment application, or, if considering two or more access or amendment applications by the applicant, all the applications, if the work involved in dealing with the application, or all the applications, would substantially and unreasonably divert the resources of Council from use in performance of Council functions. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 61(1)    | Power, as agency, to give the applicant: (a)written notice of the refusal to deal with an access or amendment application under section 60(1) Information Privacy Act; and (b)a reasonable opportunity to consult.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 61(1)(a) | Power to give the applicant a written notice regarding its refusal to deal with an application under section 60.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 61(1)(b) | Power to give the applicant a reasonable opportunity to consult with the agency.                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 61(1)(c) | Power to give the applicant any information that would help the making of an application in a form that would remove the ground for refusal.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 61(6)(b) | Power to agree upon a longer prescribed consultation period                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 62(3)    | <del>In the specified circumstances, power to refuse to deal with the later application to the extent it is for access to a document or documents sought under the first application.</del> Power, as agency, to refuse to deal with a later access application for one or more of the same documents sought under the first access application by the same applicant, to the extent it is for access to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 63(3) | <del>In the specified circumstances, power to refuse to deal with the later application to the extent it is for amendment of a document or documents sought under the first application.</del> Power, as agency, to refuse to deal with a later amendment application for one or more of the same documents sought to be amended under the first access application by the same applicant, to the extent it is for amendment to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 65    | Power, as agency, after considering an access application, to decide whether to give access to the document and whether any access charge must be paid by the applicant.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 65(a) | In the specified circumstances, power to make a decision (a considered decision):<br>(i) whether access is to be given to the document; and<br>(ii) if access is to be given – whether any access charge must be paid before access is given.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 65(b) | Power to give written notice of a decision.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 66(2) | <del>In the specified circumstances, power to give prescribed written notice of the decision to the applicant.</del> Power, as agency's principal officer, to give prescribed written notice of a deemed decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 67(1) | Power, as agency, to refuse access to a document in the same way and to the extent access can be refused under section 47 <i>Right to Information Act</i> , were access to the document applied for under that Act.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 68(1) | <del>In the specified circumstances, power to give a prescribed written notice to an applicant.</del><br>Power, as agency, to give a prescribed written notice to an applicant, for an access application, of: (a)the decision on the application, including a decision to refuse to deal with the application; and<br>(b)the fact that the document is not a document in the possession, or under the control, of Council, if this is the case. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 68(3) | Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 68(1) Information Privacy Act.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 69(2) | <del>Power to give a prescribed written notice.</del> Power, as agency, to give prescribed written notice to an applicant that does not include details required to be in a prescribed written notice under section 199(a) and (b) Information Privacy Act, but states that Council neither confirms nor denies the existence of the document, but assuming the document does exist, it would be a document to which access would be refused under section 67 Information Privacy Act to the extent it comprised prescribed information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 70    | If a person makes an amendment application for a document, power to:<br>(a) consider the application and make a considered decision whether the amendment of the document is to be permitted; and<br>(b) give the person a written notice of the decision. Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 71(2) | Power to give prescribed written notice of the decision to the applicant.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 72(1)(a) | Power to refuse to amend a document if the agency is not satisfied:<br>(a) the personal information is inaccurate, incomplete, out of date or misleading; or<br>(b) the information sought to be amended is personal information of the applicant; or<br>(c) if the application is purportedly made by an agent, that the agent is suitably authorised to make the amendment application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 73(1)    | <del>Power to give a prescribed written notice to the applicant for an amendment application of the decision on the application.</del> Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 73(2) | Power, as agency, to not include reasons for a decision to permit amendment of the document in the notice given under section 73(1) <i>Information Privacy Act</i> .        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 73(3) | Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 73(1) <i>Information Privacy Act</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 74       | Power to make an amendment by:<br>(a) altering the personal information; or<br>(b) adding an appropriate notation to the personal information. Power, as agency, if a decision to amend the document is made, to make the amendment by altering the personal information or adding an appropriate notation to the personal information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 76(3)(b) | Power to give the applicant written notice of the nature of the notation.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 76(5)    | Power to decide the information to which the notice relates is not information in relation to which the applicant was entitled to apply to the agency for amendment of the document. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 76(5)(b) | In the specified circumstances, power to give prescribed written notice to the applicant of the decision.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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|------------------------------|---------------|----------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 80, 81 and 82 | Power, as agency, to waive an access charge.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 81(1)         | Power to consider whether an access charge for an access application should be waived. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 82(2) | When deciding to waive any access charge for an application, power to consider:<br>(a) the applicant is the holder of a concessional card; and<br>(b) the applicant is not making the application for some other person who is seeking to avoid the payment of a charge. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 82(3) | Power to give the applicant a prescribed written notice of a decision under 82(2) before the end of the processing period.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 83(4) | Power, as agency, to extend the period in which an applicant may access a document.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 84(2) | Power, as agency, to refuse to give access to a document in a form requested, if it would: (a) interfere unreasonably with Council's operations, or<br>(b) be detrimental to the preservation of the document, or<br>(c) be inappropriate having regard to the physical nature of the document; or<br>(d) involve an infringement of the copyright of a person other than the State and give access in another form. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                              |       |                                                                                                                                                                                                                                                                                                       |                         |                                                                |
|------------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 87    | Power, as agency, to defer giving access to a document for a reasonable period if the document was prepared: (a)for presentation to the Assembly or a committee of the Assembly; or<br>(b)for release to the media; or<br>(c)solely for inclusion in a document prepared for a purpose in (a) or (b). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 87(1) | In the specified circumstances, power to defer giving access to a document for a reasonable period.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 87(2) | In the specified circumstances, power to give the applicant written notice when access is no longer deferred under section 87(1).                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 88    | Power, as agency, to delete irrelevant information from a copy of a requested document when giving access to that requested document, if the agency considers it is reasonably practicable to give access to the copy.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 88(1) | Power to reasonably consider that a document will disclose to the applicant information that is not relevant to the access application for the document.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 88(2)    | Power to delete the irrelevant information from a copy of the document and give access to the document by giving access to a copy of the document with the irrelevant information deleted.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 88(3)    | Power to decide that it is reasonably practicable to give access to the copy.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 89(c)    | Power to decide that an applicant would wish to be given access to a copy of a document and to give access.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 89       | Power, as agency, to give access to a copy of a document from which the exempt information has been deleted..                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 90       | <del>Power to decide that an applicant would wish to be given access to a copy of a document and to give access.</del> Power, as agency, to give access to a copy of a document from which the contrary to public interest information has been deleted.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 91(2)    | Power to consider whether it is consistent with the primary object of this act to give the applicant or a person nominated by the applicant and approved by the agency, a summary of the applicant's personal information; and power to agree with the intermediary or the intermediary and applicant regarding conditions of use or disclosure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 91(3)(a) | Power to make an agreement with an <i>information giver</i> for the disclosure of information given by that person.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 91(3)(b) | Power to make an agreement with another person other than the applicant, for the disclosure of information, if the summary of information contains personal information about the other person.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 92(2)    | <del>Power to direct that access to a document is instead given to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency.</del> Power, as agency, to direct access to the document be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency, where access was refused under section 47(3)(d) of the Right to Information Act, as applied under the Information Privacy Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 94(2)    | Power to review a reviewable decision and make a new decision.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 97(2)    | Power to notify an applicant of a decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 97(3)    | Power to give a prescribed written notice of the decision to the applicant.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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|------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 102(2)    | In the specified circumstances, power to apply to the information commissioner to participate in the external review. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 106(1)(b) | Power to apply to the commissioner to allow the agency further time to deal with the access or amendment application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

| Information Privacy Act 2009 | 112(2) | Power to give the applicant for external review and the commissioner an additional statement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009 | 114(2) | Power to give the commissioner a written transcript of words recorded or contained in the document. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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|------------------------------|--------|--------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 114(3) | Power to give the commissioner a written document created using the equipment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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|------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 115 | Power, as agency, to conduct a particular further search or to conduct further searches directed by the information commissioner. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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|------------------------------|--------|---------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Information Privacy Act 2009 | 115(1) | Power to conduct a particular further search, or to conduct further searches, for a document.                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 127(1) | Power to apply to the information commissioner that a person be declared a vexatious applicant.                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 127    | Power, as agency, to apply to the information commissioner for declaration that at person is a vexatious applicant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 131(1) | Power to request the commissioner to refer a question of law arising on an external review to QCAT.                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                              |           |                                                                                                                                                                                                                                             |                         |                                                                |
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| Information Privacy Act 2009 | 132(1)    | Power to appeal to the Appeal Tribunal against the decision of the information commissioner on the external review.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 157       | Power, as agency, to apply to the information commissioner for approval to waive or modify the obligation to comply with the privacy principles.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 157(1)    | Power to apply to the information commissioner for an approval under this section.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 159       | Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 159(1)    | If given a compliance notice, power to ask the information commissioner to extend the time within which it must take the action stated in the compliance notice.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 159(3)(b) | In the specified circumstances, power to give the commissioner an undertaking to take the stated action within the extended period.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009 | 161(1)    | Power to apply to QCAT for a review of the decision of the information commissioner. Power, as agency, to apply to QCAT, as provided under the QCAT Act, for review of the information commissioner's decision to give a compliance notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 172(1)       | Power to agree on a resolution of the complaint.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 172(2)       | Power to ask the information commissioner to prepare a written record of the agreement.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 7(3)(a)      | Power to consider it is not required to amend personal information included in a document under the agency's control in a way asked for by the individual the subject of the personal information.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 10(1)(b)     | Power to be satisfied on reasonable grounds that the use of the information for the other purpose is necessary to lessen or prevent a serious threat to the life, health, safety, or welfare of an individual, or to public health, safety or welfare. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 10(1)(d)     | Power to be satisfied on reasonable grounds that the use of the information for the other purpose is necessary in certain circumstances.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 11(1)(c)     | Power to be satisfied on reasonable grounds that the disclosure is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 11(1)(e)     | Power to be satisfied on reasonable grounds that the disclosure of the information is necessary in certain circumstances.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Information Privacy Act 2009                                                                                                                                                                                                                                                                                                      | 11(1)(f)(iv) | Power to be satisfied on reasonable grounds that the relevant entity will not disclose the personal information to another entity.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Industrial Relations Act 2016</b><br><b>The Purpose of this Act</b><br>The main purpose of this Act is to provide for a framework for cooperative industrial relations that—<br>(a) is fair and balanced; and<br>(b) supports the delivery of high quality services, economic prosperity and social justice for Queenslanders. |              |                                                                                                                                                                                                                                                        |                         |                                                                |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 28(1)        | Power to decide to:<br>(a) grant the request;<br>(b) grant the request in part or subject to conditions; or<br>(c) refuse the request.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 28(2)        | Power to grant request, in part or subject to conditions, or refuse the request only on reasonable grounds.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 28(3)        | Power to give the employee written notice about its decision within 21 days after receiving the request.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 33(1)        | Power to agree with employee when the employee is to take annual leave                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 33(3)(a)     | Power where the employee and employer cannot agree, to decide when the employee is to take leave.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 33(3)(b)     | Power where the employee and employer cannot agree, to give the employee at least 8 weeks written notice of the starting date of the leave.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 33(4)        | Power to agree with employee that the employee take all or part of the employee's annual leave before becoming entitled to it.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 54(1)        | Power to ask an employee to provide evidence that the employee has experienced domestic violence and need to take leave as a result.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 72(4)        | Power to give the employee a reasonable opportunity to discuss any significant effect the change will have on the employee's position.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                                     | 76(1)        | In the specified circumstances, the power in deciding whether to agree to an application for extension or part-time work, to consider the specified matters.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 76(4)         | In the specified circumstances, the power to advise the employee in writing of the employer's decision.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 76(5)         | In the specified circumstances, the power to provide the employee with written reasons for refusing the application.                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 92(1)         | In the specified circumstances, the power to give the replacement employee a written notice informing them of specified matters.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 110(2)(b)     | Power to agree with an employee by a signed agreement that a payment may be made                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 121(1)        | In the specified circumstances, the power to dismiss an employee.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 127(2)        | Power to apply to the commission to make an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 165           | Power to enter into certified agreement.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 167(a)        | Power to consent to the making of a bargaining award.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 169(1)        | Power to negotiate with a view to a bargaining instrument being made.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 169(2)        | Power to give the specified persons a notice of intention of the proposer's intention to start negotiating.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 172(2)        | Power to negotiate with the single bargaining unit.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173(2)(a)     | Power to attend and participate in bargaining meetings.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173(2)(b)     | Power to disclose relevant information, other than confidential or commercially sensitive information, in a timely way.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173(2)(c)(i)  | Power to genuinely consider proposals made by the other parties and respond in a timely way.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173(2)(c)(ii) | Power to genuinely consider proposals made by the other parties and give reasons for its response.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 173(3)        | Power to make an agreement about procedures or principles for the conduct of the bargaining process.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 175(1)(b)     | Power to ask the commission to help the parties reach agreement.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 175(2)        | Power to notify the commission that the parties intend to resume negotiating without the commission's help.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 178(1)        | Power to apply to the commission for arbitration of the matter.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 184(1)        | In the specified circumstances, the power to apply to the commission for a scope order in relation to a proposed bargaining instrument.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 189(1)        | Power to make an application to the commission to certify an agreement.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 190(2)        | In the specified circumstances under subsection 190(3), the power to make an application to the commission to make a bargaining award and terminate the relevant modern award. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 213(1)(a)     | Power to propose to make a certified agreement.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 213(2)        | Power to apply to the commission for a decision under subsection (3).                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 223(1)        | Power to apply to the commission to extend the bargaining instrument's nominal expiry date                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 225(1)        | Power to apply to the commission to amend a bargaining instrument.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 226(2)        | Power to apply to the commission to amend the bargaining award so the award applies to the proposed new party.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 227(1)        | In the specified circumstances, the power to apply to the commission to terminate the certified agreement or arbitration determination.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 228(1)(a) | In the specified circumstances, the power to apply to the commission to terminate the certified agreement or arbitration determination.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 228(2)    | Power to give a notice of intention to all other persons to whom the agreement or determination applies.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 232       | Power to take protected industrial action for the proposed bargaining instrument, subject to specified conditions in this part.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 236(1)    | In the specified circumstances, the power in specified circumstances to give written notice of the intention to take industrial action to all of the negotiating parties of the proposed bargaining instrument.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 236(2)    | Power to instead of giving written notice, take any other reasonable steps to notify employees of the intended action.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 240(1)    | In the specified circumstances, the power in specified circumstances, to apply to the commission for an order to suspend or terminate protected industrial action for a proposed bargaining instrument being engaged in.                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 241(1)    | In the specified circumstances, the power in specified circumstances, to apply to the commission to suspend or terminate protected industrial action for a proposed bargaining instrument being engaged in or threatened to be engaged in.             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 242(2)    | In the specified circumstances, the power to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 261(2)    | Power to give the registrar written notice of the dispute.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 263(a)    | Power to request the commission to act as mediator in an industrial cause, whether or not it is within the jurisdiction of the commission                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 269(1)    | Power to apply to the commission to make an order for a contravention of section 268.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 329(1)    | In the specified circumstances, the power to dismiss the employees if the employer as soon as practicable after making the decision notifies the specified persons.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 330(1)    | In the specified circumstances, the power to consult with each employee organisation of which any of the employee's is a member in relation to specified matters.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 333(1)    | Power to stand down an employee on a day, or for part of a day, when the employee can not be usefully employed because of something that happened:<br>(a) for which the employer is not responsible; or<br>(b) over which the employer has no control. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 341(1)    | Power to keep an employee register that contains the specified information for each employee.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 347(2)    | In the specified circumstances, the power to agree to employee request to inspect the time and wages record.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 371(5)    | Power before making a deduction from wages, to give the employee written acknowledgment of the employee's non-written consent authorising the deduction.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 467(1)    | Power to apply to the commission for and interpretation of an industrial instrument other than a certified agreement or bargaining award.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 469(1)    | In the specified circumstances, the power to ask the commission to assist the parties in negotiating or resolving a matter relevant to the industrial cause                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 469(2)    | Power to agree with other party to an industrial cause to make a facilitation request and may be in the form agreed by the parties and include the specified items.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 469(4)    | Power to decide and agree with the other party, in writing, whether a decision made by the commission is binding on the parties to the industrial cause.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 470(1)(b) | In the specified circumstances, the power to agree with other parties to the dispute that the dispute is to be resolved by the commission.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 470(2)    | Power to apply to the commission for the commission to perform the dispute resolution functions to resolve the dispute under the referral agreement.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 471(1)    | In the specified circumstances, the power to apply to the commission to amend or declare void (wholly or partly) a contract.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 473(1)    | In the specified circumstances, the power to apply to the commission seeking an injunction.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016 | 479       | Power to apply for a specified order of the full bench about a demarcation dispute.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 483(3)    | Power to apply to the full bench for an order to make a further order it considers appropriate to ensure the order, an ancillary order and the Act are complied with.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 484(1)    | Power to apply to the full bench or the commission (as appropriate) for proceedings to be reopened.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 486(4)    | Power before the hearing of a matter by the commission starts, to apply to the president for the matter to be referred to the full bench.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 527(1)    | Power to apply to start a proceeding in the court or commission, or before the registrar.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 529(1)    | Power to be represented in proceedings by an agent appointed in writing or an officer or member of the organisation.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(a) | Power to consent to parties being represented by a lawyer for proceedings in the Court.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(b) | Power to seek leave to be represented by a lawyer to the full bench.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(c) | Power to seek leave to be represented by a lawyer before the commission.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(d) | Power to consent to parties being represented by a lawyer for other proceedings before the commission.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(e) | Power to consent to parties being represented by a lawyer for proceedings before an Industrial Magistrates Court.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 530(1)(f) | Power to consent for parties to be represented by a lawyer in proceedings before the registrar.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 554(1)    | In the specified circumstances, the power to appeal a decision of the Court or the full bench to the Court of Appeal.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 554(2)    | In the specified circumstances, the power to appeal against a decision of the full bench to the Court of Appeal, and seek the Court of Appeal's leave.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 556       | Power to appeal against the decision of a magistrate to the Court.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 557(1)    | In the specified circumstances, the power to appeal against the decision of the commission to the Court.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 557(2)    | In the specified circumstances, the power to appeal against a decision of the commission, and seek the Court's leave.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 560(1)    | In the specified circumstances, the power to appeal against a decision of the registrar to the full bench.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 560(2)    | In the specified circumstances, the power to appeal against a decision of the register to the full bench, and seek the full bench's leave.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 564(2)    | Power to apply during or after the appeal period to the industrial tribunal to allow an appeal to be started within a longer period.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 569(3)    | Power to agree with other parties to proceeding to request that proceedings be started or continued before another magistrate at an agreed place in the State other than the place where the proceedings are to be heard and decided under the Justices Act 1886. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 606(1)    | In the specified circumstances, the power to object to a registration application.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 646       | In the specified circumstances, the power to make a rules application to the Commission.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 688       | Power to make an application for an election inquiry.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 711       | In the specified circumstances, the power to apply to the Court for a declaration that a person is not, or was not eligible to be a candidate or to be elected to an office for the organisation or has ceased to hold an office for the organisation.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 726(1)    | In the specified circumstances, the power to resign from membership of the organisation.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016 | 744(1)    | Power to inspect a policy kept under section 740 or a register kept under sections 742 or 743.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 744(2)    | Power to ask the organisation in writing to make the policy or register available for inspection, free of charge, during the organisation's business hours.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 835       | Power to apply to the commission to decide whether an invalidity has occurred in the specified matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 859(1)    | In the specified circumstances, the power to make a complaint to the registrar about an organisation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 859(2)    | Power to make a complaint to the registrar about an officer of an organisation if the person believes the officer has engaged in misconduct in relation to the organisation.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 878(f)    | Power to agree to deregistration of an organisation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 879(1)    | Power to apply to the full bench for a deregistration order on a ground mentioned in section 878.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 879(1)(d) | Power to seek leave from the full bench to apply for a deregistration order.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 894(1)(a) | Power to be heard by Industrial Tribunal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 894(1)(b) | Power to be heard by Industrial Tribunal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 894(1)(c) | Power to be heard by Industrial Tribunal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 935(2)    | Power to give the person the certificate of employment upon receiving the request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 981(2)    | Power to file an objection notice with the commission within the stated time and in the stated way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 1003(2)   | Power to apply to the commission to apply section 250 in relation to the application to certify the agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Industrial Relations Act 2016                                                                                                                                                                                                                                                                                          | 11(2)     | Power to apply to the commission for an order:<br>(a) requiring another party to give security for the applicant party's costs within the period stated in the order; and<br>(b) staying the proceeding, or the part of the proceeding against the applicant party, until the security is given.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Integrity Act 2009</b><br><b>The Purpose of this Act</b><br>The Integrity Act 2009 is intended to promote trust in the integrity of government processes and ensure that contact between lobbyist and government representatives is conducted in accordance with public expectations of transparency and integrity. |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Integrity Act 2009                                                                                                                                                                                                                                                                                                     | 71(3)     | In certain circumstances, power to give the entity's details to the Integrity Commissioner as soon as practicable. Power, as responsible person for a government representative, to give the entity's details to the integrity commissioner.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Integrity Act 2009                                                                                                                                                                                                                                                                                                     | 71(4)     | Power to delegate the obligation to give details of an entity under section 71(3) to a person the responsible person considers to be an appropriate person to give the details to the Integrity Commissioner. Power, as responsible person for a government representative, to delegate the obligation to give details under section 71(3) of the Integrity Act 2009 to the integrity commissioner.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Integrity Act 2009                                                                                                                                                                                                                                                                                                     | 72A(2)    | Power to give the Integrity Commissioner information about the lobbyist or lobbying activity and power to reasonably believe the information may be relevant to the functions or powers of the Integrity Commissioner under this Act. Power, as responsible person for a government representative, where a lobbyist carries out a lobbying activity with the government representative, to give the integrity commissioner information about the lobbyist or lobbying activity, if the information may be relevant to the integrity commissioner's functions and powers under the Integrity Act 2009. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Integrity Act 2009                    | 72A(3)   | Power to give personal information to the Integrity Commissioner about (a) the lobbyist; or (b) a person employed, contracted or otherwise engaged by the lobbyist to carry out lobbying activity; or (c) a third party client for which the lobbyist is carrying out the lobbying activity.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Integrity Act 2009                    | 72A(4)   | <del>Power to delegate the obligation to give details of an entity under section 72A to a person the responsible person considers to be an appropriate person to give the details to the Integrity Commissioner.</del> Power, as responsible person for a government representative, to delegate the power to give information under section 72A(4) of the Integrity Act 2009 to the integrity commissioner. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Justices Act 1886</b>              |          |                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
| Justices Act 1886                     | 42(1)    | Power to commence a proceeding under the <i>Justices Act 1886</i> by a complaint in writing.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Justices Act 1886                     | 222(1)   | Power to appeal to the District Court an order made by justices or a justice in a summary way on a complaint for an offence or breach of duty.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Labour Hire Licensing Act 2017</b> |          |                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
| Labour Hire Licensing Act 2017        | 13(1)    | Power to apply for a licence to provide labour hire services.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 18(1)    | Power, as a licensee, to apply for renewal of the licence before it expires.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 18(3)(b) | Power, as a licensee, to withdraw an application for renewal of a licence.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 19(1)    | Power to apply for restoration of the licence after it has expired.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 23(2)    | Power, as a licensee, to give a written response to a show cause notice that proposes to cancel the licence.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 25(1)    | Power, as a licensee, to return a suspended or cancelled licence to the chief executive.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 26(1)    | Power, as a licensee, to surrender the licence.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 29       | Power, as a licensee, to comply with conditions imposed on a licence.                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 30(1)(c) | Power, as a licensee, to give a written response to a proposed condition or variation of a licence.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 31(1)    | Power, as a licensee, to give the chief executive a report that complies with sections 31 and 32.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 35       | Power, as a licensee, to apply to the chief executive to remove and appoint nominated officers for the licence.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 36       | Power, as a licensee, to substitute a nominated officer for a limited period if the circumstances of section 36(1) exist.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 37       | Power, as a licensee, to apply to the chief executive to extend the appointment of a substitute nominated officer.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 38       | Power, as a licensee, to produce a copy of the licence for inspection by an inspector, worker or other person on request.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 40       | Power, as a licensee, to give the chief executive notice of a prescribed change in circumstances of the licensee.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 41(2)    | Power, as an applicant, to give the chief executive information the chief executive reasonably requires to decide the application.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 42(3)(b) | Power, as an applicant, to consent to the chief executive entering and inspecting Council's place of business for the purpose of ascertaining whether Council is a fit and proper person to provide labour hire services.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 43       | Power, as a licensee, to give the chief executive the information required in a notice given under section 43.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 60(1)    | Power, as an occupier, to consent to entry of Council's premises by an inspector and to sign an acknowledgement of the consent.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 69(2)    | Power, as an occupier, to comply with a help requirement given by an inspector.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Labour Hire Licensing Act 2017        | 79(3)         | Power, as an owner of a seized thing, to apply to the chief executive for its return.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 82(b)         | Power, as an owner of a seized thing, to agree, in writing, to the transfer of the ownership of the thing to the State.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 87(1)         | Power to claim compensation from the State if loss is incurred because of the exercise, or purported exercise of a power by or for an inspector.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 93(1)         | Power, as a person who has been given or is entitled to be given an information notice for a decision, to apply for review of the decision.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 93(2)         | Power, as an interested person, to apply for review of a decision listed in section 93(2).                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 96(2)         | Power, as an applicant mentioned in section 93(1), to apply to QCAT for a stay of the decision.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Labour Hire Licensing Act 2017        | 98(1)         | Power, as an organisation given a QCAT information notice, to apply to QCAT for a review of the decision.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Land Access Ombudsman Act 2017</b> |               |                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
| Land Access Ombudsman Act 2017        | 32(1)         | Power to refer a land access dispute to the land access ombudsman.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 32(2)         | Power to resolve a land access dispute.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 35(2)         | Power, as a party to a land access dispute, to provide reasonable help to the land access ombudsman in the conduct of reasonably necessary inquiries.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 37(2)         | Power to comply with a direction from the land access ombudsman to make a reasonable attempt to resolve the land access dispute with the other party.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 39(1) and (2) | Power, by notice given to the land access ombudsman, and in compliance with the requirements for withdrawal under a procedural guideline made under section 65, to withdraw a land access dispute referral.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 42(4)         | Power, as a party to a land access dispute, to comply with a request from the land access ombudsman, to give the ombudsman a stated document or information at a stated reasonable time and place; or access to a stated document or information.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 43(2)         | Power, as a party to a land access dispute, to comply with a notice from the land access ombudsman, requiring attendance at a meeting with the land access ombudsman at a stated reasonable time and place, and answer questions.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 43(4)         | Power, as a party to a land access dispute, to seek the leave of the land access ombudsman to be represented by someone at a meeting.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 45(1)         | Power to consent to the land access ombudsman entering land the subject of a dispute about a conduct and compensation agreement.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 45(2)         | Power to consent to the land access ombudsman entering land the subject of a dispute about a make good agreement.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 45(3)         | Power to impose conditions upon the land access ombudsman's entry to the disputed land and to withdraw consent for the land access ombudsman to enter disputed land.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 49(1)         | Power, if consent is given for the land access ombudsman to enter disputed land, to sign an acknowledgement of the consent.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 51(4)         | Power to make submissions to the land access ombudsman in response to the draft notice about the investigation.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 53(4)         | Power to make submissions to the land access ombudsman about the proposed action.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 54(4)         | Power to make a submissions to the land access ombudsman about action to be taken under section 54(2).                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 55(4)         | Power to make a submission to the land access ombudsman about action to be taken under section 55(2).                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 57(2)         | Power to inspect a document within the custody of the land access ombudsman.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Access Ombudsman Act 2017        | 59(2)         | Power, when giving a document or information to the land access ombudsman, to inform the land access ombudsman of a belief that the document or information to be provided is confidential or that the disclosure of the document or information to the ombudsman might be detrimental to the party's commercial activities. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Land Access Ombudsman Act 2017                                                                                                                                                                                                                                | 60(3)(b)   | Power to consent to the use of, recording of, or disclosure of confidential information by a person who is, or has been, the land access ombudsman or an officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Land Act 1994</b><br><b>The Purpose of this Act</b><br>An Act to consolidate and amend the law relating to the administration and management of non-freehold land and deeds of grant in trust and the creation of freehold land, and for related purposes. |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Land Act 1994                                                                                                                                                                                                                                                 | 12(3)      | Power to suitably indicate where the boundaries of land are across a surface of water.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 12(4)      | Power to regulate or prohibit the use or movement of ships in or over water above inundated land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 13A(4)     | <del>Power to:</del><br>(a) exercise a right of access for the owner, the owner's family, executive officers, employees, agents and stock over the adjacent area of the watercourse or lake that is the property of the State that adjoins the owner's land; and<br>(b) exercise a right of grazing for the person's stock over the adjacent area; and<br>(c) bring an action against a person who trespasses on the adjacent area. Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring action for trespass over the adjacent land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 13AC(1)(a) | <del>In certain circumstances, power to consent to the dedication of a reserve.</del> Power, as an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 13B(1)     | <del>In certain circumstances, power to apply to the Chief Executive to have watercourse land adjoining the relevant land's non-tidal boundary declared to be former watercourse land.</del> Power, as owner of land having a non-tidal boundary (watercourse) (the relevant land), to apply to the chief executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 13B(2)     | <del>Power to give notice of a person's intention to make the application.</del> Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 13B(6)     | <del>Power to appeal against the refusal of the application.</del> Power, as an applicant under section 13B(1), to appeal against the refusal of the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 18(1)      | <del>Power to reach agreement with the Governor in Council to grant unallocated State land in exchange for all or part of freehold land.</del> Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 18(2)      | <del>Power to reach agreement with the Governor in Council to grant a freeholding lease in exchange for all or part of a freeholding lease.</del> Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of the freeholding lease for a freeholding lease over unallocated state land.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 18(3)      | <del>Power to enter into agreement with the Minister to lease unallocated State land.</del> Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 23A(1)     | <del>Power to apply to Chief Executive for the allocation of a floating reservation.</del> Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 23A(6)     | <del>Power to appeal against a Chief Executive's decision.</del> Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                                                                                                                                                                                                                                                 | 24(3)      | <del>Power to apply to the Minister to buy the land.</del> Power, as registered owner of the deed of grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|               |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                         |                                                                |
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| Land Act 1994 | 25(2)  | <del>Power to appeal against the unimproved value of land.</del> Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the Land Act 1994.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 26(2)  | <del>In certain circumstances, power to agree with the Minister in respect to the specified matters when the Minister is deciding the boundaries of land being resumed.</del> Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 26(4)  | <del>Power to appeal against the Minister's decision on the boundaries.</del> Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 26B(2) | Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 26B(8) | <del>Power to appeal against the value decided by the Minister for the commercial timber.</del> Power, as lessee or registered owner, to appeal against the value decided by the Minister for commercial timber on a forest entitlement area that the local government is buying.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31C(1) | <del>Power to apply to the Minister for the dedication of a reserve.</del> Power, to apply to the Minister for the dedication of a reserve.                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31C(2) | <del>Power to give notice of the person's intention to make the application to:</del><br>(a) if the person is not the proposed trustee of the reserve – the proposed trustee; and<br>(b) each person with a registered interest in the unallocated State land over which a reserve is proposed to be dedicated. Power to give notice of the intention to apply for the dedication of a reserve.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31C(3) | Power to give notice to any other person that the person considers has an interest in the unallocated State land over which the reserve is proposed to be dedicated.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31D(1) | <del>Power to apply to the Minister:</del><br>(a) to change the boundaries of the reserve; or<br>(b) to change the purpose for which the reserve is dedicated. Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31D(2) | <del>Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.</del> Power to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 31D(3) | Power to give notice to any other person the trustee considers:<br>(a) has an interest in the reserve; or<br>(b) would have an interest in the reserve if the boundaries of the reserve or the purpose for which the reserve is dedicated were changed.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 32     | Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34(1)  | <del>Power to apply for the revocation of the dedication of all or part of a reserve.</del> Power to apply to the Minister to revoke the dedication of all or part of a reserve.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34(2)  | <del>Power to give notice of the person's intention to make the application to:</del><br>(a) if the person is not the trustee of the reserve – the trustee of the reserve; and<br>(b) each person with a registered interest in the reserve. Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34(3)  | Power to give notice to any other person that the person considers has an interest in the reserve.                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34H(1) | <del>Power to apply to the Chief Executive to remove improvements from a revoked reserve.</del> Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34H(2) | Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
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| Land Act 1994 | 34I(1)             | <del>In certain circumstances, power to apply for the issue of a deed of grant over a reserve.</del><br>Power, as trustee of an operational reserve, to apply for a deed of grant over the reserve.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34I(3)             | <del>Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.</del><br>Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 34I(4)             | Power to give notice to any other person the trustee considers has an interest in the reserve.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38A(1)             | <del>Power to apply:</del><br>(a) for an additional community purpose to be notified; or<br>(b) to amalgamate land with common purposes.<br>Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38A(2)             | <del>Power to apply for the cancellation of a deed of grant in trust.</del><br>Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38A(3)             | <del>Power to give notice of the applicant's intention to apply to each of the following:</del><br>(a) the trustee of the deed of grant in trust, other than the applicant<br>(b) each person with a registered interest in the trust land.<br>Power, as trustee, to give notice of the intention to apply under section 38A.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38A(4)             | Power to give notice to any other person the applicant considers has an interest in the trust land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38G(1)             | <del>Power to apply to the Chief Executive to remove the owner's improvements on a deed of grant in trust.</del><br>Power, as owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 38G(2)             | Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 44                 | Power to accept appointment as trustee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 44(4)              | Power to provide written acceptance of appointment as trustee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 45                 | Power, as trustee, to advise the chief executive of change in details.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 46 and 47          | Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 48                 | Power, as trustee, to:- (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; and<br>(b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made;<br>(c) register any management plan in the appropriate register                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 48(1)(a)           | Power to apply for the approval of a management plan for the trust land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 49                 | <del>In certain circumstances, power to:</del><br>(a) allow the auditor general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and<br>(b) help the conduct of the audit, including a disclosure of the financial institution accounts necessary for the audit.<br>Power, as trustee, to:- (a) allow the auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the chief executive of a department, to audit the trust's financial accounts; and<br>(b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 50(1)(b) and 50(2) | Power, as trustee, to resign by signed notice of resignation given to the Minister and agree with the Minister on the day the resignation takes effect                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 52(1)              | Power, as trustee, to resign by signed notice of resignation given to the Minister and agree with the Minister on the day the resignation takes effect                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Land Act 1994 | 52(5)  | Power to apply for the approval of an action that is inconsistent with the purpose for which the reserve was dedicated or the land was granted in trust ( <i>inconsistent action</i> ).                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55(1)  | <del>Power to surrender all or part of a deed of grant in trust-</del><br>(a) on terms agreed to between the Minister and the trustee; and<br>(b) with the Minister's written approval. Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55A(1) | <del>Power to apply to surrender all or part of a deed of grant in trust-</del> Power, as trustee, to apply to surrender all or part of a deed of grant in trust.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55A(2) | <del>Power to give notice of the trustee's intention to apply to each person with a registered interest in the deed of grant in trust.</del> Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55A(3) | Power to give notice to any other person the trustee considers has an interest in the deed of grant in trust.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55H(1) | <del>Power to apply to remove the owner's improvements on a surrendered deed of grant in trust.</del> Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 55H(2) | Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive..                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 57(1)  | Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written 'in principle' approval to the lease.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 57(1)  | Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written 'in principle' approval to the lease.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 57(3)  | Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 57(7)  | Power, as trustee, to register a trustee lease in the appropriate register.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 57A(1) | Power to seek the Minister's approval to amend a trustee lease.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 58(1)  | Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of:- (a)the Minister for a sublease; or (b) otherwise, the chief executive.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 58(7)  | Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 60(1)  | Power, as trustee, to issue a trustee permit to use all or part of the trust land.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 60(3)  | Power to lodge a trustee permit in the appropriate register.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 62     | Power to seek consent to group trust land reserved for similar purposes together.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 63(3)  | Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 64(1)  | Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 64(4)  | Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 65(1)  | Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 66(1)  | <del>In certain circumstances, power to allow a trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.</del> Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Land Act 1994 | 67(2)   | Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the <i>Land Act 1994</i> , subject to the Minister's approval under section 67(4).                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 67(3)   | <del>Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the <i>Land Act 1994</i>, subject to the Minister's approval under section 67(4).</del> Power to mortgage a deed of grant in trust issued after the commencement of the Land Act 1994 subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 80(1)   | Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 81(1)   | Power to ask the Minister that a cemetery on trust land be closed to further burials.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 81(4)   | Power to ask the Minister to re-open a cemetery previously closed for further burials.                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 82      | <del>Power to:-</del><br>(a) agree to have the trusteeship of a cemetery transferred; and<br>(b) agree to conditions of the transfer of trusteeship. Power to agree to take on the trusteeship of a cemetery from trustees of the cemetery, and to agree on the terms of the transfer.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 83(1)   | Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 84(1)   | <del>In certain circumstances, power to apply to the Minister to surrender land to the State and for the issue of a deed in grant in trust under the <i>Land Act 1994</i> for a community or public purpose.</del> Power to apply to the Minister seeking approval to surrender land granted for an estate in fee simple for some community, public or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 94(2)   | <del>Power to apply for the dedication of a road for public use.</del> Power to apply for land to be dedicated as a road for public use.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 99(1)   | <del>Power to apply for the permanent closure of a road.</del> Power to apply to the Minister to permanently close a road.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 99(3)   | <del>In certain circumstances, power to apply to the Minister for the temporary closure of a road.</del> Power to apply to the Minister to temporarily close a road.                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 99(4)   | <del>Power to ask for the road, on its closure, to be amalgamated with the adjoining owner's adjoining land.</del> Power, as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the Land Act 1994, to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 99(6)   | In certain circumstances, power to ask in the application that, on the closure of the road, the road, the adjoining land and the other land be amalgamated.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 100     | Power to object to a road closure application in response to a public notice.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 105(3)  | Power, as a road licensee, to surrender all or part of a road licence.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109A(1) | <del>In certain circumstances, power to apply for the simultaneous opening and closure of roads.</del> Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109A(2) | Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109A(3) | <del>Power to appeal against any conditions the Minister imposes under section 420.</del> Power, as registered owner, to appeal against any conditions the Minister imposes under section 420.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109B(1) | <del>In certain circumstances, power to apply for the simultaneous opening and closure of roads.</del> Power, as trustee or lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                                                                |
|---------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Act 1994 | 109B(2)         | Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109B(3)         | Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 109B(4)         | <del>Power to appeal against any conditions the Minister imposes under section 420I.</del> Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 120A(1)         | <del>Power to apply for an interest in land without competition.</del> Power to apply for an interest in land that may be granted without competition.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 136(5)          | Power to enter into a land management agreement.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 140(1)          | Power to negotiate the provisional value (negotiated value).                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 140(2)          | Power to give written agreement to the negotiated value becoming the amount to be paid for the improvements.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 140(4)          | Power to make application to the Court to decide the value.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 154             | Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 154(1)          | Power to apply to the Minister for a lease to be used for additional or fewer purposes.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 155A(2)         | <del>Power to apply to extend a lease.</del> Power, as lessee, to apply for extension of a term lease (40 years).                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 155B(2)         | <del>Power to apply to extend a lease for a term up to 50 years.</del> Power, as lessee, to apply for extension of a term lease (50 years).                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 155BA(2)        | <del>Power to apply to extend a lease for a term up to 75 years.</del> Power, as lessee, to apply for extension of a term lease (75 years).                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 155DA(4)        | Power to make written submissions to the Minister regarding an intention to reduce a term.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 156(2) and (4)  | Power, as lessee, to:- (a) provide the Minister with an improvements report; (b) give the Minister information, or further information, about a building or other structure on the lease land; and (c) give the Minister a report about the condition of the buildings and other structures on the lease land.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 157B(2)(a)(iii) | Power, as lessee, to within the reasonable period stated in the notice, make written submissions about any matter relevant to the reasons for the chief executive's proposal.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 158             | Power, as lessee, to apply for an offer of a new lease (a renewal application).                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 158(1)          | Power to apply for an offer of a new lease unless the condition of the lease or the <i>Land Act 1994</i> prohibits a renewal.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 159A(2)         | Power, as trustee, to consult with the Chief Executive.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 160(3)          | <del>Power to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.</del> Power, as an applicant for a renewal application, to appeal against the chief executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled complied with the conditions of the lease. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 164C(1)         | <del>Power to make an extension application.</del> Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 164C(7)         | <del>Power to appeal against the Minister's decision.</del> Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 164H(1)(b)      | Power to advise the Chief Executive and agree to the lease becoming a rolling term lease.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Land Act 1994 | 166(1)    | <del>Power to make a conversion application.</del> Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 168(5)    | <del>Power to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal is that the applicant had not fulfilled the conditions of the lease.</del> Power, as applicant for a conversion application, to appeal against the chief executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled complied with the conditions of the lease.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 169(a)    | Power to enter into a conservation agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 169(b)(i) | Power to enter into a forest consent agreement in relation to the land.                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 170(2)    | Power to appeal against the chief executive's decision on the purchase price for the conversion of a lease to a deed of grant.                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176(1)    | <del>Power to apply for approval to subdivide a lease.</del> Power, as lessee, to apply for approval to subdivide the lease.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176(2)(b) | Power to provide a statement of Council's views on the proposed subdivision.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176E      | <del>In certain circumstances, power to appeal against a decision.</del> Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176K(1)   | <del>In certain circumstances, power to apply for approval to amalgamate existing leases.</del> Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176(3)(b) | Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176N      | Power to give the chief executive an opinion in respect of a proposed road closure.                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176Q      | In certain circumstances, power to appeal against a decision that is given to an Applicant.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176UA(2)  | Power to enter into a land management agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 176XA     | Power to agree with the Minister to cancel the land management agreement registered on a lease.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 177(3)    | Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 177A(1)   | <del>Power to apply for a permit to occupy unallocated State land, a reserve or road.</del> Power to apply for a permit to occupy unallocated State land, a reserve or a road.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 177A(2)   | <del>Power to give notice of the person's intention to apply to the following and to any other entity with a registered interest in the proposed permit land:</del><br>(a) for a permit for a reserve — the trustee of the reserve; or<br>(b) for a permit for a State-controlled road — the Chief Executive of the department in which the Transport Infrastructure Act 1994 is administered. Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 179       | Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 179(2)    | In certain circumstances, power to agree with an applicant for a permit on conditions about the maintenance of a boundary fence.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 179       | Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180(2)    | <del>Power to surrender a permit:</del><br>(a) on terms agreed between the Chief Executive Officer and the permittee; and<br>(b) with the Chief Executive's written approval. Power, as a permittee, to surrender a permit to occupy on terms agreed between the chief executive and the permittee and with the chief executive's written approval.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|               |         |                                                                                                                                                                                                                                  |                         |                                                                |
|---------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Act 1994 | 180A    | Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180A(1) | Power to apply to cancel a permit.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180A(2) | Power to give notice of the entity's intention to apply to:<br>(a) the permittee; and<br>(b) any other entity with a registered interest in the permit land.                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180A(4) | Power to give notice to any other entity the relevant entity considers has an interest in the permit land.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180A(5) | Power to apply to surrender a permit.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180H(1) | <del>Power to apply to the Chief Executive to remove improvements on permit land.</del> Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittee's improvements on the permit land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 180H(2) | Power, as a permittee, to remove improvements with the chief executive's written approval.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 201     | Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 210     | Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 210(1)  | Power to agree to a change of an imposed condition of the lease, licence or permit.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 210(2)  | Power to apply to change conditions of a lease, licence or permit under section 210(1).                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 212(1)  | Power to agree to change an imposed condition about the protection and sustainability of lease land.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 212(3)  | <del>In certain circumstances, power to appeal against a decision.</del> Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 212B(5) | Power to agree with the designated officer for the lease about matters stated in section 212B(5)(a) and (b).                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214A    | Power to make submissions to the Minister in response to a warning notice.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214B    | Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214D    | Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214(3)  | Power to enter into an amended or a new land management agreement upon receipt of a remedial action notice.                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214A(4) | Power to make written submissions to the Minister in response to a warning notice.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 214F(3) | <del>Power to appeal against a decision.</del> Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 219(3)  | Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the <i>Acquisition of Land Act 1967</i> .                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 222(6)  | Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 225(2)  | Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 226(5)  | <del>Power to appeal against the Minister's decision.</del> Power, as lessee, to appeal against the Minister's decision on compensation payable.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 230(2)  | Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 232(5)  | <del>Power to appeal against the Minister's decision.</del> Power, as owner, to appeal against the Minister's decision on compensation payable.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |           |                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
|---------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Act 1994 | 239(4)    | <del>Power to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.</del> Power, as a relevant local government of a term or a perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 240E(1)   | <del>Power to make a written application for permission to sell the lease.</del> Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 240G      | Power, as a local government, to apply to the chief executive to sell a lease.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 240G(1)   | Power to apply to the Chief Executive for approval to sell a lease.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 240I(3)   | Power to start the process of selling a lease under this subdivision within the required period stated in the notice under section 240H(2).                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 240I(4)   | Power to set a reserve price for the sale of the lease by auction, or a price for the sale of the lease under an agreement, that is at least the total of all charges owing to the State under the Land Act 1994 relating to the lease.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 243(1A)   | <del>Power to apply to remove the lessee's improvements on the lease.</del> Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 243(1)    | Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 288(1)    | Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 288(1)(b) | Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 294(2)    | Power, as applicant, give public notice of the request as required by the registrar of titles.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 294(4)    | Power, as applicant, to satisfy the registrar of titles that the public notice has been given as required by the registrar.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 305(2)    | Power, as a person who receives a requisition notice, to:-(a give the document or information; and (b) if required by the registrar of titles, verify it by statutory declaration and affidavit.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 305A(1)   | Power, as a person who receives a requisition notice, to give the verifying document by giving a signed electronic form of the verifying document by electronic communication.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 307(1)    | Power, as a person listing in subsection 307(1) to request to borrow a document from the registrar of titles.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 307(2)    | Power, as a person who borrowed a document, to return it to the registrar of titles.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 308(4)    | Power to make a written application to the registrar of titles to permit the applicant to relodge a document that the registrar has permitted to be withdrawn.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 318 & 319 | Power to lodge a standard terms document and amend the standard terms document by lodging a further document.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 321(1)    | <del>Power to ask the Chief Executive to withdraw a registered standard terms document.</del> Power, as a person who has lodged a standard terms document, to ask the registrar of titles to withdraw it.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 322(3)    | <del>Power to apply for approval to transfer a lease, licence or sublease.</del> Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or licence under the Act with the approval of the chief executive.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 322(5)    | Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 322(8)    | <del>Power to appeal against the Chief Executive's decision.</del> Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|               |                |                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Land Act 1994 | 327            | <del>Power to agree to terms of the absolute surrender of freehold land.</del> Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327A           | <del>Power to agree to terms of the absolute or conditional surrender of all or part of a lease.</del> Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327B           | <del>Power to apply to surrender freehold land.</del> Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327C(1)        | <del>Power to apply to surrender all or part of a lease.</del> Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327C(2)        | <del>Power to give notice of the lessee's intention to apply to any other person with a registered interest in the lease.</del> Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327C(3)        | <del>Power to give notice to any other person the lessee considers has an interest in the lease.</del> Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327I(1)        | <del>Power to apply to remove improvements on surrendered lease.</del> Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 327I(2)        | Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 328(3)         | Power, as sub-lessee, to give written agreement to the surrender of the sublease.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 329 (1)        | Power, as lessee, to give notice of the intention to surrender a lease.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 330(c)         | Power to give written approval to the surrender where the grantee's interests will be adversely affected.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 332(1) and (2) | Power to seek the Minister's approval to sublease a lease issued under the Act.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 332(1)(a)(i)   | The power to seek the Minister's written approval to the sublease.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 332(7)         | <del>Power to appeal against a Minister's decision.</del> Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 336            | Power to seek the Minister's approval to amend a sublease.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339            | Power, as a sublessor who under a registered sublease has lawfully re-entered and taken possession, to lodge a request for the registrar of titles to register the re-entry.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339(1)         | Power to lodge a request for the Chief Executive to register the re-entry.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339F           | Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339F(1)        | Power to give another party to the sublease a written notice of dispute.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339G           | Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339G(1)        | Power to give a notifier of a sublease dispute a written response to the dispute notice within the specified time.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339H(2)        | Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339H(2)        | Power to agree not to attempt to resolve the dispute by mediation and to submit the dispute to arbitration.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339I(1)        | <del>Power to jointly appoint a mediator to mediate the dispute.</del> Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
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| Land Act 1994 | 339I(2)    | <del>Power to request a prescribed dispute resolution entity to appoint a mediator.</del> Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339I(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339J(1)    | <del>Power to agree to a time for mediation.</del> Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339J(2)    | <del>Power to request the mediator to set a time for the mediation.</del> Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339J(4)    | Power to appoint an agent to represent the Local Government at a mediation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339K       | <del>Power to request the mediator to set a time for the mediation.</del> Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339L       | Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339O(1)    | <del>Power to appoint a single arbitrator to decide the dispute.</del> Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339O(2)    | <del>Power to request a prescribed dispute resolution entity to appoint a single arbitrator to decide the dispute.</del> Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339Q(3)(c) | Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339R(1)(b) | Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339R(2)    | <del>Power to request an appointed expert participate in a hearing.</del> Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339T(5)    | Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339U       | Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 339U(3)(a) | Power to agree on how the costs of arbitration will be paid.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 358(1)     | <del>In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust.</del> Power, as the registered owner or trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 358(2)     | <del>In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust with the Minister's written approval.</del> Power, as registered owner or trustee, to surrender the land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries of the land do not agree with the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |            |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
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| Land Act 1994 | 360C(1)    | <del>In certain circumstances, power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).</del> Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 360C(2)    | <del>Power to apply to amend the description in a term lease or perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).</del> Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 360C(3)    | <del>Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).</del> Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 360D       | Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 360D(3)    | Power to give notice to any other person the applicant considers has an interest in the lease.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 363(1)(b)  | Power to sign the document creating the easement where Council is the owner of the land to be benefitted, the public utility provider or the owner of the land to be burdened.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 368(2)(a)  | In certain circumstances, power to ask the Chief Executive to extinguish an easement.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 369A       | Power to transfer a public utility easement to another public utility provider.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 371(2)     | <del>In certain circumstances, power to sign a document of surrender.</del> Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 371(3)     | Power to agree to surrender an easement.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 372(2)     | <del>Power to apply for the Minister's written approval to continue a public utility easement over unallocated state land.</del> Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or licence ends or the dedication of the reserve is revoked.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 372(3)     | Power to apply for the Minister's written approval to continue a public utility easement over a reserve.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 372(5)     | Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373A       | Power, as the trustee, lessee or sublessee of nonfreehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373A(1)    | Power to make certain non-freehold land the subject of a covenant.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373A(2)    | Power to consent to a document creating a covenant.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373B(1)(a) | Power to sign a document creating a covenant.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373C(2)(a) | Power to sign a document amending the covenant.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373D(2)    | <del>Power to sign a document releasing the covenant.</del> Power, as covenantee, to sign a document wholly or partly discharging the covenant.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373L(a)    | Power to ask the Chief Executive to extinguish the profit a prendre.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 373U(c)    | Power, as a holder of a registered interest in the land whose interest may be affected by the proposed carbon abatement interest, to consent to the proposed grant.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 389C       | Power, as caveator, to sign the caveat.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 389H(1)    | Power to apply to the Supreme Court for an order that a caveat lodged under this division be removed.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|               |                |                                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
|---------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Act 1994 | 403R(3)        | Power, as an offeree, to apply for an extension.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 415            | Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 415(1)         | In certain circumstances, power to start a proceeding in the Magistrates Court.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 420            | Power to appeal to the District Court on a question of law if dissatisfied with a trespass order.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 415CB          | Power to make a submission in response to a notice received under the Act about a proposed application.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 420CB(1)       | Power to make a submission against the proposed application to:<br>(a) the person who gave the entity the notice; or<br>(b) the Chief Executive.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 420E           | Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 423            | <del>Power to apply to the Minister for a review of the decision.</del> Power to apply to the Minister for a review of a decision.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 425(1)         | Power to apply for a stay of the decision to the Court.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 427            | <del>Power to appeal to the Court if dissatisfied with the review decision.</del> Power to appeal to the Court against a decision.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431V(2)        | Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area (see section 79 of the Land Regulation 2020).                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431V(3)        | <del>Power to consult with the owner of the lot.</del> Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area (see section 79 of the Land Regulation 2020). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431W(6)(a)     | Power to authorise an officer or employee of the manager of a declared beach area, to enter the area at any time without notice to any other person.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431X(1)(b)(ii) | Power to authorise or direct a person acting in the performance of functions or powers.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431ZG          | Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 431ZH(5)       | Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 442(4)         | In certain circumstances, power to apply to the person who made the offer to extend the time stated in the offer or that otherwise applies under subsection (1).                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 442(9)         | Power to amend the offer by changing the price or premium to a price or premium decided by the offeror in the way prescribed by regulation.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 481A           | <del>Power to surrender, absolutely, all or part of an occupation licence:<br/>(a) on terms agreed to between the Minister and the licensee;<br/>(b) and with the Minister's written approval.</del> Power, as licensee, to surrender all or part of an occupation licence, on terms agreed to between the Minister and the licensee and with the Minister's written approval.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 481B(1)        | <del>Power to apply to cancel all or part of an occupation licence.</del> Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994 | 481B(3)        | Power to apply to surrender, absolutely, all or part of an occupation licence.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
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| Land Act 1994                   | 481B(4)  | Power to give notice of the applicant's intention to apply to each of the following:<br>(a) if the applicant is not the licensee of the occupation licence — the licensee;<br>(b) any other person with a registered interest in the occupation licence;<br>(c) if the occupation licence is a designated occupation licence — the Chief Executive of the department having responsibility for the administration of the forest reserve, national park, State forest or timber reserve the subject of the designated occupation licence. — Power, to give notice of an intention to, as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 481B(5)  | Power to give notice to any other person the applicant considers has an interest in the occupation licence. Power, to give notice of an intention to, as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 481J(1)  | Power to apply to remove licensee's improvements on a licence. — Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove the licensee's improvements on the licence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 481J(2)  | Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 482      | Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 492(1)   | In certain circumstances, power to apply to exchange a conditional deed for a reserve or deed of grant in trust with Council as trustee or a lease issued under the Land Act 1994. Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the Land Act 1994.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 505(2)   | Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the Transport Infrastructure Act 1994.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 521ZE(2) | Power to apply in writing to the Minister for the cancellation of the land management agreement for the lease.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 521ZL(2) | Power to agree to the renewal application being treated as an extension application and advise the Chief Executive of same.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Act 1994                   | 521ZM(2) | Power to advise the Chief Executive that the lessee wishes the lease to become a rolling term lease.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Land Regulation Act 2009</b> |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
| Land Regulation 2009            | 4(3)     | Power, as trustee, to:- (a) give a public notice of the decision to adopt the model by-law; and (b) notify the chief executive.NB. for the avoidance of doubt, this section does not include the power to adopt the model by-law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 4(6)     | Power, as trustee, while the model by-law has effect, to keep a copy of the public notice available for inspection free of charge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 19(2)    | Power, as lessee, to appeal against the purchase price decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 31(3)    | Power, as prospective lessee or licensee, to appeal against the rental category decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 32(3)    | Power, as prospective permittee, to appeal against the rental category decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 48(1)    | Power, as a tenure holder, to pay the rent or instalments for the tenure when and where required under Part 5, Division 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 49F(1)   | Power to form a reasonable belief that the closure of the declared beach area is necessary, and power to temporarily close the declared beach area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 49F(2)   | Power to authorise a person to access a closed beach area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 60(2)    | Power, as a tenure holder in the circumstances set out in subsection 60(1), to apply to the Minister for a deferral of all or part of the rent or instalments payable for the tenure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009            | 60(4)    | Power, as a tenure holder who has lodged an application under subsection 60(2), to give the Minister any further information needed to help decide the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                                                                                                                                                   |             |                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Regulation 2009                                                                                                                                                                                              | 65(3)       | Power, as a tenure holder in the circumstances set out in subsections 65(1) and (2), to pay the penalty interest.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009                                                                                                                                                                                              | 85(1)       | Power, as the manager of a declared beach area, to temporarily close the declared beach area or a part of the declared beach area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Regulation 2009                                                                                                                                                                                              | 85(2)       | Power, as the manager of a declared beach area, to allow a person to access the closed area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Land Titles Act 1994</b><br><b>The Purpose of this Act</b><br>An Act to consolidate and reform the law about the registration of freehold land and interests in freehold land, and for other related purposes. |             |                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Land Titles Act 1994                                                                                                                                                                                              | 18          | Power, as a person served with a written notice by the registrar, to give public notice of a request listed in subsection (1) and to satisfy the registrar that the public notification has been given.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                              | 35(1)       | Power to undertake the searches and obtain copies of the documents described in section 35(1)                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                              | 50(1)(b)    | Power, as the registered owner, to agree to a plan of subdivision and dedicating the public use land                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                              | 50(1)(h)    | Power, as the relevant planning body, to approve a plan of subdivision                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                              | 50(1)(b)(i) | Power to include a statement agreeing to the plan and dedicating the public use land.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                              | 50(1)(j)    | Power, as the registered proprietor whose interests are affected by the plan, to consent to a plan of subdivision                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                           |                         |                                                                |
|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 54(1)  | <del>Power to sign and lodge for registration a dedication notice.</del> Power, as the registered owner of a lot, to dedicate the lot as a road for public use            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 54(3)  | Power, as the relevant planning body, to approve a dedication notice to dedicate a lot as a road for public use.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 54B(1) | Power, as the registered owner, to sign a building management statement for registration                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 54E(2) | Power, as the registered owner, to sign an instrument of amendment for a building management statement.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 54G    | Power, as the registered owner of all lots to which a building management statement applies, to ask the registrar to extinguish the building management statement.        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 54H(3) | Power, as the registered owner, to sign an instrument of extinguishment or partial extinguishment for a building management statement.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 57     | Power, as the registered owner of a lot with two or more registered owners, to request the registrar create a separate indefeasible title for the interest of each owner. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 59(1)  | Power, as a registered owner subject to a joint tenancy, to unilaterally sever the joint tenancy.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 59(2)  | Power, as a registered owner subject to a joint tenancy, to give notice of the severing of the joint tenancy in the way prescribed by subsection (2).                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                                               |                         |                                                                |
|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 60(1)  | <del>Power to sign and lodge for registration an instrument of transfer for a lot or interest.</del> Power to register an instrument of transfer for the transfer of a lot or interest to or from Council.    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 64     | <del>Power to sign and lodge for registration an instrument of lease for a lot or part of a lot.</del> Power to register an instrument of lease for the lease of a lot, or part of a lot, to or from Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 65(3A) | Power, as the relevant local government, to approve the instrument of lease where it is for reconfiguring a lot within the meaning of the Planning Act 2016.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 67(1)  | <del>Power to sign and lodge an instrument of amendment of the lease.</del> Power to register an instrument of amendment of a lease to or from Council.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |       |                                                                                                                                                                                                                                                                       |                         |                                                                |
|----------------------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 68(1) | <del>Power to sign and lodge a request for the registrar to register the re-entry.</del> Power, as a lessor under a registered lease who has lawfully re-entered and taken possession under the lease, to lodge a request for the registrar to register the re-entry. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 69(1) | <del>Power to execute and lodge for registration an instrument of surrender.</del> Power, as a lessor or lessee under a registered lease, to execute and register an instrument of surrender of the lease.                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 69(2) | Power, as a sublessee, to consent to the surrender of the lease.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 69(3) | Power, as a lessor or lessee under a registered lease, to give written notice of the surrender of the lease to every registered mortgagee and registered sublessee.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 82(1) | <del>Power to sign and lodge for registration an instrument of easement.</del> Power to register an instrument of easement benefiting or burdening land owned by Council.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |          |                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
|----------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 83(1)(b) | Power to sign an instrument of easement. Power, as the registered owner, lessee, person entitled to the land or public utility provider, to sign an instrument of easement for particular easements.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 83(2)    | Power, as the relevant local government, to approve the plan of survey for the creation of an easement giving access to a lot from a constructed road where it is the reconfiguring of a lot under the Planning Act 2016.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 83(2)(b) | In certain circumstances, power to approve a plan of survey.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 85B(2)   | Power, as the registered owner of a lot burdened by an easement in favour of a public utility provider that is not a public thoroughfare easement, to recover from the public utility provider a reasonable contribution towards the cost of keeping the part of the lot affected by the easement in a condition appropriate for enjoyment of the easement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 87       | Power, as the registered owner of the lot benefited and the lot burdened by an easement, to ask the registrar to extinguish the easement.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |       |                                                                                                                                                                                                            |                         |                                                                |
|----------------------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 87(a) | Power to ask the registrar to extinguish the easement.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 90(1) | <del>Power to sign and lodge for registration an instrument of amendment to an easement.</del> Power to register an instrument of surrender of an easement benefiting or burdening land owned by Council.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 90(2) | Power to sign an instrument of surrender of an easement.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 90(3) | Power, as a lessee or sublessee of a lot benefited by an easement, to consent to surrender of the easement.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 91(1) | <del>Power to sign and lodge for registration an instrument of amendment of the easement.</del> Power to register an instrument of amendment of an easement benefiting or burdening land owned by Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |          |                                                                                                                        |                         |                                                                |
|----------------------|----------|------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 95(7)(c) | Power to give written consent to an owner of a burdened lot to remove, change or otherwise interfere with any support. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                              |                         |                                                                |
|----------------------|--------|------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 96A(5) | Power to provide written consent to an owner of a burdened lot to remove, change or otherwise interfere with any projection. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                                                                                 |                         |                                                                |
|----------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 96C(6) | Power to provide written consent to an owner of a burdened lot to:<br>(a) remove, change or otherwise interfere with the roof water drainage structure; or<br>(b) obstruct or otherwise interfere with the flow of water through the structure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97A    | Power, as a local government and covenantee, to register an instrument of covenant.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97A(1) | Power to sign and lodge for registration an instrument of covenant.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97C    | Power, as a local government and covenantee, to register an instrument of amendment of a covenant.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                             |                         |                                                                |
|----------------------|--------|-------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 97C(1) | Power to sign and lodge for registration an instrument of amendment of the covenant.                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97D    | Power, as a local government and covenantee, to sign and register an instrument of surrender of a covenant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97D(1) | Power to sign and lodge for registration an instrument releasing a covenant.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                           |                         |                                                                |
|----------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 97E    | <del>Power to sign and lodge for registration an instrument of profit a prendre.</del> Power to register an instrument of profit a prendre benefiting or burdening land owned by Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97I    | Power, as the registered owner of the lot benefited and the lot burdened by a profit a prendre, to ask the registrar to extinguish the profit a prendre.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97K    | Power to register an instrument of amendment of a profit a prendre benefiting or burdening land owned by Council.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97L    | Power to register an instrument of release of a profit a prendre benefiting or burdening land owned by Council                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97O    | Power to register instrument of carbon abatement interest for a lot owned by Council or over which Council has an interest.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97P(c) | Power, as a holder of a registered interest in land affected by a proposed grant of a carbon abatement interest, to consent to the proposed grant.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97S(1) | Power to register instrument of amendment of a carbon abatement interest for a lot owned by Council or over which Council has an interest.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 97U(1) | Power to register instrument of amendment of a carbon abatement interest for a lot owned by Council or over which Council has an interest.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 99(1)  | Power to apply to be registered as owner of a lot as an adverse possessor.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 100    | Power to withdraw an application to be registered as owner of a lot as an adverse possessor and request that all documents lodged in support of the claim be returned.                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |     |                                                                                                                                                              |                         |                                                                |
|----------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 104 | <del>Power to sign and lodge a caveat.</del> Power, as a person claiming an interest in a lot the subject of an adverse possession claim, to lodge a caveat. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                                   |                         |                                                                |
|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 105(2) | Power to:<br>(a) start a proceeding in the Supreme Court to recover the lot; and<br>(b) give written notice to the registrar, in the way the registrar requires, that the proceeding has started. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|





Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                                                                                          |                         |                                                                |
|----------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 106    | Power to seek leave of the Supreme Court to lodge a further caveat.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 106(2) | Power, as a caveator given a written notice under subsection (1), to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |                |                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
|----------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 107(2) and (3) | <del>Power to start a proceeding in the Supreme Court to recover a lot.</del> Power, as a caveator that does not agree to the registration of the applicant for a lesser interest in the lot, to:- (a)start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 108A           | Power, as an applicant, to sign the plan of subdivision as if the applicant were the registered owner of the relevant lot.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

|                      |         |                                                                                                                                                                                                         |                         |                                                                |
|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 108A(2) | Power to sign a plan of subdivision.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 110(1)  | Power, as the registered owner holding the interest in the lot as trustee, to lodge an instrument of transfer to register the interest as being held as trustee.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 112(1)  | Power, as a person who is beneficially entitled under a will to a lot or an interest in a lot of a deceased registered proprietor, to apply to the registrar to be registered as proprietor of the lot. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 114(2)  | Power, as a person mentioned in section 114(1), to apply to the Supreme Court for an order to be registered as proprietor of the lot.                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                    |                         |                                                                |
|----------------------|--------|--------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 116    | Power to sign and lodge a request to register a writ of execution. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 121(1) | Power to sign a caveat.                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 122    | Power to lodge a caveat.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 122(1) | Power to lodge for registration a caveat.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |                |                                                                                                                                                                                                                                                    |                         |                                                                |
|----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 124(2)(b)      | Power to consent to the registration of an instrument.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 125            | <del>Power to sign and lodge for registration a request to withdraw a caveat.</del> Power to withdraw a caveat.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 126(2) and (3) | Power, as a caveatee, to serve on the caveator a notice requiring the caveator to start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat and to notify the registrar of service of the notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                      |        |                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 126(4) | Power to start a proceeding and notify the registrar in the way described in section 126(4). Power, as a caveator served with a notice under subsection (2), to:- (a) start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat; and (b) notify the registrar that a proceeding has been started and the identity of the proceeding. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 127(1) | <del>Power to apply to the Supreme Court for an order that a caveat be removed.</del> Power, as a caveatee, to apply to the Supreme Court for an order that a caveat be removed.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 128(1) | <del>Power to sign and lodge for registration a request to cancel a caveat.</del> Power to lodge a request to cancel a caveat.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                      |           |                                                                                                                                                                                                                                                           |                         |                                                                |
|----------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Land Titles Act 1994 | 129(2)    | Power to seek the leave of a court of competent jurisdiction to lodge a further caveat.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 139(1)    | <del>Power to deposit a priority notice.</del> Power to deposit a priority notice for a lot.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 139(2)    | Power to sign a priority notice.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 141(1)    | <del>Power to deposit an extension request.</del> Power to deposit a request to extend a priority notice.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 141(2)    | Power to sign and extension request                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 143(1)    | <del>Power to deposit a request to withdraw a priority notice.</del> Power to deposit a request to withdraw a priority notice.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 143(2)    | Power to sign a request to withdraw a priority notice.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 144(1)    | <del>Power to apply to the Supreme Court for an order that a priority notice be removed.</del> Power, as an affected person for a lot to which a priority notice applies, to apply to the Supreme Court for an order that the priority notice be removed. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 145(1)(a) | <del>Power to deposit a request to cancel a priority notice.</del> Power to deposit a request to cancel a priority notice.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 149(1)    | <del>Power to deposit a request to correct a priority notice.</del> Power, as the depositor of a priority notice, to request a correction to the priority notice.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 156(3)    | Power to comply with a requisition given to Council by the registrar.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 159(4)    | Power to apply to the registrar to relodge an instrument that the registrar has permitted to be withdrawn.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 160       | Power to comply with a requirement of the registrar to deposit an instrument for correction or cancellation.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994 | 165       | Power to comply with a requirement of the registrar to lodge a plan of survey for the lot.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Land Titles Act 1994                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 169(1) | <del>Power to lodge a standard terms document and lodge a further standard terms document amending the standard terms document</del> Power to lodge a standard terms document and amend a standard terms document on Council's behalf. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 172(1) | <del>Power to ask the registrar to withdraw a registered standard terms document.</del> Power to request the registrar to withdraw a standard terms document on Council's behalf                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 186(2) | Power, as a person affected by a correction, to apply to the Supreme Court for an order that the correction be amended or set aside.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Titles Act 1994                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 188    | Power, as a person with an entitlement to compensation under section 188 or 188A, to apply to the Supreme Court for an order:- (a) for compensation to be paid by the State; (b) directing the registrar to take stated action..       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Land Valuation Act 2010</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        |                                                                                                                                                                                                                                        |                         |                                                                |
| Land Valuation Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 74     | Power to consult with the valuer-general about a proposed decision not to make an annual valuation of land.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Land Valuation Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 244    | Power to give the valuer-general valuation-related documents, information about a sale or proposed sale of land for unpaid rates and information about all land Council acquires or disposes of.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Liquor Act 1992</b><br><b>The Purpose of this Act</b><br>The main purposes of this Act are:<br>a) To regulate the liquor industry, and areas in the vicinity of licensed premises, in a way compatible with –<br>(i) Minimising harm, and the potential for harm, from alcohol abuse and misuse and associated violence; and<br>(ii) Minimising adverse effects on the health or safety of members of the public; and<br>(iii) Minimising adverse effects on the amenity of the community;<br>b) To facilitate and regulate the optimum development of the tourist, liquor and hospitality industries of the State having regard to the welfare, needs and interests of the community and the economic implications of change;<br>c) To provide for the jurisdiction of the tribunal to hear and decide review of certain decisions under this Act; and<br>d) To provide for a flexible, practical system for regulation of the liquor industry of the State with Minimal formality, technicality or intervention consistent with the proper and efficient administration of this Act; and<br>e) To regulate the sale and supply of liquor in particular areas to minimise harm caused by alcohol abuse and misuse and associated violence; and<br>f) To regulate the provision of adult |        |                                                                                                                                                                                                                                        |                         |                                                                |
| Liquor Act 1992                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 30     | Power to apply, as provided under the QCAT Act, to the tribunal for a review of a decision of a commissioner.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 35     | Power to apply appeal a decision of the tribunal to the Court of Appeal.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 105B   | Power to consent to the making of an application for an adult entertainment permit or to abstain from consenting to the application.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 105B(1)   | Power to consent to an application for an adult entertainment permit.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 105B(4)   | Power to abstain from consenting to the application for an adult entertainment permit.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 107D(2)   | Power to make comments in regard to the grant of an adult entertainment permit.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 110(4)(a) | Power to raise a matter and make comment to the chief executive, where Council is consulted in relation to an application for an extended hours permit. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 117(2) | In the specified circumstances, the power to—<br>(a) comment on the reasonable requirements of the public in the locality; or<br>(b) object to the grant of an application on the grounds that the amenity, quiet or good order of the locality would be lessened. Power to:(a) comment on the reasonable requirements of the public in the locality; or<br>(b) object in respect of the grant of a relevant application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 117A   | In the specified circumstances, the power to comment on, or object to, an application by given written comments or objections to the Chief Executive within 28 days after receiving the Chief Executive's advice about the application. Power to comment about an application relating to a restricted area.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 118A   | Power to make a submission about an application which requires a notice to be published under section 118 and a community impact statement to be given under section 116.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 173C(1) | Power to designate a public place mentioned in section 173B(1)(a) of the <i>Liquor Act 1992</i> that is in Council's area as a public place where liquor may be consumed. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 173C(2) | Power to specify the period or times during which the designation is to have effect.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 173D(1) | Power to advertise the designation made under section 173C(1), and power to erect signs advising of the designation, the period and times of the designation. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





# Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 173D(6) | In the specified circumstances, the power to provide written approval for the use of a public place mentioned in section 173D(5) of the <i>Liquor Act 1992</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 173E(1) | <del>Power to repeal or amend a designation under section 173C of the Liquor Act 1992</del> - Power to repeal or amend the designation under section 173C, and power to advertise the repeal or amendment; erect signs that the designation has been amended; or remove signs if the designation has been repealed | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 173M(1) | Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Liquor Act 1992 | 173N(3) | Power to display a notice regarding a designation at or near each entrance to a place within a restricted area.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992 | 173N(4) | Power to give the Queensland Police a written notice of suspension of designation of a public place in a restricted area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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## Whitsunday Regional Council Delegations Register - Council to CEO

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| Liquor Act 1992                                                                                                                                                                                                                                                                                                                                  | 173NH(2)(d) | Power to nominate an employee of the local government for the local government area as a member of a consultative committee for a safe night precinct. Power to appoint an employee of the local government to be a member of a consultative committee for a safe night precinct.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009<br><b>The Purpose of this Act</b><br>The purpose of this Act is to provide for:<br>a) The way in which a local government is constituted and the nature and extent of its responsibilities and powers; and<br>b) A system of local government in Queensland that is accountable, effective, efficient and sustainable. |             |                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Local Government Act 2009                                                                                                                                                                                                                                                                                                                        | 29(1)       | Power to decide local government process for making a local law to the extent that the process is not inconsistent with this part. Power to decide the local government's process for making a local law consistent with Chapter 3, Part 1 of the Local Government Act 2009.                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009                                                                                                                                                                                                                                                                                                                        | 29A(3)      | Power to consult with relevant government entities about the overall State interest in a proposed local law.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009                                                                                                                                                                                                                                                                                                                        | 38B(9)      | Power to ask the police commissioner to give the chief executive officer information about noise abatement directions given to persons in the local government area. Power to ask the police commissioner for information about noise abatement directions given to persons in the local government area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009                                                                                                                                                                                                                                                                                                                        | 46(2)       | Power to conduct a public benefit assessment of a new significant business activity                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009                                                                                                                                                                                                                                                                                                                        | 46(5)       | Power to prepare a report on the public benefit assessment in accordance with section 46(5) of the Local Government Act 2009.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009 | 47(9)    | Power to apply a code of competitive conduct to a business activity other than a business activity prescribed under a regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 60       | 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.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 61       | Power to give the owner of land a notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 10       | Power to conduct a joint government activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 11(c)    | Power to start a legal proceeding in the name of Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 13       | Power to carry out the responsibilities specified in section 13(3) <i>Local Government Act 2009</i> — (a)managing the local government;<br>(b)managing the other local government employees through management practices that promote equal employment opportunities and are responsive to the local government's policies and priorities;<br>(c)establishing and implementing goals and practices in accordance with the policies and priorities of the local government;<br>(d)establishing and implementing practices about access and equity;<br>(e)the safe custody of all records and documents;<br>(f)complying with requests from councillors under section 170A. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 16       | 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<br>(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.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 19       | Power to make submissions to the change commission in response to a request for submissions in relation to a proposed local government change.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 61(1)    | Power to give the owner of land the local government wants to acquire, a notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 61(5)    | Power to give permission to an owner to erect, place, re-erect, replace or repair any structure or part of a structure on the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 61(6)    | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 62       | Power to decide a claim for compensation for a notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 62(6)    | Power to reasonably require information to decide the claim.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 62(7)    | In the specified circumstances, power to give the claimant written notice of Council's decision on the claim.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 64       | Power to acquire land after service of notice of intention to acquire instead of paying compensation for injurious affection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 64       | Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 64(4)    | Power to agree on compensation for the acquisition of the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 65(1)    | Power to decide not to proceed with the realignment of a road or part of a road after giving a notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 65(3)    | <del>Power to serve notice of Council's decision on all owners of land who were served with the notice of intention to acquire land.</del> Power to serve notice of decision not to proceed to acquire land the subject of a notice of intention to acquire.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 65(4)    | Power to withdraw notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 65(4)(a) | Power to withdraw the notice of intention to acquire land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009 | 65(4)(b) | Power to lodge with the registrar of titles for registration a notice of Council's decision not to proceed with the realignment of the road, or part of the road.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 66       | 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 66(4)    | Power to agree on an amount of compensation.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 67       | Power to acquire land that adjoins a road for use as a footpath.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 67(1)    | Power to acquire land that adjoins a road for use as a footpath.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 67(2)    | In the specified circumstances, power to decide whether any of the rights specified in this subsection are appropriate.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 67(3)    | Power to consider necessary structural alterations to the structure, room or cellar.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 68       | Power to submit objection to application for opening or closing of road in local government area by someone other than the local government.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 68(4)    | Power to object to the opening or closing of the road.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(1)    | <del>In certain circumstances, power to close a road.</del> 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.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(2)    | <del>In certain circumstances, power to close a road.</del> 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.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(2)(a) | 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).                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(2)(b) | Power to close a road if it is in the interests of public safety.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(2)(c) | Power to decide that it is necessary or desirable to close a road for a temporary purpose in the circumstances specified.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(3)    | Power to publish notice of closing of road.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(4)    | <del>Power to do everything necessary to stop traffic using the road after it is closed.</del> Power to do everything necessary to stop traffic using the road after it is closed.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 69(5)    | <del>If a road is closed to traffic for a temporary purpose, power to permit the use of any part of the road on the conditions considered appropriate.</del> 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.          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(2)    | Power to make a temporary road through land adjoining the road to be used while the road is being remade or repaired.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009 | 70(3) and (4) | In the specified circumstances, power to:<br>(a) make an agreement with the owner or occupier of the land; or<br>(b) give the owner or occupier of the land at least 3 days written notice.<br><del>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 Local Government Act 2009.</del>                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(4)         | In the specified circumstances, power to give the owner or occupier of the land oral notice of the matters mentioned in subsection (3)(b).                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(6)         | Power to allow additional time to submit a claim for compensation in relation to a temporary road.                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(6)(b)      | Power to allow a later time for receipt of a claim for compensation.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(7) and (8) | 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> .                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 70(7)(a)      | Power to make an agreement with a person for the amount of compensation.                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 71(2)         | Power to give the owner or occupier advice about the permanent level of the road.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 71(1) and (3) | 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> .                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 71(2)         | Power to give the owner or occupier advice about the permanent level of the road.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 71(4)         | Power to agree the amount of compensation payable under section 71 of the Local Government Act 2009.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 71(4)(a)      | Power to make an agreement with the owner of occupier, or their successor in title, for the amount of compensation.                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 72(1)(b)      | Power to consider that the conduct of the activity is having, or will have, a significant adverse impact on a road in the local government area.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 72(2)         | <del>Power to require the entity which is conducting an activity to provide information, within a reasonable time, that will enable the local government to assess the impact of the activity on the road.</del> 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 72(3)         | <del>After assessing the impact of the activity on the road, power to do one or more of the following:</del><br>(a) give the entity a direction about the use of the road to lessen the impact;<br>(b) require the entity:<br>(i) to carry out works to lessen the impact; or<br>(ii) to pay an amount as compensation for the impact. Power, in the circumstances set out in subsection 72(1), to assess impact of the activity on the road.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 72(3)(a)      | 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.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 72(5)         | Power to recover an amount of compensation payable under subsection 72(3)(b)(ii) in a court.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                           |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
|---------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 73          | Power to categorise the roads in the local government area according to the surface of the road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 74(1)       | <del>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.</del><br>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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 74(2)       | Power to consider appropriate particulars to be shown on the register of roads.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 75          | Power to approve the carrying out of works on a road or interference with a road or its operation subject to conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 75(2)       | For the specified reasons, power to give written approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 75(4)       | Power to decide the conditions of an approval under subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 77          | 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.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 77          | 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> .                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 77(1)       | 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.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 77(3)(b)    | Power to give approval for the connection to a local government stormwater drain.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 77(4)       | Power to impose conditions on approval for the connection, including about the way the connection must be made.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 78          | Power to give a notice requiring the owner of a property to perform sewerage installation works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 78(4)       | Under the specified circumstances, power to, by written notice, require the owner of the property to perform the work stated in the notice, within the time stated in the notice.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 78(5)       | For a notice provided in subsection (4), power to decide a time that is reasonable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 79          | 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.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 79(4)(e)(i) | Power to approve the maximum temperature for a substance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 80          | 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.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 85(6)       | Power to give written notice of the reasons for the proposed decision to the community forum                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                           |           |                                                                                                                                                                                                |                         |                                                                |
|---------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 87(5)     | Power as an indigenous regional council to publish the information referred to in subsection 87(5).                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 87(7)     | Power as an indigenous regional council to decide all matters necessary for the operation of its community forums.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 89(2)     | Power as an indigenous regional council to authorise the payment of expenses incurred by, or to be incurred by, or the provision of facilities to, the appointed members of a community forum. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 90B       | 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.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 90B(2)    | Power to consider it is necessary to make a major policy decision in the public interest, and power to apply to the Minister for approval to make the decision.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95        | Power to register a charge over land for overdue rates and charges under section 95 of the Local Government Act 2009.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95        | Power to lodge documents with the Registrar of Titles for release of the charge if overdue rates and charges are paid.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95(3)     | Power to sign a certificate as to a charge over land for overdue rates and charges.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95(3)(a)  | Power to sign and lodge for registration a request to register a charge over the land on behalf of the local government.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95(3)(b)  | Power to sign a certificate that states there is a charge of the land for overdue rates and charges.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 95(5)     | Power to sign a certificate that states the overdue rates and charges for the land have been paid.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 95(5)(b)  | Power to sign a certificate that states the overdue rates and charges have been paid.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 104(1)    | 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).                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 104(6)    | Power to regularly review and update the financial policies of Council.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 104(7)    | Power to carry out a review of the implementation of the annual operational plan annually.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 105(1)    | Power to establish an efficient and effective internal audit function.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 105(2)    | Power, as a large local government, to establish an audit committee.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 107(1)    | Power to maintain public liability insurance and professional indemnity insurance.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 107(3)    | Power to enter into a contract of insurance with WorkCover Queensland or another insurer to cover its councillors.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 110       | Power to give the public notice of the disbursement of funds not provided for in the local government's budget.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2008 | 120(3)(d) | Power to make submission to the Minister about the Minister's proposed exercise of the power.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 120(5)    | Power to make submissions within the time specified in the notice.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 133       | 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.                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

|                           |        |                                                                                                                                                                                                                                                                                                    |                         |                                                                |
|---------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 133(3) | Power to give, or make a reasonable attempt to give, the occupier of the property a written notice that informs the occupier of the following:<br>(a) the intention to enter the property;<br>(b) the reason for entering the property;<br>(c) an estimation of when the property will be entered. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

|                           |           |                                                                                                                                                                                                                    |                         |                                                                |
|---------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 133(4)    | Power to give, or make a reasonable attempt to give, written notice to the occupier within a reasonable time before the property is to be entered.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 134(5)    | Power to give the public notice of the approval of an inspection program.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 137       | 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 Local Government Act 2009. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 138(5)    | Power to authorise an employee or agent of the local government to act as a local government worker.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 138A(1)   | Power to give each local government worker an identity card.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 137(2)(a) | Power to agree on an amount of compensation for a person who has incurred damage or loss because of the exercise or purported exercise of a power under this division.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 138(4)    | Power to authorise a local government worker.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                           |             |                                                             |                         |                                                                |
|---------------------------|-------------|-------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 138AA(3)(b) | Power to give reasonable entry notice.                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 140(1)(a)   | Power to give a remedial notice to the owner of a property. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





Whitsunday Regional Council Delegations Register - Council to CEO

|                           |        |                                                                                                                                                                                                                |                         |                                                                |
|---------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 140(2) | Power to enter property at the times stated in the reasonable entry notice and take the action that is required under the remedial notice.                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 142(2) | 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 142(4) | 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.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 142(6) | In the specified circumstances, power to give the person who failed to take the action, written notice of the amount of the debt.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 142(7) | Power to recover a debt payable under section 142 of the Local Government Act 2009 as if the debt were an overdue rate.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 143    | 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.                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                           |        |                                                                                                                                                        |                         |                                                                |
|---------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 143(1) | Power to form a belief that there is no reasonably practicable way of obtaining materials other than by removing the materials from the relevant land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009               | 146(1)    | Power to enter the property in accordance with a Court order made under this section.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 146(2)    | Power to apply to a Magistrate for a Court order.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 147       | 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 Local Government Act 2009.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 147(3)(a) | Power to agree on an amount of compensation for a person who has incurred damage or loss because of the exercise or purported exercise of a power under this division.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Power to make all inquiries A1469-J1469 | 148E      | Power to direct an authorised person to exercise a power under Division 3 of Part 3 of Chapter 5 of the Local Government Act 2009                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 148F(2)   | Power to make all inquiries the Chief Executive Officer considers to be reasonable to find out whether and to what extent the register or record is incorrect/power to direct an authorised person to make such enquiries. Power to direct an authorised person to make inquiries as to whether and to what extent the register or record is incorrect.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 148G(2)   | Power to, in the circumstances in subsection (1) require a person to give information or produce a document, or direct an authorised person to require a person to give information or produce a document. Power to give a direction to an authorised person to require a person to give information or produce a document relating to an error, omission or offence relating to a register or record. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 148H(2)   | Power to report to the department's chief executive a conclusion on reasonable grounds, including reasons for the conclusion, that an offence has been committed relating to a register or record.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                           |                  |                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
|---------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 150O(1)          | Power to make a complaint to the assessor about the conduct of a councillor.                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150P             | In the specified circumstances, the power to refer a complaint to the assessor and to give the assessor all information held by the entity that relates to the complaint.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150P(2)          | <del>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.</del> 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150S(2)          | In the specified circumstances, the power to give the assessor a notice about the councillor's conduct and all information held by the local government that relates to the conduct.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AE(4)         | Power to publish Council's investigation policy on Council's website.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AF(1)         | <del>In the specified circumstances, the power to investigate the conduct of the councillor.</del> Power to investigate the councillor's conduct.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AF(4)         | <del>In the specified circumstances, the power to give information to the assessor for further investigation and take no further action in relation to the conduct.</del> 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.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AK(3)         | In the specified circumstances, the power to give to the councillor a copy of the application.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AFA(3)        | Power to prepare a summary of the investigation report and make the investigation report publicly available.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AGA(1)        | Power after making a decision under section 150AG, to make the investigation report for the investigation publicly available.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150AHA(1)        | Power, in the circumstances referred to in section 150AHA(1), to give the assessor a notice.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150BI(1) and (2) | Power, as an occupier of a place, to consent to the entry of the investigator and to impose conditions on the entry.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150BI(1)(a)      | In the specified circumstances, the power to consent to the entry of an investigator to a place.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150BM(1)         | <del>In the specified circumstances, the power to sign an acknowledge of the consent to allow an investigator entry to a place.</del> Power, as an occupier of a place, to sign an acknowledgement of the consent.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150BV(1)         | In the specified circumstances, the power to provide reasonable help to an investigator to exercise a general power.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CD(1)         | In the specified circumstances, the power to inspect the seized thing, and if it is a document, copy the document.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CE(3)         | <del>In the specified circumstances, the power to apply to the assessor for return of the seized thing.</del> Power to apply to the assessor for the return of a seized item.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CO(2)         | In the specified circumstances, the power to apply to the assessor for a review of the decision.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CH(2)         | Power to comply with a notice from the investigator requiring information to be provided.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CN            | 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.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150CR            | In the specified circumstances, the power to apply to QCAT for a review of the review decision.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150DL(1)(a)      | In the specified circumstances, the power to request the conduct tribunal to:<br>(a) Investigate the suspected inappropriate conduct of a councillor;<br>(b) to make recommendations to the local government about dealing with the conduct.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                           |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
|---------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Local Government Act 2009 | 150DX         | 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.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150DX(1)      | The power to keep an up-to-date register about the specified matters.                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150DX(2)(a)   | The power to publish the register on the local governments website.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150DX(2)(b)   | The power to make the register publicly available for inspection and to sell copies of an entry in the register, at the local government's public office.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150DU         | Power to pay the costs of the conduct tribunal in relation to the conduct tribunal:- conducting for a hearing about the misconduct of a councillor under part 3, division 6; or about the misconduct of a councillor or the conduct breach of a councillor. 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 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150P(2)       | 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.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150R(2)       | Power, as a local government official, in the circumstances listed in subsection (1), to give the assessor a notice about conduct engaged in by a councillor.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150Q(2)       | Power, as the person who made the complaint, to comply with a notice to give the assessor further information about the complaint.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150S(2)       | 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.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150SC(4)      | Power as an entity referred to in section 150SC(2) to comply with a request from the assessor for information.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 150BV(1)      | Power, as an occupier of a place, to comply with a help requirement.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 162(1)(d)(ii) | In the specified circumstances, power to give leave to a Councillor.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166A(4)(b)    | 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.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166B(6)       | 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.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166(6)        | In the specified circumstances, power to request the political party to advise the full name and address of its nominee.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166(8)        | Power to, within 14 days after the office become vacant, invite nominations.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166A(2)       | Power to ask the electoral commission to comply with section 166A(3).                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 166B(5)       | Power, where subsection 166B(2)(b) applies, to request the political party to advise the full name and address of its nominee to fill the vacant office of the mayor or another councillor.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 169(3)        | Power to take the declaration of office of a councillor.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 170A(9)       | Power to comply with a request of a councillor under subsection (1) or (2) within the time prescribed by section 170A(9).                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 170A(10)      | Power to give the councillor notice about the belief and the reasons for the belief within 10 business days after receiving the request.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 170AA(1)      | Power to make guidelines about the provision of administrative support by local government employees to a councillor.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009 | 175C(3)       | In the specified circumstances, power to delegate deciding a matter, unless deciding the matter cannot be delegated under section 257 of the LGA.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009 | 175E(6)              | In the specified circumstances, power to delegate deciding a matter, unless deciding the matter cannot be delegated under section 257 of the LGA.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 176A(2)              | The power to decide not to take any further action in relation to a complaint about the conduct of a person who is no longer a councillor in the prescribed circumstances.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 176A(3)              | The power to give to an entity that made the complaint, and the accused person, a written notice that states:<br>(a) No further action will be taken in relation to the complaint; and<br>(b) The reasons for the decision.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 195                  | <del>The power to appoint an appropriately qualified Acting Chief Executive Officer for a period of up to 5 business days.</del> Power to appoint a qualified person to act as chief executive officer during:-<br>(a) any vacancy, or all vacancies, in the position; or<br>(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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 196                  | The power to appoint Manage Staff 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.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 196(3)               | Power to appoint local government employees.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 197A(3) and 197A (4) | 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).                                                                                                                                                                                      | Chief Executive Officer | 1. Schedule 2 - Limits and Conditions to the Exercising of Powers.<br>2. All disciplinary action except termination |
| Local Government Act 2009 | 197(1)               | <del>Power to take disciplinary action against a local government employee.</del> Power to take disciplinary action against a local government employee.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | 1. Schedule 2 - Limits and Conditions to the Exercising of Powers.<br>2. All disciplinary action except termination |
| Local Government Act 2009 | 198                  | Power to agree with other local governments about the joint employment of a local government employee.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 198(2)               | Power to make an agreement with other local governments that an employee may be employed by more than one local government.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 202(1)               | Power to appoint a qualified person to be an authorised person.                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 202(2)               | Power to determine the competencies necessary to perform the responsibilities required to be performed by the authorised person.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 202(2)               | Power to determine the competencies necessary to perform the responsibilities required to be performed by the authorised person.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 202(5)               | Power to give written notice of conditions of appointment.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 204                  | Power to issue an identity card to an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 204B(1)              | Power to ask the police commissioner to give the chief executive officer the information about an authorised person specified in section 204B(1) <i>Local Government Act 2009</i> .                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 219(1)               | Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into LGIASuper.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 219(2)               | Power, as a prescribed employee's employer, to pay superannuation contributions payable for the employee into another fund directed by the employee.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 219A                 | 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).                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |
| Local Government Act 2009 | 220                  | Power to pay a yearly superannuation contribution in the circumstances prescribed in section 220.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                      |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Act 2009               | 220A(4)    | 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.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 220B(2)    | 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 236(1)     | The power to sign a document on behalf of a local government.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 240(1)     | <del>Power to authorise in writing another employee, other than the chief executive officer, to:</del><br>(a) give instructions and act as the authorised agent for the local government; and<br>(b) sign all documents for the local government.<br>Power to give instructions and act as authorised agent for the local government and sign all documents for the local government in any legal proceedings.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 249(1)     | Power to certify a document to be a true copy of an entry in a record of the proceedings of a local government or a committee of a local government in accordance with section 249(1) <i>Local Government Act 2009</i> .                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 262        | Power to do anything that is necessary or convenient for performing the responsibilities of the local government under a Local Government Act.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 262(2)     | In the specified circumstances, power to do anything that is necessary or convenient for performing the responsibilities.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 265A(1)    | Power to authorise an employee of a local government to conduct searches of registers or documents about land in the land registry in accordance with the practice of the registry without payment of a fee.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 265A(1)(b) | Power to authorise an employee of a local government to conduct searches of registers or documents about the land in the land registry.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 268A       | The power to decide the way in which a local government will conduct a voluntary poll of electors in its area.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 317(3)     | In the specified circumstances, power to give information to the assessor.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Act 2009               | 319(3)     | In the specified circumstances, power to give information to the assessor.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Local Government Regulation 2012</b> |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
| Local Government Regulation 2012        | 6(6)       | Power to make available for inspection at its public office, a copy of the local government's area map                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012        | 14(2)      | 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.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012        | 14(4)      | Power to publish the register of local laws on Council's website.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012        | 18         | Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012        | 41 (1)     | Power, when conducting a relevant business activity, to carry out all functions described in subsections (a), and (c) to (f).                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012        | 45(3)      | Power to give the competitive neutrality complaint to the competition authority as soon as is practicable.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                  |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                         |                                                                |
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| Local Government Regulation 2012 | 50(3)    | Power to comply with an information requirement notice given by the competition authority.                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 53       | Power to ensure the public can inspect a copy of the report given to Council under section 52.                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 55(4)    | <del>Power to, within seven (7) days after making the resolution, give notice of the resolution to:</del><br>(a) The complainant; and<br>(b) The QCA; and<br>(c) If a corporatised business entity is conducting the business activity, the corporatised business entity.<br>Power to give notice of the resolution made pursuant to section 55(1) to the entities listed in subsection (4).                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 55A(2)   | Power to give the competition authority a confidentiality request.                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 56(1)    | Power to establish a register of business activities to which the competitive neutrality principle applies.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 58(2)(b) | <del>Power to permit the use of any part of the mall (including for the use of erecting any structure, for example) on the conditions it considers appropriate.</del> 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). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 59       | 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.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 64(3)    | 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.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 77(2)    | Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 83       | Power to appoint a qualified person as a categorisation officer for division 2, part 5, chapter 4 Rates and Charges <i>Local Government Regulation 2012</i> .                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 81(4)    | Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs.<br>Nb. this section is only required where Council is levying differential general rates.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 82(2)    | Power to decide what rating category the land referred to in subsection (1) should be in.<br>Nb. this section is only required where Council is levying differential general rates.                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 83(1)    | Power to appoint a qualified person as a categorisation officer for this division.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 83(2)(b) | Power to authorise a person for the purpose of this division.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 84(1)    | <del>Power to give a categorisation officer an identity card.</del> Power to give each categorisation officer an identity card.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 88(2)    | Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement.<br>Nb. this section is only required where Council is levying differential general rates.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 90       | Power to allow a longer period within which an owner of rateable land must give an objection notice.<br>Nb. this section is only required where Council is levying differential general rates.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012 | 91     | Power to:<br>•consider objections to the rating category for land<br>•decide to change the rating category or not to allow the objection;<br>•give notice of the decision and reasons for the decision to the owner.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 91(2)  | Power to consider the objection and decide:<br>(a) to change the rating category for the land:<br>(i) to the rating category to which the owner claims in the objection notice the land should belong; or<br>(ii) to another rating category; or<br>(b) not to allow the objection.                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 91(3)  | Power to give the owner notice of the decision and the reasons for the decision.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 96(2)  | Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. Nb. this section is only required where Council is levying special rates or charges.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 97(2)  | Power, in the circumstance referred to in subsection (1), to return paid special rates or charges to the person who paid them.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 104    | Power to levy rates or charges by a rate notice.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 105    | Power to include on a rate notice an amount, other than an amount for rates or charges, payable to Council.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 107(1) | Power to determine a period considered appropriate for the issue of a rate notice.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 108    | Power to give a rate notice and, if required, a rating category statement, electronically.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 110    | 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.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 111    | Power, if the value of the land changes under the Land Valuation Act, to adjust the rates so that the rates are calculated on the new value of the land for the period that starts on the day the change takes effect.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 112    | 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.                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 113    | 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 114    | 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.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 115    | 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.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 117    | 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.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 119    | Power to apply and administer rating concessions.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 122(3) | Power to accept an application from a ratepayer made under subsection (1)(a).                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 122(4) | Power to be satisfied that a ratepayer is eligible for a concession granted pursuant to a resolution made under subsection (1)(b).                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 123    | Power, in the relevant circumstances of section 123, to grant a rebate of rates or charges for land occupied by pensioners.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012 | 124(2)         | Power, in the circumstances referred to in subsection (1), to refund the amount of the rebated rates or charges to the ratepayer.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 130(10)        | 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.                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 131            | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 133(1)(a)      | Power, for interest on overdue rates or charges, to decide a later day from which interest is payable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 133(2)(b)      | Power, for interest on overdue rates or charges, to decide another way to calculate interest, if an equal or lower amount will be payable.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 133(3)(a)      | Power, for interest on overdue rates or charges, to, for a day before 1 July 2019, decide the rate of interest payable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 134            | Power to recover overdue rates or charges by bringing court proceedings for a debt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 138(3)         | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 140(3)         | <del>In certain circumstances, power to give all interested parties a notice of intention to sell the land.</del> Power, where Council has by resolution decided to sell the land, to give all interested parties a notice of intention to sell the land.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 141(3)         | 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.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 141(4)         | Power, in circumstances where Council has ended sale procedures, to decide to sell the land again under section 140(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 142            | Power to carry out the procedures to sell land for overdue rates or charges.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 143(1)         | <del>Power to set a reserve price for the auction.</del> Power to set a reserve price at the auction of the land for overdue rates and charges in accordance with section 143(1).                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 143(2)         | In certain circumstances, power to enter into negotiations with the highest bidder at auction to sell the land by agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 149(2)         | In certain circumstances, power to, as soon as practicable, give all interested parties a notice of intention to acquire the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 143(2) and (3) | 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).                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 144(1)         | Power, after the day of the auction, to decide to continue to offer the land for sale by another auction, or sale by negotiation.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 144(2)         | Power to end any negotiations entered into under section 143(2) when a decision is made under section 144(1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 144(4)         | Power to: (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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 144(5)         | Power to prepare a sales notice if Council decides to offer the land for sale by negotiation under section 144.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 144(6)         | 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.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                  |           |                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Local Government Regulation 2012 | 144(7)    | 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.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 145(2)    | Power, in the circumstances set out in subsection (1), to give the registrar of titles an appropriate form.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 146       | Power to use the proceeds of sale of the land for the purposes and in the order specified.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 149(2)    | 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.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 150(2)    | Power, in the circumstances set out in subsection (1), to start the procedures to acquire land for overdue rates or charges.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 150(3)    | 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.                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 151       | Power to carry out the procedures to acquire land for overdue rates or charges.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 154(1)    | Power to keep a land record.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 154(2)(E) | Power to include in a land record any other information considered appropriate.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 155(4)    | Power to provide access to or give copies of the land record kept by Council (including parts of the land record).                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 156(1)    | Power to amend the land record to ensure it is correct and up to date.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 156(2)    | <del>In certain circumstances, power to, as soon as practicable, give the ratepayer an information notice about the amendment.</del> Power, where an amendment of a land record changes the rates or charges that are or may be levied on land, to give the ratepayer an information notice about the amendment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 157(2)(b) | Power to certify a copy of an entry in the land record.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 162       | Power to record the details of the new owner in the land record.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | Power to discharge Council's responsibilities in a way that is consistent with the adopted 5-year corporate plan.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | 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.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | Power to discharge Council's responsibilities in a way that is consistent with the adopted annual operational plan.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | 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.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | Power to publish Council's annual report on Council's website.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 164       | Power to record the details of the new owner in the land record.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 194       | Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 194(a)    | Power to be satisfied:<br>(a) the grant will be used for a purpose that is in the public interest; and<br>(b) the community organisation meets the criteria stated in the local government's community grants policy.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 196(2)    | Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                  |               |                                                                                                                                                                                                                                                                                                                       |                         |                                                                                                                                                                       |
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| Local Government Regulation 2012 | 197(2)        | Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 199(2)        | Power to allow the public to inspect and purchase copies of the documents referred to in subsection (1).                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 196(2)        | Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 196(2)        | Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 200           | Power to:- 1. establish a trust fund;<br>2. deposit trust money in a financial institution account; and<br>3. reconcile the assets of the trust fund with the liabilities of the trust fund at least monthly.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 201           | Power to transfer money to or from a trust fund in accordance with section 201.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 201B(4)       | Power to make publicly available an availability notice.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 201(2)        | In certain circumstances, power to transfer money from a trust fund.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 201B(4)       | Power to, after adoption of the budget by the local government, publish a notice containing the prescribed things                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 202(2)(a)     | Power to approve, with the mayor or deputy mayor (as the case requires), an allocation of a councillor's discretionary funds for capital works that are for a community purpose.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers<br>The Mayor's approval is also required to approve the allocation of councillor's discretionary funds |
| Local Government Regulation 2012 | 202(2)(a)(ii) | In the specified circumstances, power to approve an allocation of the councillor's discretionary funds.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers<br>The Mayor's approval is also required to approve the allocation of councillor's discretionary funds |
| Local Government Regulation 2012 | 202A(2)       | <del>In the specified circumstances, power to publish a notice under section 202A(1) on the local government's website.</del> Power to publish a notice given under subsection 202A(1) on Council's website.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 203           | Power to establish separate accounting records for Council's:- (a) operations; and<br>(b) its trust fund.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 204           | Power to prepare a financial report.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 204(2)        | <del>Power to present the financial report:</del><br><del>(a) if the local government meets less frequently than monthly at each meeting of the local government; or</del><br><del>(b) otherwise at a meeting of the local government once a month.</del> Power to present the financial report at a Council meeting. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 205(1)        | <del>Power to present the local government's annual budget meeting with a statement of estimated financial position.</del> Power to present the statement of estimated financial position at Council's annual budget meeting.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 107           | Power to:- (a) prepare an internal audit plan;<br>(b) carry out an internal audit;<br>(c) prepare a progress report for the internal audit;<br>(d) assess compliance with the internal audit plan; and<br>(e) give the documents referred to in subsection (3) to the audit committee.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 110(1)        | Power to appoint the members of the audit committee.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |
| Local Government Regulation 2012 | 110(3)        | Power to appoint one of the members of the audit committee as chairperson.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers                                                                                                        |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                  |           |                                                                                                                                                                                                   |                         |                                                                |
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| Local Government Regulation 2012 | 211(4)    | Power to present a report of an audit committee (compiled pursuant to section 211(1)(c) of the <i>Local Government Regulation 2012</i> to the next meeting of the local government.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 212       | Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 212(3)    | Power to agree a date with the Auditor-General by which the financial statements must be given to the Auditor-General.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 212(5)    | Power, with the mayor, to give the auditor-general a certificate in the approved form certifying the things in subsection (5).                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 213A(2)   | 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.     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 213A(2)   | 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.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 213A(3)   | Power, in the circumstances set out in subsection (1), to obtain a copy of the audited financial statements of the controlled entity.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 213B(2)   | 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.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 213B(4)   | Power to give the department's chief executive a notice stating that Council has paid notional GST for the previous financial year.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 215       | Power to give the department's chief executive a notice stating that Council has paid notional GST for the previous financial year.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 218       | Power to decide another way to publish the notice of the proposed resolution / Power to publish a notice under section 218(2)(b) in another way considered appropriate.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 218(2)(b) | Power to give the public notice of a proposed resolution to apply Chapter 6, part 2 to its contracts.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 220(8)    | Power to allow the public to inspect and buy copies of the contracting plan that has been adopted.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 224(7)(b) | Power to allow the public to inspect and buy copies of the contracting plan that has been adopted.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 225       | Power to enter a medium-sized contractual arrangement after first inviting written quotes for the contract.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 225(1)    | Power to invite written quotes for a medium-sized contractual arrangement.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 225(3)    | <del>Power to not accept any of the quotes received.</del> 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 225(4)    | Power to decide to accept a quote.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 225(4)    | Power to decide which quote is most advantageous to Council, having regard to the sound contracting principles.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 226       | Power to enter a large-sized contractual arrangement after first inviting written tenders for the contract.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 226(1)    | Power to invite written tenders for a large-size contractual arrangement.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 227       | 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.                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 227(1)    | Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 228(2)(b) | Power to invite expressions of interest pursuant to section 228.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 228(6)    | 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.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 228(7)    | 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.                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012 | 228(8)          | <del>Power to decide not to accept any tenders received.</del> Power to invite all persons who submitted a tender to change their tender to take account of a change in the tender specifications.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 228(9) and (10) | Power to decide to accept a tender. Power to decide to accept a tender or not to accept any tenders it receives.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 228(9)          | Power to decide which tender is most advantageous to Council, having regard to the sound contracting principles.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 230(1)          | 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.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 231(2)          | Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for services with a person on an approved contractor list.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 231(4)          | Power to put together an approved contractor list in accordance with section 231(4).                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 232(2)          | <del>In certain circumstances, power to enter into the contract without first inviting written quotes or tenders.</del> 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. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 232(3)          | Power to establish a register of pre-qualified suppliers of particular goods or services.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 232(4)          | <del>In certain circumstances, power to invite suppliers to tender to be on a register of pre-qualified suppliers.</del> Power to invite suppliers to tender to be on a register of pre qualified suppliers.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 232(6)          | Power to take all reasonable steps to publish an invitation in another way to notify the public about establishing the register of pre-qualified suppliers.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 233(2)          | 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.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 233(2)          | Power to enter a preferred supplier arrangement.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 233(3)          | Power to invite persons to tender for a preferred supplier arrangement.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 233(5)          | Power to take all reasonable steps to publish an invitation to tender in another way to notify the public about the tender process.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 234(1)          | Power to enter into a contract for goods and services under an LGA arrangement.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 235             | Power to enter into a medium sized contractual arrangement or large sized contractual arrangement in circumstances specified in section 235. 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.        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 236             | Power to dispose of a valuable non current asset other than by tender or auction in circumstances specified in section 236.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).                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 237             | Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 247(1)          | Power to pay remuneration to each councillor.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 248(2)          | 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.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 251             | 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.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254B(1) and (2) | 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).                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012 | 254B(3)         | 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).                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254B(4)         | 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.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254C(1) and (2) | Power to give notice of each meeting or adjourned meeting to each councillor or committee member in accordance with section 254C(1) and (2).                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254D(1)         | Power to make the agenda for a Council or committee meeting publicly available in accordance with section 254D(1).                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254D(2)         | Power to make a related report for a Council or committee meeting publicly available in accordance with section 254D(2).                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254F(1)         | Power to ensure minutes of each meeting (Council and committee meetings) are taken under the supervision of the person presiding at the meeting.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254F(6)         | Power to make a copy of the minutes of each Council or committee meeting publicly available in accordance with section 254F(6).                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254F(7)         | 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).                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254H(2)         | Power, where a decision is inconsistent with a recommendation or advice given to Council by an advisor and the circumstances in sections 254H(1)(a) and/or 254H(1)(b) apply, to ensure the minutes of the Council meeting (Council and committee meetings) include a statement of reasons for not adopting the recommendation or advice.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254H(2)         | Power, where a decision is inconsistent with a recommendation or advice given to Council by an advisor and the circumstances in sections 254H(1)(a) and/or 254H(1)(b) apply, to ensure the minutes of the Council meeting (Council and committee meetings) include a statement of reasons for not adopting the recommendation or advice.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254F(7)         | 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).                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 254K            | Power to allow a person to take part in a meeting (Council and committee meetings) by audio link or audio visual link.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 261(2)(c)       | Power to adjourn a meeting of a local government if no councillors are present.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 262             | Power to give written notice of the intention to propose the repeal or amendment of a resolution.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 279             | Power to be satisfied that that the employee has:<br>(a) failed to perform their responsibilities under the Act; or<br>(b) failed to perform a responsibility under the Act in accordance with the local government principles; or<br>(c) taken action under the Act in a way that is not consistent with the local government principles. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 282(1)          | Power to be satisfied, on reasonable grounds, that a local government employee will be subject to disciplinary action.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                  |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
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| Local Government Regulation 2012 | 282(1) | <del>Power to suspend the employee from duty.</del> Power, where satisfied on reasonable grounds that a local government employee will be subject to disciplinary action, to suspend the employee from duty.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 283(1) | <del>Power to give the employee:-</del><br>(a) written notice of the following:<br>(i) the disciplinary action to be taken;<br>(ii) the grounds on which the disciplinary action is taken;<br>(iii) the particulars of conduct claimed to support the grounds; and<br>(b) a reasonable opportunity to respond to the information contained in the written notice.<br><del>Power, to give the employee:-</del> (a) notice of the following:-<br>(i) the disciplinary action to be taken;<br>(ii) the grounds on which the disciplinary action is taken;<br>(iii) the particulars of conduct claimed to support the grounds; and<br>(b) a reasonable opportunity to respond to the information contained in the notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 287(1) | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 287(3) | Power, as a former employer, to provide the new employer with the information specified in subsection (3).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 294(3) | Power to record the name and address of each person given access to a register of interests, and the day of that access.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 294(4) | Power to inform the person to whom the register of interests relates, the day that access to their register was given.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012 | 295(1),(2),(3)       | 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.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 295(4)               | Power where a register of interests for a councillor changes, to amend the copy and the extract to reflect the changes.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 296                  | In certain circumstances, the power to inform the informed person.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 296A(2)              | 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.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 305(2)               | Power to consider it appropriate to include other information in the register.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 306(4)               | Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 307A(1)(b)           | Power to form reasonable suspicion that there has been a reportable loss of an asset belonging to the local government.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 307A(2)              | Power, where the circumstances in subsection (1) apply, to keep a written record of the loss of an asset belonging to the local government.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 307A(3)              | <del>Power to be satisfied the material loss is also a reportable loss and power to advise the person specified in subsection (3) as soon as practicable but not more than 6 months after the CEO becomes aware of the loss.</del> Power, where satisfied that a material loss is also a reportable loss, to notify the relevant entities listed in subsection (3) of the loss. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 364(1)               | 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.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 10(2)                | Power to decide the amount for the return on the capital used by a local government in conducting a relevant activity.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 10(2)                | Power to form the opinion that a rate is comparable to the rate which a private sector business conducting the activity would be able to obtain the capital in the market.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 10(3)                | Power to consider appropriate, for the type of business activity, the split between equity and loan capital and the return appropriate to each.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | 364(1)               | 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.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | Schedule 4 section 5 | 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.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | Schedule 4 section 6 | 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.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | Schedule 4 section 7 | Power to decide an amount for depreciation of an asset used in conducting a relevant activity that is appropriate in the circumstances.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012 | Schedule 4 section 8 | 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.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Local Government Regulation 2012                                                                                               | Schedule 4 section 9  | Power to take account of amounts equivalent to the cost of funds advantage obtained over commercial interest rates because of a State guarantee.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Local Government Regulation 2012                                                                                               | Schedule 4 section 10 | Power to decide the amount for the return on capital used by a local government in conducting a relevant activity.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>General Debtors Policy</b><br><b>The Purpose of this Policy</b><br><b>To establish parameters for writing off bad debts</b> |                       |                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| General Debtors Policy                                                                                                         | 6                     | Power to write-off debts                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Medicines and Poisons (Pest Management Activities) Regulation 2021</b>                                                      |                       |                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 41                    | Power, as a qualified person, to use a fumigant or pesticide for a pest management activity in accordance with the approved label.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 42                    | Power, as a qualified person, to take all reasonable steps to ensure a container used in relation to carrying out a pest management activity has the characteristics required by the section.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 43                    | Power, as a qualified person, to take all reasonable steps to ensure a label complying with the section is attached to the outside of the container.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 44(1)                 | Power, as a qualified person, to ensure a fumigant or pesticide stored or transported in a vehicle is packed or placed in a what that prevents:-(a) any damage to the packaging of the fumigant or pesticide; and<br>(b) any leakage or escape of the fumigant or pesticide.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 44(2)                 | Power, as a qualified person, to take all reasonable steps to prevent another person from accessing a vehicle in which a fumigant or pesticide is stored or transported.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 45                    | Power, as a qualified person, to store a fumigant or pesticide not being used by the person at a place in a way that prevents:- (a) damage to the packaging of the fumigant or pesticide; (b) any leakage or escape of the fumigant or pesticide; (c) access to the fumigant or pesticide by another person who is not a qualified person.                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Pest Management Activities) Regulation 2021                                                             | 46                    | Power, as a qualified person, to make a record stating each of the matters required by the section for each pest management activity carried out.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Medicines and Poisons (Poisons and Prohibited Substances Regulation 2021</b>                                                |                       |                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 22(1)                 | Power, as the holder of a general approval, to satisfy the competency requirements stated in the competency standard that relate to the type of approval held.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 22(2)                 | Power, as the holder of a general approval, to take all reasonable steps to ensure that every person dealing with a restricted S7 poison under the approval satisfies, and continues to satisfy, the relevant competency requirements stated in the competency standard.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 23                    | Power, as the holder of a general approval, to take all reasonable steps to ensure that every person dealing with a restricted S7 poison under the approval complies with the departmental standard called 'Dealing with restricted S7 poisons for invasive animal control'.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 43                    | Power, as the holder of a substance authority, to notify the chief executive if:- (a) an amount of a restricted S7 poison or high-risk poison possessed under the authority is not accounted for; (b) a release of a restricted S7 poison or high-risk poison possessed under the authority causes, or is likely to cause, someone to require medical treatment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 38                    | Power, as the holder of a general approval, to take all reasonable steps to ensure that waste from an S7 substance disposed of under the authority is destroyed under the supervision of an authorised supervisor for the authority.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021                                                      | 40                    | Power, as the holder of a substance authority, to give the chief executive notice of the changes proposed by the holder.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 41       | Power, as the holder of a substance authority, to give the chief executive notice if the holder proposes to stop carrying out a dealing with a regulated poison under the authority.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 43       | Power, as the holder of a substance authority, to give the chief executive notice if:- (a) an amount of a restricted S7 poison or high-risk poison possessed under the authority is not accounted for;<br>(b) a release of a restricted S7 poison or high-risk poison possessed under the authority causes, or is likely to cause, someone to require medical treatment. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 47       | Power, as a buyer of a regulated poison, to give a written purchase order for the poison to the supplier.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 49       | Power, as a buyer of a regulated poison, to give a supplier information demonstrating that the buyer is authorised under the Act to buy the poison.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 50       | Power, as a buyer of a regulated poison, to keep the invoice received from the supplier.                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 56(1)    | Power, as a buyer of a restricted S7 poison or high-risk poison, to sign a document confirming receipt of the poison.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 62       | Power, as a person authorised to apply a regulated poison, to comply with the requirements of the section.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 64       | Power, as a person authorised to possess an S7 substance, to comply with the requirements of the section.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 65       | Power, as a person authorised to dispose of waste from a low-risk fluoroacetic acid bait, to dispose of the waste in the way stated in section 65.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 | 83(2)    | Power, as a person given a hard copy document evidencing a substance authority for a dealing with a regulated poison, to apply to the chief executive for a replacement of the document.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Medicines and Poisons Act 2019</b>                                     |          |                                                                                                                                                                                                                                                                                                                                                                          |                         |                                                                |
| Medicines and Poisons Act 2019                                            | 73(1)    | Power, as the holder of a substance authority, to notify the chief executive of a change in circumstances in relation to the authority.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 73(2)    | Power, as the holder of a substance authority, to apply to amend the substance authority in a stated way, or apply for a new substance authority, by a stated reasonable day.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 75       | Power to apply for a substance authority and pay the fee prescribed by regulation.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 78       | Power, as the holder of a substance authority, to apply to amend the authority and pay the fee prescribed by regulation.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 82       | Power, as the holder of a substance authority, to make a renewal application and pay the fee prescribed by regulation.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 87(4)    | Power, as an applicant, to comply with a notice received from the chief executive.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 88(1)    | Power, as an applicant, to agree with the chief executive on a later day by which the application is to be decided.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 93       | Power, as a responsible person for a regulated place, to:- (a) make a substance management plan;<br>(b) make the substance management plan available to staff; and<br>(c) review the substance management.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 97(2)(D) | Power, as the holder of an authority notice, to respond to a show cause notice.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 103(1)   | Power, as a relevant person or the holder for an authority, to agree to the chief executive taking administrative action.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 103(4)   | Power, as a relevant person, to agree with the chief executive to a review day for the administrative action.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 105      | Power, as the holder of an authority in relation to which administrative action has been taken, to:- (a) ask the chief executive, in writing, to review the administrative action; and<br>(b) give the chief executive information supporting the request.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019                                            | 106(2)   | Power, as a relevant person or the holder for an authority, to agree to the chief executive taking further administrative action.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Medicines and Poisons Act 2019 | 110    | Power to comply with a compliance notice.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 116    | Power to comply with an emerging risk declaration.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 120(2) | Power, as a responsible person, to give the chief executive written submissions about why the proposed recall order should not be made.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 121(3) | Power, as a responsible person, to give the chief executive written submissions about why the proposed recall order should be revoked.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 125    | Power to comply with a recall order.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 128(1) | Power, as a person directly affected by an emerging risk declaration or the responsible person for a recall order, to apply to the chief executive for compensation.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 145    | Power, as an occupier, to consent to the entry by an inspector, with or without conditions, and sign an acknowledgement of the consent.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 160    | Power, as a person of whom a help requirement has been made, to comply with the requirement.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 165    | Power to comply with a requirement made under section 164(2)(c).                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 169(3) | Power, as the owner of a thing that was seized, to apply to the chief executive for its return.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 178(1) | Power to comply with a document production requirement.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 179(1) | Power to comply with a document certification requirement.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 181(1) | Power to comply with a requirement to give information made under section 180(2).                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 184(1) | Power to claim compensation from the State if the Council incurs loss because of the exercise, or purported exercise, of a power by or for an inspector.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 198(1) | Power, as an affected person for an original decision, to apply to the chief executive for internal review.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 198(2) | Power, as an affected person for an original decision, to ask the chief executive for an information notice for the decision.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 200(2) | Power, as an affected person, to agree with the chief executive for a longer period for the chief executive to comply with the subsection 200(1).                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 201(1) | Power, as an affected person, to apply to QCAT, in the way provided under the QCAT Act, for a stay of the operation of the decision.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 202(2) | Power, as a person given a QCAT information notice for a decision, to apply to QCAT, as provided under the QCAT Act, for a review of the internal review decision or a decision about compensation under section 128.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 203    | Power, as a person given an information notice for a property decision, to:- (a) appeal to a Magistrates Court against the decision;<br>(b) make an application to extend the time for filing the notice of appeal (if necessary);<br>(c) serve a copy of the notice of appeal, and any application, on the chief executive. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Medicines and Poisons Act 2019 | 204(1) | Power to apply to the Magistrates Court for a stay of a property decision.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Mineral &amp; Energy Resources (Common Provisions) Act 2014</b><br><b>The Purpose of this Act</b><br>To provide for the first step in creating a simplified common framework for managing resource authorities in order to optimise development and use of Queensland's mineral and energy resources and to manage overlapping coal and petroleum resource authorities for coal seam gas. |              |                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 39(3)(b)     | Power to agree to a shorter period.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 42(1)        | Power to give a waiver of entry notice                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 44(1)        | Power to enter into an agreement (a deferral agreement) with a resource authority holder that a conduct and compensation agreement can be entered into after the entry to the land.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 45(1)        | Power to enter into an opt-out agreement with a resource authority holder.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 45(2)        | Power to elect to opt out of a conduct and compensation agreement in certain circumstances.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 45(3)        | Power to give notice unilaterally terminating the agreement.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 47(1)(a)(i)  | Power to agree orally or in writing to the resource authority holder exercising an access right over the access land.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 47(1)(a)(ii) | Power to agree orally or in writing to the resource authority holder exercising an access right over the access land.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 48(2)        | Power to ask for agreement to be subject to reasonable and relevant conditions offered by the owner or the occupier.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 52(1)        | Power to apply to the Land Court for it to decide a matter mentioned in Section 49(1) of the Mineral and Energy Resources (Common Provisions) Act 2014.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 53(1)        | Power to apply to the Land Court to vary an access agreement between a resource authority holder and an owner or occupier to land.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 53(4)        | Power to agree to vary access agreement.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 57(3)        | <del>Power to agree in writing to a longer period.</del> Power, as a public land authority, to agree in writing to a longer entry period.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 59(2)        | <del>Power to impose reasonable and relevant conditions on the resource authority holder about entry to the public land or carrying out of the authorised activity.</del> Power, as a public land authority, to impose reasonable and relevant conditions on the resource authority holder about the entry to the public land or the carrying out of the authorised activity. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 59(4)(b)     | Power to agree to a longer or shorter period for giving the notice.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 59(7)        | <del>Power to vary any condition it imposes in certain circumstances.</del> Power, as a public land authority, to vary any condition it has imposed.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 59(8)        | Power, as a public land authority, to give the holder an information notice about the imposition of a condition or the varying of a condition.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 60(1)        | <del>Power to give a waiver of entry notice for an entry made to the land.</del> Power, as a public land authority for land, to give a waiver of entry notice.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 63(1)(b)(i)  | <del>Power to sign a compensation agreement as the public road authority.</del> Power, as a public road authority, to sign a compensation agreement for the use of a public road for a notifiable road use.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014                                                                                                                                                                                                                                                                                                                                      | 63(1)(b)(ii) | <del>Power to give written consent to the carrying out of the use.</del> Power, as a public road authority, to give written consent to the carrying out of a notifiable road use on a public road.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Mineral & Energy Resources (Common Provisions) Act 2014 | 64(1)    | <del>Power to give a reasonable direction (a road use direction) to the resource authority holder about the way the holder may use the road for the notifiable road use.</del> Power, as a public road authority for a public road, to give a road use direction.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 64(4)(b) | Power, as a public road authority for a public road to give an information notice about the decision to give a road use direction.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 70       | Power, as an owner of restricted land, to give written consent to the resource authority holder carrying out the activity and to impose conditions on the consent.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 70(1)    | Power to give consent to a recourse authority holder to enter restricted land for a resource authority and carry out a prescribed activity for the resource authority.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 72(1)    | <del>Power to apply to the Land Court for an Order about the matters set out in Section 72(1)(a) or (b) of the Mineral and Energy Resources (Common Provisions) Act 2014.</del> Power, as an owner or occupier of land, to apply to the Land Court for an order declaring the following:- (a) whether particular land is restricted land for a resource authority or the Mineral Resources Act, Schedule 1, section 2; and (b) whether a particular activity is a prescribed activity for a resource authority. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 83(1)    | <del>Power to enter into a conduct and compensation agreement.</del> Power, as an eligible claimant, to enter a conduct and compensation agreement with the resource authority holder.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 83A(2)   | Power, as an eligible claimant, to give a conference election notice to the resource authority holder.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 83B(4)   | Power, as a party to a conference with an authorised officer, to ask the other party for a longer period within which to hold the conference.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 85(1)    | <del>Power to negotiate a conduct and compensation agreement or a deferral agreement.</del> Power, as an eligible claimant, to use all reasonable endeavours to negotiate a conduct and compensation agreement or a deferral agreement.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 85(2)(b) | Power, as an eligible claimant, to agree to a longer negotiation period.                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 85(4)    | Power, as an eligible claimant, to enter an opt-out agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 87(2)    | <del>Power to give notice terminating the agreement.</del> Power, as a party to a conduct and compensation agreement or a deferral agreement, to terminate the agreement by giving notice to the other party during the cooling off period.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(2)    | Power, as an eligible claimant, to give an ADR election notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(5)    | Power, upon receipt of an ADR election notice pursuant to section 88(2), to accept or refuse the type of ADR and the ADR facilitator proposed in the notice.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(6)    | Power, as the party giving the ADR election notice and where the other party does not accept the type of ADR or ADR facilitator proposed in the notice, to obtain a decision from the Land Court or a prescribed ADR institute about the matter not accepted.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(7)    | Power, as the party giving the ADR election notice and where a decision has been obtained from the Land Court or a prescribed ADR institute about the matter not accepted in the notice, to give the other party notice of the decision.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(2)(a) | Power to give an election notice to the other party and an authorised officer asking for an authorised officer to call a conference to negotiate a conduct and compensation agreement.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 88(2)(b) | Power to give an election notice to the other party to call upon the other party to agree to an alternative dispute resolution process to negotiate a conduct and compensation agreement.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 89(2)    | Power, as a party given or giving an ADR election notice, to participate in the conference and enter a conduct and compensation agreement.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 89(3)    | Power, as a party given or giving an ADR election notice, to ask the other party for, or agree to, a longer period to enter a conduct and compensation agreement.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 89(7)    | Power to make and sign an agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Mineral & Energy Resources (Common Provisions) Act 2014 | 90         | Power, as a party who attended the ADR and where the other party did not attend the ADR, to apply to the Land Court for an order requiring the non-attending party to pay the attending party's reasonable costs of attending.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 90(4)      | Power to agree (or to ask the other party to agree) to a longer period to finish the ADR.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 90(7)      | Power to make and sign an Agreement.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91(2)      | Power to apply to the Land Court for an order requiring the non attending party to pay the attending party's reasonable costs of attending.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91A(2)     | Power, in the circumstances set out in subsection 91A(1), to give an arbitration election notice requesting the other party participate in an arbitration to decide the dispute.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91A(4)     | Power, as a party given an arbitration election notice, to accept or refuse the request for arbitration.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91A(5)     | Power, as a party to an arbitration, to jointly appoint the arbitrator proposed in the arbitration election notice or another arbitrator.                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91A(6)     | Power, as the party giving an arbitration election notice, to require a prescribed arbitration institute to appoint an arbitrator.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91E(2)     | Power, as a party to an arbitration and where the circumstances of section 91E(2) apply, to agree with the other party about the payment of the fees and expenses of the arbitrator.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 91E(3)     | Power, as a party to an arbitration, to agree with the other party about the payment of each party's costs                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 94(1)      | <del>Power to enter into an agreement (a road compensation agreement) about the holder's compensation liability to the public road authority.</del> Power, as a public road authority for a public road, to enter a road compensation agreement.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 96(2)      | <del>Power to apply to the Land Court for it to decide one of the matters set out in Section 96(2)(a) to (c) of the Mineral and Energy Resources (Common Provisions) Act 2014.</del> Power, as a party given or giving an ADR election notice, and where a conduct and compensation agreement has not been entered and an arbitration election notice has not been given or has been given and not accepted, to apply to the Land Court to decide the dispute. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 96B(1)(a)  | Power to apply to the Land Court for a declaration that all or part of the stated costs are payable under section 91.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 99A(2)     | Power, as a party to a compensation agreement, to apply to the Land Court for an order about the alleged breach.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 100(1)     | Power, as a public road authority, to apply to the Land Court for the Court to decide a resource authority holder's compensation liability.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 101(2)     | <del>Power to apply to the Land Court for a review of the original compensation.</del> Power, as a public road authority or an eligible claimant, to apply to the Land Court for a review of the original compensation.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 101D(1)    | Power, as an owner or occupier of land that may be affected by a resource authority, to give notice to an authorised officer of concerns relating to the resource authority.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 101E(2)    | Power, as an owner or occupier of land or another person interested in the concern, to participate in a conference conducted by the authorised officer, including agreeing to a settlement of the concern the subject of the conference.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 101F(4)(b) | Power, as a party who attends a conference, to apply to the Land Court for an order requiring a party who did not attend the conference to pay the attending party's reasonable costs of attending.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral & Energy Resources (Common Provisions) Act 2014 | 205(1)     | Power, as a relevant entity, to give the chief executive a copy of a notice or consent given by or to Council under chapter 3.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Mineral Resources Act 1989</b><br><b>The Purpose of this Act</b><br>An Act to provide for the assessment, development and utilisation of mineral resources to the maximum extent practicable consistent with sound economic and land use management. |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 19(1)       | In the specified circumstances, the power to give written consent to a parcel prospecting permit holder entering the surface of a reserve for prospecting purposes.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 19(2)       | <del>In the specified circumstances, the power to give written consent to a district prospecting permit holder entering the surface of occupied land.</del> Power, as the owner of occupied land, to give written consent, with or without conditions, to a district prospecting permit holder entering the surface of the land.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 19(3)       | <del>In the specified circumstances, the power to give written consent to a prospecting permit holder entering occupied land for hand mining only.</del> Power, as the owner of occupied land, to give written consent, with or without conditions, to a prospecting permit holder entering the land for hand mining.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 20(3)       | In the specified circumstances, the power to give a prospecting permit holder consent to enter land.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 20(6)       | In the specified circumstances, the power to, by written notice given to a prospecting permit holder and the mining registrar, amend or withdraw a consent given for land.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 26(3)       | <del>Power to apply in writing to the mining registrar to rectify damage referred to in section 26(4) of the Mineral Resources Act 1989 that has been caused by an activity allegedly authorised under a prospecting permit in respect of the land.</del> Power, as the owner of land, to apply to the chief executive to rectify the damage referred to in subsection (1) that has been caused by any activity allegedly authorised under a prospecting permit in respect of the land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 26(9)       | Power, as the owner of land, to give written approval to the chief executive for the refund of security for a parcel prospecting permit.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 26(9)(a)(i) | In the specified circumstances, the power to give the mining registrar written approval to refund the security.                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 32(2)       | Power to accept a shorter time period within which notice must be given by a parcel prospecting permit holder before entry to the land.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 34(1)       | <del>In the specified circumstances, the power to report to the chief executive.</del> Power, as the owner of land where a person purports to enter the land under authority of a prospecting permit, to report to the chief executive that a person is not authorised to enter or be upon the land or is not complying with any condition of the prospecting permit or of any provision of the Act.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 46(1)       | Power, as the owner of land where a person purports to enter or be on the land under authority of a prospecting permit, to ask the person for proof of the person's authority to enter or be on the land.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 46(1)(b)    | In the specified circumstances, the power to demand that a person purporting to be upon land under the authority of a prospecting permit produce, or cause to be produced, proof of the person's authority for being on the land.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 47(1)       | <del>In the specified circumstances, the power to give written consent to a person, entitled to enter occupied land under a district prospecting permit, entering the land at night.</del> Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a prospecting permit to enter the land at night.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 47(2)       | <del>In the specified circumstances, the power to give written consent to a person, entitled to enter occupied land under a parcel prospecting permit, entering the land at night.</del> Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a parcel prospecting permit to enter the land at night.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                                                                                                                                                                                                              | 47(4)       | In the specified circumstances, the power to give consent.                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



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| Mineral Resources Act 1989 | 51(2)        | <del>In the specified circumstances, the power to give consent.</del> Power, as the relevant owner of restricted land, to give written consent to an application for a mining claim on the land.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 51(2)(a)     | In the specified circumstances, the power to give written consent to an application for a mining claim over the surface of restricted land being lodged.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 54(a)        | <del>In the specified circumstances, the power to give consent to the granting of a mining claim over a reserve.</del> Power, as the owner of land that is a reserve, to consent to the granting of a mining claim over the land.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 65(1)(a)     | <del>In the specified circumstances, the power to give the chief executive a written request for a conference.</del> Power, as the owner of land that is affected by an application for a mining claim, to make a written request to the chief executive for a conference.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 66 and 69    | Power to attend a section 65 conference and to reach agreement about something discussed at the conference.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 71           | Power, as the owner of relevant land and/or as a relevant local government, to lodge a written objection in the approved form to an application for a mining claim and to serve a copy of the objection on the applicant.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 71A          | Power to withdraw an objection to a mining claim by giving written notice to the entities specified in subsection (1).                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 71(2)        | In the specified circumstances and within the specified time periods, the power to lodge an objection to an application for a mining claim.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 71A(1)       | To withdraw an objection to an application for a mining claim by giving written notice of the withdrawal.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 85(1)(a)     | <del>In the specified circumstances, the power to agree with the applicant for a mining claim on an amount of compensation.</del> Power, as an interested party, to agree with the applicant for a mining claim about the amount of compensation to be paid to Council and to sign the agreement.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 85(4)        | Power, as an interested party, at any time before compensation is determined by agreement, to apply in writing to the Land Court to have the Land Court determine the amount of compensation.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 86           | Power, as a party aggrieved by a determination of the Land Court made under section 85, to appeal to the Land Appeal Court against the Land Court's decision.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 86A(5)       | Power, as an appellant pursuant to section 86, to lodge the security in the decided form and amount.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 124(2)       | Power, as the owner of land that is a reserve, to give the Minister the land owner's views about further prospecting or exploration on the land.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 125(9)(a)(i) | In the specified circumstances, the power to give written consent to an application under section 125 of the <i>Mineral Resources Act 1989</i> being lodged.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 125(10)      | <del>In the specified circumstances, the power to agree with a mining claim holder on compensation payable in respect of the proposed use of the land as access in respect of the mining claim.</del> Power, as the owner of land, to agree an amount of compensation payable in respect of the proposed use of the land as access in respect of a mining claim as a result of a variation under section 125, sign the agreement and file the agreement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 129(3)(a)    | In the specified circumstances, the power to give written consent to a person entering the surface of the restricted land.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 129(6)       | In the specified circumstances, the power to withdraw consent given under section 129(1)(a)(ii) of the <i>Mineral Resources Act 1989</i> by giving written notice to the chief executive.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 167(1)       | Power, as the owner of land where a person purports to enter or be on the land under authority of an exploration permit, to ask the person for proof of the person's authority to enter or be on the land.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 167(1)(b)    | In the specified circumstances, the power to demand that a person purporting to be upon land under the authority of an exploration permit produce, or cause to be produced, proof of the person's authority for being on the land.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                            |               |                                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
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| Mineral Resources Act 1989 | 190(7)        | In the specified circumstances, the power to lodge a claim for rectification of actual damage to land caused under the authority, or purported authority, of a mineral development licence.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 190(8)(a)     | <del>In the specified circumstances, the power to certify that there is no actual damage to land that should be rectified.</del> Power, as the owner of land in the area of a mineral development licence, to certify that there is no actual damage to the land that should be rectified                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 216(1)        | Power, as the owner of land where a person purports to enter or be on the land under authority of a mineral development licence, to ask the person for proof of the person's authority to enter or be on the land.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 216(1)(b)     | In the specified circumstances, the power to demand that a person purporting to be upon land under the authority of a mineral development licence produce, or cause to be produced, proof of the person's authority for being on the land.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 237(2)(d)(i)  | <del>In the specified circumstances, the power to consent to an application to conduct drilling and other activities on land not included in the surface area covered under a mining lease.</del> Power, as the owner of land, to consent to a mining lease holder making an application to conduct drilling and other activities on land not included in the surface area covered under the lease. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 237(2)(d)(ii) | In the specified circumstances, the power to agree with the mining lease holder about the compensation payable for the activities.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 238(1)(a)     | <del>Power to give written consent to a mining lease application.</del> Power, as the owner of restricted land, to consent to the making of an application for a mining lease over the land.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 260(1)        | <del>Power to lodge an objection in writing in an approved form before the objection date for the application of a mining lease.</del> Power to lodge an objection to an application for grant of a mining lease.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 260(4)        | <del>Power to serve a copy of the objection lodged by the objector in respect of an application for a grant of a mining lease.</del> Power to serve a copy of the objection lodged against an application for grant of a mining lease on the applicant.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 261(1)        | <del>In specified circumstances, the power to withdraw an objection to an application for a grant of a mining lease.</del> Power to withdraw an objection lodged against an application for grant of a mining lease.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 271A(2)(a)    | Power, as the owner of land that is a reserve, to give written consent to the grant of a mining lease over the surface area of the reserve.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 275A(2)(a)    | <del>In the specified circumstances, the power to consent in writing to an application to include the surface of restricted land for the mining lease in the mining lease.</del> Power, as the owner of restricted land, to give written consent to the application for the surface of restricted land for the mining lease to be included in the mining lease.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 275A(2)(c)    | Power, as the owner of restricted land, to agree with the applicant about the compensation payable to Council for the inclusion of the surface of the land in the mining lease.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 279(1)(a)     | Power, as an owner of land the subject of an application to grant, renew or include the surface of restricted in a mining lease, to agree with the applicant for the lease about the amount of compensation to be paid to Council and to sign the agreement.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 280           | Power, as an owner of land the subject of a mining lease where no part of the surface area of that land is included in the lease, to agree with the holder of the lease about the amount of compensation to be paid as compensation for any damage caused to the surface of the land and to sign the agreement.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 280(1)        | <del>In the specified circumstances, the power to agree with the holder of a mining lease as to compensation for any damage caused to the surface of the land.</del> Power, as a person who could be a party to an agreement under sections 279 or 280, to apply in writing to the Land Court to determine the amount of compensation.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 281(1)        | In the specified circumstances, the power to apply in writing to the Land Court to have the Land Court determine compensation.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 282(1)        | Power, as a party aggrieved by a determination of the Land Court made under section 281, to appeal to the Land Appeal Court against the decision.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                            |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
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| Mineral Resources Act 1989 | 282A(5)      | Power, as an appellant pursuant to section 282, to lodge the security in the decided form and amount.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 283A(2)      | Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1), to agree in writing to amend the original compensation.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 283B(2)      | Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1), to apply, in the circumstances identified in subsection (1), to the Land Court to review the original compensation.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 317(10)      | <del>In the specified circumstances, the power to agree with the holder of a mining lease on compensation payable in respect of the proposed use of the land as access in respect of a mining lease.</del> Power, as the owner of land, to agree with the applicant about the compensation payable to Council for the proposed use of the land as access in respect of a mining lease as a result of a variation under section 317 and to sign the agreement.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 334ZZO       | Power, as a landowner to whom a water monitoring bore is being transferred, to consent to the transfer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 334ZZO(1)    | Power to transfer the bore to a landowner in the specified circumstances.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 334ZZO(2)(b) | Power to consent to the transfer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 334ZZP(1)    | In the specified circumstances, the power to transfer the bore to the State.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 334ZZQ(1)    | In the specified circumstances, the power to transfer the bore to a holder of a mineral development licence, mining lease or water monitoring authority.                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335F(1)      | Power to give a conference election notice asking for a conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335F(2)(a)   | Power to give a notice of the following concerns:<br>(i) that someone claiming to act under a mining tenement, or to have entered land on the tenement holder's instructions:<br>(A) is not authorised to be on the land; or<br>(B) is not complying with a provision of this Act or a condition of the mining tenement;<br>(ii) activities being, or proposed to be, carried out on land apparently under a mining tenement (including when the activities are being, or are to be, carried out);<br>(iii) the conduct on the land of someone apparently acting under a mining tenement; | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335G(1)      | Power to attend a conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335G(2)      | Power to attend a conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335H(1)      | Power to attend and take part in a conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335I(3)      | Power to apply to the Land Court for an order requiring a party who did not attend the conference to pay the attending party's reasonable costs of attending.                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 335L(1)      | Power to enter into an agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 344G         | Power, as the owner of affected land, to:- (a) give consent to the entry of the land;<br>(b) impose reasonable conditions on the entry of the land;<br>(c) withdraw consent for entry of the land; and<br>(d) sign an acknowledgement of the consent.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 345(1)(a)    | In the specified circumstances, the power to enter into a compensation agreement with the holder of an environmental authority who is authorised under section 344A(3) to enter land.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 345(2)       | Power, as the owner of land, to enter a compensation agreement, to sign the agreement and to file it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989 | 345(3)       | Power, as a person who could be a party to a compensation agreement, to apply in writing to the chief executive to have the Land Court decide the amount of compensation and the terms, conditions and times of its payment.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Mineral Resources Act 1989                                    | 403(1)(e)        | In the specified circumstances, the power to authorise a person to enter, be upon, use, occupy, or erect any building or structure on or make any other improvement to land.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | 2(1)(a)          | Power to give written consent to enter restricted land.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | 3(1)(a)          | Power to give written consent for a person to enter occupied land.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | 3(3)             | In certain circumstances, power to give consent to a person to enter occupied land.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | 4(1)(b)          | Power to impose reasonable and relevant conditions on entry by a person under section 86V to the surface of a reserve.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | Schedule 1, 2(1) | Power as the owner or occupier of restricted land to consent, with or without conditions, to the entry of the land under section 386V.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | Schedule 1, 3(1) | Power as the owner of occupied land to consent, with or without conditions, to the entry of the land under section 386V at night.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mineral Resources Act 1989                                    | Schedule 1, 4    | Power as the owner of a reserve to impose conditions on the entry of the surface of the reserve under section 386V.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Mining and Quarrying Safety and Health Regulation 2017</b> |                  |                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Mining and Quarrying Safety and Health Regulation 2017        | 6(2)             | Power, as an operator, to ensure hazard identification for the mine's operations is done during the operations' planning and design.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 8(1)             | Power, as a person who has an obligation under the Act to manage risk at a mine, to apply hazard controls in the order identified in subsection (1).                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 9(1)             | Power, as a person who has an obligation under the Act to manage risk at a mine, to monitor risk in the person's own work and activities at the mine.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11C(1)           | Power, as a responsible person for a mine, to pay a safety and health fee.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11D(1)           | Power, as a responsible person for a mine, to give the chief executive a safety and health census.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | D(2)(a)          | Power, as a responsible person for a mine, to apply to the chief executive to extend the period to give the a safety and health census.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11DA(2)          | Power, as a responsible person for a mine, in the circumstances set out in subsection 11DA(1), to choose to give a safety and health census each financial year rather than each quarter.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11DB(3)          | Power, as a responsible person for a mine, in the circumstances set out in subsection 11DB(1), to give the chief executive a safety and health census for the current quarter and each earlier quarter of the financial year, not previously given to the chief executive.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11DC(2)          | Power, as a responsible person for a mine, keep records enabling the accuracy of the information required to be included in the safety and health census to be verified.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11DC(5)          | Power, as a responsible person for a mine, to give the CEO the records within 14 days or a later period agreed in writing with the CEO.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11E(3)           | Power, as a responsible person for a mine, to make submissions to the chief executive.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 11E(6)           | Power, as a responsible person for a mine, to pay the amount of the safety and health fee stated in the invoice.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 22               | Power, as an operator, to ensure:-(a) switchgear used at the mine allows for reliable circuit interruption, under fault conditions, at all points in the mine's electrical distribution system; and (b) each electrical circuit at the mine is protected against overload, short circuit and earth fault under all operating conditions to effectively:- (i)interrupt the electricity supply; and (ii)isolate faults. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017        | 23               | Power, as an operator, to ensure that the electricity supply to the plant identified in section 23 is capable of interruption from an accessible position remote from the plant.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Mining and Quarrying Safety and Health Regulation 2017 | 24          | Power, as an operator, to ensure:-(a) each automatic, programmable or computerised electrical control system at the mine operates safely under all operating conditions, including power supply instability or failure; and (b) the emergency stopping systems and safety alarms at the mine remain effective if there is a fault or failure in a system mentioned in paragraph (a). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 25          | Power, as an operator, to ensure each earthing system at the mine is installed and maintained at sufficiently low impedance and has sufficient capacity to ensure:- (a)reliable operation of electrical protective systems and devices; and (b) adequate protection against contact with conductive parts that have become live under fault conditions.                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 26          | Power, as an operator, to ensure the mine has earth leakage protection for each electrical circuit exceeding extra low voltage that:- (a) is in a portable, transportable or mobile apparatus; or (b) has an outlet for, or supplies electricity to, a trailing cable or flexible lead.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 27(1)       | Power, as an operator, to ensure each item of electrical equipment used at the mine has a full current isolation facility in a location that is easily accessible by a person required to carry out the isolation.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 27(2)       | Power, as an operator, to ensure the isolator is clearly marked or labelled and compatible with the mine's isolation and lock-out procedures.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 29          | Power, as an operator, to ensure electrical equipment exceeding extra low voltage used at the mine has a device or feature for preventing a person inadvertently contacting live parts of the equipment.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 30          | Power, as an operator, to ensure the prospective touch voltage at the mine is limited to a level necessary to achieve an acceptable level of risk.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 31          | Power, as an operator, to ensure voltage rise in an electrical installation at the mine caused by lightning strike, static electricity, voltage surges and other transient voltages is limited to a level necessary to achieve an acceptable level of risk                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 35(3)       | Power, as an operator of a mine mentioned in subsection (2), to provide adequate resources at the mine to ensure the effectiveness and implementation of the emergency response plan.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 44          | Power, as a person who has an obligation under the Act to manage risk in relation to ground control at a mine during the mine's design, operation or abandonment, to ensure appropriate measures are taken to prevent or control local and area failures in ground integrity.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 45          | Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the mine layout, design and construction, to ensure the layout, design and construction is carried out having regard to the matters listed in section 45.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 46          | Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the design and construction of the mine's roads, to ensure the specification for the design and construction enables the safe movement of vehicles about the mine.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 48          | Power, as a person who has an obligation under the Act to manage risk in relation to ventilation at a mine, to ensure appropriate measures are taken to ensure the ventilating air in a place where a person may be present at the mine is of a sufficient volume, velocity and quality to achieve a healthy atmosphere.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 56          | Power, as a person who has an obligation under the Act to manage risk in relation to storing and handling hazardous chemical or dangerous goods, to ensure they are handled and stored in the manner prescribed under section 56.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 65          | Power, as a person who has an obligation under the Act to manage risk in relation to selecting explosives for use at the mine, to ensure the explosives comply with the requirements of section 65.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 100,101,102 | Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the selection and design of plant, to ensure that the selection and design of plant complies with the requirements of sections 100, 101 and 102.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 104(1)      | Power, as an operator, to ensure plant used or intended for use, at the mine is manufactured, constructed, stored, transported and installed in accordance with any applicable specifications and instructions.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                        |               |                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
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| Mining and Quarrying Safety and Health Regulation 2017 | 104(2)        | Power, as an operator, to ensure for fixed plant:- (a)the plant is installed in a location and environment that is compatible with the plant and its use; and (b)the mine layout incorporates appropriate facilities and adequate space for:- (i)access to and egress from the plant during emergencies; and (ii)the plant's operation, monitoring servicing and maintenance. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 105           | Power, as an operator, to ensure plant is commission in its operating environment at the mine before it is used to ensure those matters listed in subsections (1) and (2).                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 106           | Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the operation of plant, to ensure the plant is not operated in a way prescribed in section 106.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 108           | Power, as a person who has an obligation under the Act to manage risk at a mine in relation to the monitoring of plant, to ensure the plant is monitored in accordance with section 108.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 109           | Power, as an operator, to ensure plant in use at the mine is serviced and maintained in accordance with section 109.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 131(6)        | Power, as a worker's employer, to pay for the worker's health surveillance and health surveillance reports.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 145D(4)       | Power, as a worker's employer, to pay for the worker's health surveillance, respiratory health examination and health surveillance reports.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Mining and Quarrying Safety and Health Regulation 2017 | 145H(3)       | Power, as a former worker's employer, to carry out the respiratory health surveillance.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Nature Conservation (Animals) Regulation 2020</b>   |               |                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
| Nature Conservation (Animals) Regulation 2020          | 42(2) and (3) | Power, as the owner of an airport, in the circumstances listed in subsection 42(1), to:- (a)take the animal at the airport; (b)remove or otherwise deal with an animal breeding place used by the animal; (c)keep an animal taken for the purpose of releasing it; and (d)release the animal into a prescribed natural habitat for the animal.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 43(1)         | Power, as the owner of an airport, to keep a record for an animal taken under section 42(2).                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 61(2)         | Power, in the circumstances listed in subsection 61(1) to:- (a)destroy the flying-fox roost; (b)drive away, or attempt to drive away, a flying-fox from the roost; and (c)disturb a flying fox in the roost.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 62(1)         | Power to carry out the activities listed in subsection 62(1) in relation to a tree that is a flying-fox roost.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 235           | Power to apply to the chief executive for the grant of an animal authority.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 242(4)        | Power to comply with a notice from the chief executive asking for other information or a document the chief executive requires to decide the application.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 243           | Power to amend an application for the grant of an animal authority.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 258           | Power, as the holder of a renewable licence, to apply to renew the licence.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 265           | Power, as the holder of an animal authority, to apply for an amendment of the authority.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 266(1)        | Power to comply with a notice from the chief executive asking for other information or a document the chief executive requires to decide the amendment application.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 267           | Power to amend an application for the amendment of an animal authority.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 271(1)        | Power to comply with a notice from the chief executive the holder the opportunity to make written representations to the chief executive about why the proposed amendment should not be made.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 275(1)        | Power to make written representations to the chief executive about why the chief executive should not suspend or cancel an animal authority.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020          | 276           | Power to return an animal authority that has been amended to the chief executive.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                     |       |                                                                                                                                                                                                                                                          |                         |                                                                |
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| Nature Conservation (Animals) Regulation 2020       | 277   | Power to return an animal authority that has been suspended to the chief executive.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020       | 278   | Power to return an animal authority that has been cancelled to the chief executive.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020       | 279   | Power to apply to have an animal authority that has been damaged, destroyed, lost or stolen, replaced.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020       | 280   | Power to surrender an animal authority (with an accompanying notice of surrender) to the chief executive.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020       | 371   | Power to apply to the chief executive to amend the urban flying-fox management area map.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Animals) Regulation 2020       | 372   | Power to provide information to the chief executive that is relevant to the removal of an urban flying-fox management area from the urban flying-fox management area map.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Nature Conservation (Plants) Regulation 2020</b> |       |                                                                                                                                                                                                                                                          |                         |                                                                |
| Nature Conservation (Plants) Regulation 2020        | 63(2) | Power, as the holder of a plant authority, to ensure a relevant person carrying out an activity under the authority has a copy of the authority endorsed by the holder with the relevant person's name and residential address available for inspection. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 64(1) | Power, as the holder of a plant authority, to:- (a) give the chief executive a notice stating the nature of the change and (b) apply to the chief executive for an amendment of the authority to reflect the change.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 71    | Power, as the holder of a protected plant growing licence, to carry out the activities listed in section 71.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 79    | Power, as the holder of a protected plant harvesting licence, to take an authorised plant in accordance with section 79.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 89    | Power, as the holder of a protected plant clearing permit, to carry out the activities listed in section 89.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 97    | Power to apply to the chief executive for the grant of a plant authority.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 105   | Power to comply with a request from the chief executive asking for other information or a document the chief executive requires to decide the application.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 107   | Power to amend an application for the grant of a plant authority.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 117   | Power, as the holder of a plant authority, to apply to amend the authority.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 121   | Power, as the holder of a plant authority, to make written representations to the chief executive about why a proposed amendment to the plant authority should not be made.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 124   | Power, as the holder of a plant authority, to make written representations to the chief executive about why the chief executive should not suspend or cancel the plant authority.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 125   | Power to return a plant authority that has been amended to the chief executive.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 126   | Power to return a plant authority that has been suspended to the chief executive.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 127   | Power to return a plant authority that has been cancelled to the chief executive.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 128   | Power to apply to have a plant authority that has been damaged, destroyed, lost or stolen, replaced.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 129   | Power to surrender a plant authority (with an accompanying notice of surrender) to the chief executive.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 134   | Power to ask the chief executive to agree to reduce the area of the usual buffer zone for an area to be cleared.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020        | 152   | Power, as the holder of a protected plant licence in the circumstances set out in subsection 152(1), to keep a protected plant harvest record.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Nature Conservation (Plants) Regulation 2020                            | 153                  | Power, as the holder of a protected plant licence in the circumstances set out in subsection 153(1), to keep a protected plant trade record.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 154                  | Power, as the holder of a plant authority in the circumstances set out in subsection 154(1), to keep a record of the information listed in subsection 154(2).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 155                  | Power, as the holder of a plant authority in the circumstances set out in subsection 155(1), to keep a record of the information listed in subsection 155(2).                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 163                  | Power, as the holder of a plant authority in the circumstances set out in subsection 163(1), to give the chief executive a notice stating the record or copy has been stolen, lost, destroyed or damaged.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 167                  | Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 167(1), to attach a tag supplied under section 165 to the plant.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 173                  | Power, as the holder of a protected plant licence in the circumstances set out in subsection 173(1), to attach a protected plant harvest label.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 174                  | Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 174(1), to attach a protected plant trade label.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 175                  | Power, as the holder of a protected plant harvesting licence in the circumstances set out in subsection 175(1), to mark or label a container containing the plant with the words required by subsection 175(2).                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Plants) Regulation 2020                            | 177                  | Power, in the circumstances set out in subsection 177(2), to remove a harvest label.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Nature Conservation (Protected Areas Management) Regulation 2017</b> |                      |                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Nature Conservation (Protected Areas Management) Regulation 2017        | 14(2)(b)             | Power, as trustee of a conservation park listed in schedule 1, column 1, to exercise the powers of the chief executive stated in schedule 1, column 3 for that park.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation (Protected Areas Management) Regulation 2017        | 16(2)                | Power, as trustee of a conservation park listed in schedule 1, column 1, to use a fee charged for a service provided in the park for giving effect to the management principles for the park                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Nature Conservation Act 1992</b>                                     |                      |                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Nature Conservation Act 1992                                            | 43A(6)               | Power, as a person given written notice about a proposal to declare an area of land a special wildlife reserve, to make a submission to the Minister about the proposal.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 43B(1)               | Power, as a landholder, to enter a conservation agreement with the Minister for a proposed special wildlife reserve.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 43E(1)               | Power, as a landholder, to agree with the Minister to amend a conservation agreement for a special wildlife reserve.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 34F(1)               | Power, as a landholder of land in a special wildlife reserve, to consent to the Minister giving a lease, agreement, licence, permit or other authority over or in relation to the land.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 43F(1)(c) and 43F(3) | Power, as a landholder of land in a special wildlife reserve, to give a lease or sublease over the land, to obtain the consent of the chief executive for that lease or sublease, and to lodge the lease for registration with the entity required by section 43F(3).                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 43L                  | Power, where a special wildlife reserve is declared over freehold land or land in a lease under the <i>Land Act 1994</i> , and Council intends, under the <i>Land Act 1994</i> to surrender all or part of the freehold land or lease, allow the lease to expire at the end of its term or transfer the lease, to obtain the chief executive's written consent. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 44(4)                | Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 45(1)                | Power, as a landholder, to enter a conservation agreement with the Minister about the declaration of a nature refuge.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 47(2)                | Power, as a landholder, to request the cancellation of a conservation agreement.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 49(2)(c)             | Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 67(5)                | Power, as a landholder, to claim compensation for injurious affection arising out of the declaration of a nature refuge under section 49 of the Act.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                            | 100K                 | Power, as a local government, to prepare a statement of management intent for protected wildlife required by the Minister and publish it on Council's website.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Nature Conservation Act 1992                                                                                                                                         | 108(1)     | Power, as a landholder of land subject to an interim conservation order, to claim compensation.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 115A(3)(c) | Power, as a landholder, to make a submission about a draft management plan.                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 120EA      | Power, as a landholder intending to enter a conservation agreement for a special wildlife reserve, to prepare and give the Minister a management program for the reserve.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 120EF(1)   | Power, as a landholder of land in a special wildlife reserve, to prepare an amended management program for the reserve and give it to the chief executive for approval.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 120GA      | Power, as a landholder of land in a special wildlife reserve, to jointly review the management program for the reserve with the chief executive, and agree to prepare an amended management program under section 120EF or leave the management program unchanged.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 137A(5)    | Power, as a landholder, to claim compensation for injurious affection arising where:-(a) a regulation is made, or a conservation plan is approved, for an area identified under the regulation or plan as, or including, a critical habitat or an area of major interest; and (b) a landholder's interest in land in the area is injuriously affected by a restriction or prohibition imposed under the regulation or plan on the landholder's existing use of the land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 143E(1)    | Power, as an affected person for an original decision, to apply to the chief executive for a review of the decision.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 143E(2)    | Power, as an affected person for an original decision, to ask the chief executive for an information notice for the decision.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 143G(2)    | Power, as an affected person, to agree with the chief executive to a longer period for the chief executive to comply with section 143G(1).                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 143G(2)    | Power, as an affected person, to apply to QCAT for a stay of the operation of the decision.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Nature Conservation Act 1992                                                                                                                                         | 143I(2)    | Power, as an affected person, to apply to QCAT for a review of the internal review decision.                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</b><br><b>The Purpose of this Act</b><br>An Act to deal with matters about dividing fences and trees. |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                                                                |
| Neighbourhood Disputes (Dividing Fences and Trees) Act 2011                                                                                                          | 88(1)(d)   | Power to decide to take action under section 88.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Neighbourhood Disputes (Dividing Fences and Trees) Act 2011                                                                                                          | 88(3)      | Power to authorise an appropriately qualified person to enter a tree-keeper's land.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Neighbourhood Disputes (Dividing Fences and Trees) Act 2011                                                                                                          | 88(4)      | Power to give a tree-keeper a notice of the intention to enter the land.                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Neighbourhood Disputes (Dividing Fences and Trees) Act 2011                                                                                                          | 88(5A)     | Subject to the occurrence of s 88(5)(b) or s88(5)(c), power to give a tree-keeper notice of entry to land.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Peaceful Assembly Act 1992</b><br><b>The Purpose of this Act</b><br>An Act to provide for the recognition, exercise and any necessary and reasonable restrictions of the right of peaceful assembly and for related purposes. |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 4        | Power to nominate an officer of Council as a "representative".                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 10(2)(b) | <del>In the specified circumstances, the power to give a notice of permission for a public assembly stating Council does not oppose the holding of the assembly.</del> Power, as a local authority, to give a notice under subsection (2)(b) and impose conditions in the notice.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 10(2)(c) | Power, as an owner or occupier, to give a notice under subsection (2)(c).                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 11(1)    | In the specified circumstances, the power to, in a notice given under section 10(2)(b) of the <i>Peaceful Assembly Act 1992</i> , specify conditions to which the giving of the notice is subject.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 11(2)(a) | In the specified circumstances, the power to have regard to the objects of the <i>Peaceful Assembly Act 1992</i> .                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 11(4)    | <del>In the specified circumstances, the power to consult, or attempt to consult, with -</del><br>(a) if there is a body known to you to represent persons who have a significant interest in the place of assembly - the body; or<br>(b) in any other case - each person, body or agency (an "interested person") known to you to have a significant interest in, or responsibility for, the place of assembly. Power, as a relevant authority, to consult under subsections (4) or (5).                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 11(5)    | If you consider that, because of time constraints and the number of interested persons involved, it is not practicable -<br>(a) to hold separate consultations with each interested person; or<br>(b) to contact each interested person for the purpose of arranging consultations;<br>the power to -<br>(c) fix a reasonable time and place for holding the consultations; and<br>(d) cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 12       | Power, as a relevant authority, to apply to a Magistrates Court for an order refusing to authorise the holding of the assembly.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 12(1)    | In the specified circumstances, the power to apply to a Magistrates Court for an order refusing to authorise the holding of an assembly.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 13(1)(a) | In the specified circumstances, the power to have regard to the objects of the <i>Peaceful Assembly Act 1992</i> .                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 13(1)(b) | In the specified circumstances, the power to form the opinion, on reasonable grounds, that if the assembly were to be held -<br>(i) the safety of persons would be likely to be placed in jeopardy; or<br>(ii) serious public disorder would be likely to happen; or<br>(iii) the rights or freedoms of persons would be likely to be excessively interfered with.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 13(1)(c) | <del>In the specified circumstances, the power to consult, or attempt to consult, with each person, body or agency (an "interested person") with which you would be required to consult under section 11(4) of the <i>Peaceful Assembly Act 1992</i></del> Power, as a relevant authority, to consult with each interested person.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 13(1)(d) | Power, as a relevant authority, to engage in a mediation process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                                                                                                                                                                                                       | 13(2)    | In the specified circumstances, the power to request a mediation session be held.                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Peaceful Assembly Act 1992                        | 13(3)        | <del>If you consider that, because of time constraints and the number of interested persons involved, it is not practicable, for the purpose of section 13(1)(c) of the Peaceful Assembly Act 1992—</del><br>(a) <del>to hold separate consultations with each interested person; or</del><br>(b) <del>to contact each interested person for the purpose of arranging consultations;</del><br><del>the power to—</del><br>(c) <del>fix a reasonable time and place for holding the consultations; and</del><br>(d) <del>cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held.</del> Power, in the circumstances provided in subsection (3), to:- (a) fix a reasonable time and place for holding the consultations; and (b) cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                        | 15(1)        | Power, as a relevant authority, to notify the organiser in writing that it does not oppose the holding of the assembly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Peaceful Assembly Act 1992                        | 15(2)        | Power, as a relevant authority, to participate in a mediation process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Petroleum and Gas (Safety) Regulation 2018</b> |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Petroleum and Gas (Safety) Regulation 2018        | 157(1)       | Power, as a person mentioned in section 155 or 156(1)(a), to lodge a safety and health fee return.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Petroleum and Gas (Safety) Regulation 2018        | 157(2)(a)    | Power, as a person mentioned in section 155 or 156(1)(a), to apply to extend the period for lodging a safety and health fee return.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Petroleum and Gas (Safety) Regulation 2018        | 164(2)(b)    | Power, as a person that has failed to lodge a safety and health fee return, under sections 157 or 158, to respond to a notice from the CEO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Planning Act 2016</b>                          |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Planning Act 2016                                 | 10           | Power to make submissions to the Minister about the making or amending of a State Planning instrument.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 18,20 and 26 | Power to give notice of a proposed planning scheme or proposed amendment to the chief executive and follow the process for making or amending a planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 18, 20 and 26 and as required under a notice given by the chief executive or in the Minister's rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 18(1)        | Power to propose to make or amend a planning scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 18(2)        | Power to give notice of the proposed planning scheme or proposed amendment to the Chief Executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 18(3)        | Power to consult with the Chief Executive about the process for making or amending the planning scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 18(6)        | Power to make or amend the planning scheme by following the process in the notice or amended notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 19           | Power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works in the tidal area for Council's local government area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 19(1)        | In certain circumstances, power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 20(2)        | Power to amend a planning scheme by following the process in the Minister's rules, instead of complying with section 18.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 21 and 26    | Power to follow the process for the making or amending of a planning scheme policy as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 22 and 26 and as required in the Minister's rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                                 | 22 and 26    | <del>In certain circumstances, power to follow the process in the Minister's rules for making or amending an LGIP.</del> Power to follow the process for the making or amending of an LGIP as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 21 and 26 and as required in the Minister's rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Act 2016 | 23 and 26 | Power to follow the process for repealing a TLPI or planning scheme policy. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 24.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 23(1)     | Power to make a TLPI if the local government and Minister decide –<br>a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area;<br>b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and<br>c) the making of the TLPI would not adversely affect State interests. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 23(2)     | Power to amend a TLPI if the Minister decides the amendment of the TLPI would not adversely affect State interests.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 24        | Power to follow the process for repealing a TLPI or planning scheme policy. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 24.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 24(5)     | Power to repeal a TLPI by making, or amending, a planning scheme to specifically repeal the TLPI.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 25 and 26 | Power to review a planning scheme and a LGIP and follow the process for the review as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 25 and 26 and as required in the Minister's rules.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 25(1)(b)  | Power to decide, based on that review, whether to amend or replace the planning scheme.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 25(2)     | Power to:<br>a) give written reasons for the decision to the Chief Executive;<br>b) publish a public notice in the approved form about the decision; and<br>c) keep a copy of the public notice in a conspicuous place in the local government's public office for a period of at least 40 business days after the notice is published.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 25(3)     | Power to undertake an LGIP review.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 26(3)(c)  | Power to make a submission to the Minister about taking the action.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 26(4)(a)  | Power to take action in accordance with Minister's direction under a Notice.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 26(4)(b)  | Power to take other action in accordance with Minister's direction.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 29        | Power to decide whether or not to agree to a superseded planning scheme request and give notice of the decision.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 29(4)(a)  | Power to accept, assess and decide a development application (a superseded planning scheme application) under a superseded planning scheme.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 29(4)(b)  | Power to apply a superseded planning scheme to the carrying out of development that was accepted development under the superseded planning scheme.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 29(6)     | Power to decide whether or not to agree to a superseded planning scheme request within the period prescribed by, or extended as required under, the regulation.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 29(7)     | Power to give a decision notice to the person who made the superseded planning scheme request.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 30(5)     | Power to prepare a report assessing feasible alternatives for reducing the risk stated in subsection (4)(e), including imposing development conditions on development approvals.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32 and 33 | Power to decide a compensation claim. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 32 and 33.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32(1)(a)  | Power to approve all or part of a compensation claim.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32(1)(b)  | Power to refuse a compensation claim.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32(1)(c)  | Power to give a notice of intention to resume the affected owner's interest in premises under the Acquisition Act, section 7.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Act 2016 | 32(2)           | <del>Power to decide to amend the planning scheme to allow premises to be used for the purposes that the premises could be used for under the superseded planning scheme.</del><br>Power to give notice of the payment of compensation to the registrar of titles.                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32(3)           | <del>Power to give the affected owner:-<br/>a) notice of intention to resume;<br/>b) a notice that states the local governments decision any amount of compensation to be paid and the affected owner's appeal rights.</del> Power to give the affected owner the notice required by subsection (3). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 32(4)           | Power to comply with subsection (3)(b) where the notice of intention to resume is withdrawn or lapses.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 35,36,37 and 38 | Power to make or amend a designation and follow the process in the designation process rules. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 35, 36, 37, 38 and the designation process rules.                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 35(1)           | Power to identify premises for the development of 1 or more types of infrastructure that are prescribed by regulation.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 35(2)           | Power to include designation requirements about any of the matter contained in 35(2)(a)-(c).                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 36(1)(a)        | Power to be satisfied that the infrastructure will satisfy statutory requirements, or budgetary commitments, for the supply of the infrastructure.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 36(1)(b)        | Power to be satisfied that there is or will be a need for the efficient and timely supply of the infrastructure.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 36(7)(e)        | Power to make submission to a Designator in relation to making or amending a designation.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 37(4)           | <del>Power to make a submission to the Minister about the designation.</del> Power, as an affected party, to make submissions about the proposal to the Minister.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 38(1)           | Power to:-<br>a) consider properly made submissions;<br>b) decide to make or amend a designation; and<br>c) publish a gazette notice.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 39              | Power to extend the duration of a designation. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 39.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 39(2)           | Power to extend the duration of a designation, for up to 6 years, by publishing a gazette notice about the extension before the designation stops having effect.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 39(4)           | Power to discontinue proceedings to resume designated premises.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 40 and 41       | Power to repeal a designation made by Council. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 40 and 41.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 40(1)           | Power to repeal a designation by publishing a gazette notice that states—<br>a) that the designation is repealed; and<br>b) a description of the designated premises; and<br>c) the type of infrastructure for which the premises were designated; and<br>d) the reasons for the repeal.             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 41(1)           | Power, as an owner of an interest in designated premises, to request a designator to repeal a designation made by the designator on the basis that the designation is causing the owner hardship.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 41(4)           | Power to:<br>a) repeal the designation;<br>b) decide to refuse the request; and<br>c) decide to take other action that designator considers appropriate in the circumstances.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 41(5)           | Power to give a decision notice.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Act 2016 | 42                                                                                                         | Power, as an owner of an interest in designated premises, to request a designator to repeal a designation made by the designator on the basis that the designation is causing the owner hardship.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 42(4)                                                                                                      | Power to include a note in the planning scheme in a way that ensures the other provisions of the scheme that apply to the designated premises remain effective.                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 45(5)(b)                                                                                                   | Power to consider and assess against assessment benchmarks and prescribed matters under a regulation and other relevant matters.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 45(7)                                                                                                      | Power to assess a development application against or have regard to the statutory instrument, or other document, as in effect when the development application was properly made.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 45(8)(a)                                                                                                   | Power to give weight the Assessment Manager considers is appropriate, in the circumstances, to a statutory instrument or other document that has been amended or replaced after the development application was properly made but before it was decided by the Assessment Manager.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 45(8)                                                                                                      | Power, as the assessment manager and where the circumstances of section 45(6) apply, to give the weight considered appropriate in the circumstances to the documents referenced in section 45(8).                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 45(8)(b)                                                                                                   | Power to give weight the Assessment Manager considers is appropriate in the circumstances to another statutory instrument that came into effect after the development application was properly made but before it was decided by the Assessment Manager.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 46                                                                                                         | Power to give an exemption certificate for the development. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 46.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109                                                   | Power to act as a "referral agency" for all development applications and cancellation applications received by Council as a referral agency under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a referral agency and consider all matters as detailed in sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 of the <i>Planning Act 2016</i> .                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 46(2)(a)                                                                                                   | Power to give an exemption certificate for a development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 46(3)(a)                                                                                                   | Power to seek agreement in writing from referral agencies about the giving of an exemption certificate.                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109 | Power to act as the "assessment manager" for all development applications, change representations, cancellation applications and extension applications received by Council under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an assessment manager and consider all matters as detailed in sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109 of the <i>Planning Act 2016</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 48(3)(b)                                                                                                   | Power to keep a list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 48(3)(d)                                                                                                   | Power to enter an agreement with a person on Council's list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(2)                                                                                                      | <del>Power to give owner's consent</del> Power, as the owner of premises, to give written consent to the making of the development application.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(4)(a)                                                                                                   | Power to be satisfied an application complies with subsections (1) to (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(4)(b)                                                                                                   | Power to be satisfied an application complies with subsection (2) and (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(4)(c)                                                                                                   | Power to accept an application that does not comply with subsection (1)(a) or (b)(i).                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(4)(d)                                                                                                   | Power to accept an application that does not comply with subsection (1)(b)(ii) to the extent the required fee has been waived under section 109(b).                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 51(5)                                                                                                      | Power to accept a properly made application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
|-------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Planning Act 2016 | 52(3)    | Power to assess and decide if a change is a minor change.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 53(3)    | Power to assess and decide a development application even if some of the requirements of the development assessment rules about the notice have not been complied with, if the assessment manager considers any noncompliance has not—<br>(a) adversely affected the public's awareness of the existence and nature of the application;<br>or<br>(b) restricted the public's opportunity to make properly made submissions about the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 53(4)(a) | Power to consider submissions about a development application.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 53(10)   | Power to give notice on behalf of an applicant to a referral agency for a fee.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 54(5)    | Power to give a copy of a development application on behalf of an applicant to a referral agency for a fee.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(1)    | Power to assess the application as required under section 45, as if the agency were the assessment manager.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(2)(a) | Power to assess a development application against matters prescribed by the regulation.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(2)(b) | Power to have regard to matters prescribed by the regulation for the assessment.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(4)    | Power to assess the development application against or having regard to the statutory instrument, or other document, as in effect when the application was properly made.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(5)(a) | Power to give weight the Referral Agency considers is appropriate, in the circumstances, to a statutory instrument or other document that has been amended or replaced after the development application was properly made.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 55(5)(b) | Power to give the weight the Referral Agency considers is appropriate, in the circumstances, to another statutory instrument that came into effect after the development application was properly made.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(1)(a) | Power to decide to tell the assessment manager that the agency has no requirements for the application.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(1)(b) | Power to decide to direct the assessment manager to do any or all of the following:<br>i. to give any development approval subject to stated development conditions;<br>ii. to give any development approval for only a stated part of the application;<br>iii. to give any development approval only as a preliminary approval;<br>iv. to improve a stated currency period for a development approval given.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(1)(c) | Power to decide to direct the assessment manager to refuse the application for stated reasons.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(2)(a) | Power to decide to tell the assessment manager that the agency has no requirements for the variation request.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(2)(b) | Power to decide to direct the assessment manager to do any or all of the following:<br>i. to approve only some of the variations sought;<br>ii. subject to section 61(3) to approve different variations from those sought.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(2)(c) | Power to decide to direct the assessment manager to refuse the variation request.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 56(3)    | Power to give advice about the application to the assessment manager.                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(2)(a) | Power to assess and decide the extent to which the application complies with all of the assessment benchmarks for the development.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(2)(b) | Power to decide to approve the application even if the development does not comply with some of the assessment benchmarks.                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(2)(c) | Power to impose development conditions on an approval.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
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| Planning Act 2016 | 60(2)(d)                                                        | To the extent the development does not comply with some or all the assessment benchmarks, power to decide to refuse the application where compliance cannot be achieved by imposing development conditions.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(3)(a)                                                        | Power to decide to approve all or part of the application.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(3)(b)                                                        | Power to decide to approve all or part of the application, but impose development conditions on the approval.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(3)(c)                                                        | Power to decide to refuse the application.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 60(5)                                                           | Power to give a preliminary approval for all or part of the development application, even though the development application sought a development permit.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 61(3)(a)(i)                                                     | Power to decide to approve all or some of the variations sought.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 61(3)(a)(ii)                                                    | Power to decide to approve different variations from those sought.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 61(3)(b)                                                        | Power to decide to refuse the variations sought.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 63(1)                                                           | Power to give a decision notice.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 63(4)                                                           | Power to publish a notice about the decision on the assessment managers website.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 64(6)(a)                                                        | Power to give an applicant a decision notice which approves the application.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 64(6)(b)                                                        | Power to give an applicant a decision notice which approves the application subject to development conditions.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 64(9)                                                           | Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 66(2)(c)                                                        | Power to agree in writing to a later condition applying.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 67                                                              | Power to make an agreement with an applicant to establish the responsibilities, or secure the performance, of a party to the agreement about a development condition.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 75(4)(b)(ii)                                                    | Power to provide an applicant with a notice that they do not agree with the change representations.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 75(4)(b)(iii)                                                   | Power to agree with an applicant to a longer period to make change representations.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 76(1)                                                           | Power to assess change representations against and having regard to the matters that must be considered when assessing a development application to the extent those matters are relevant.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 76(2)                                                           | Power to give a negotiated decision notice.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 76(6)                                                           | Power to give a replacement infrastructure charges notice to an applicant.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 78A, 79, 80, 81, 81A, 81B, 82, 83, 93 and 100, 105, 107 and 109 | Power to act as a "responsible entity" for all change applications received by Council as a responsible entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a responsible entity and consider all matters as detailed in sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93, 100, 105, 107 and 109 of the <i>Planning Act 2016</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 78A(1)(a)                                                       | Power to consider a change application.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 78A(1)(b)                                                       | Power to consider a change application.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 78A(5)                                                          | Power to consider change application referred from Minister.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 79(2)(a)                                                        | Power to be satisfied that an application complies with subsection (1).                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 79(2)(b)                                                        | Power to be satisfied the application complies with subsection (1)(b)(iii).                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |               |                                                                                                                                                                                                                                                                                                                                                            |                         |                                                                |
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| Planning Act 2016 | 79(2)(c)      | Power to accept an application that does not comply with subsection (1)(a) or (b)(ii).                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 79(2)(d)      | Power to accept an application that does not comply with subsection (1)(b)(i) to the extent the required fee has been waived under section 109(b).                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 80            | Power to act as an "affected entity" for all change applications received by Council as an affected entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an affected entity and consider all matters as detailed in section 80 of the <i>Planning Act 2016</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 80(2)         | Power to give the person who proposes to make the change application a notice (a pre-request response notice) that states—<br>(a) whether the affected entity objects to the change; and<br>(b) the reasons for any objection.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 80(4)(a)      | Power to give a responsible entity and the applicant a response notice that states that the affected entity has no objection to the change.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 80(4)(b)      | Power to give a responsible entity and the applicant a response notice that states that the affected entity objects to the change and the reasons for objection.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81(4)         | Power to consider, for a change application, a statutory instrument, or other document, as in effect when the development application for the development approval was properly made.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81(5)(a)      | Power to give weight the Responsible Entity considers appropriate in the circumstances to the statutory instrument or other document as in effect when the change application was made.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81(5)(b)      | Power to give the weight the Responsible Entity considers is appropriate, in the circumstances, to a statutory instrument or other document that has amended or replaced after the change application was made but before it was decided.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81(5)(c)      | Power to give the weight the Responsible Entity considers is appropriate, in the circumstances, to another statutory instrument that came into effect after the change application was made but before it was decided.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81A(2)(a)     | Power to decide to approve the change application with or without development conditions.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81A(2)(b)     | Power to decide to refuse the change application.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81A(5)        | Power to agree to extend the period for deciding the change application.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 81B(2)        | Power to give notice of withdrawal of a change application before it is decided.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 82A           | Power to act as an "additional referral agency" for a change application where section 82A applies. For the avoidance of doubt, the power delegated includes the power to take all actions of an additional referral agency and consider all matters as detailed in section 82A of the <i>Planning Act 2016</i> .                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 83(2)         | Power to give a decision notice if a negotiated decision notice is not given in relation to the decision.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 84(4)         | Power to cancel the development approval and give notice of the cancellation.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 84(3)(b)(i)   | Power, as the owner of land, to give written consent to the cancellation application.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 84(3)(b)(iii) | Power, as a public utility, to give written consent to the cancellation application.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 86(3)(b)      | Power to be satisfied that an application complies with subsection (2)(b)(ii) before an application can be accepted.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 86(2)(b)(ii)  | Power, as the owner of land, to give written consent to the extension application.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 86(3)(d)      | Power to accept an application that does not comply with subsection (2)(b)(i) to the extent the required fee has been waived under section 109(b).                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 87(1)         | Power to consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Act 2016 | 87(2)(a)              | Power to decide whether to give or refuse the extension sought.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 87(2)(b)              | Power to extend the currency period for a period that is different from the extension sought.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 87(3)                 | Power to agree to extend the 20 business day period.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 88(3)                 | Power to use security paid under a condition stated in section 65(2)(e) for the purpose stated in the approval or agreement under section 67.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 89                    | Power to note an approval referred to in subsection (1) on Council's planning scheme and give notice of the approval to the chief executive.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 89(1)(a)              | Power to consider whether a development approval is substantially inconsistent with its planning scheme.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 93(2)                 | Power to comply with a direction given by the Minister.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 102                   | Power to make submissions in response to a proposed call in notice received by Council.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 105(3)                | Power, as the decision-maker, to give the Minister reasonable help.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 105(3)                | Power to provide Minister with reasonable help.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 109(a)                | Power to refund all or part of a required fee.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 109(b)                | Power to waive all or part of a required fee, in the circumstances prescribed by regulation.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 115                   | Power, as a participating local government for a distributor-retailer, to enter a break-up agreement about the charges break-up and publish a copy of the agreement on the local government's website.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 115(2)                | Power to enter into an agreement (a <i>breakup agreement</i> ) about the charges breakup.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 118                   | Power to carry out the steps required after making a charges resolution.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 119, 120, 121 and 129 | Power to give an infrastructure charges notice. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 119, 120, 121 and 129.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 119(6)                | Power to give an applicant an amended infrastructure charges notice.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 123                   | Power, as a local government that gave an infrastructure charges notice, to agree with the recipient about:- a) whether the levied charge may be paid other than as required under section 122, including whether it may be paid by instalments; and/or b) whether infrastructure may be provided instead of paying all or part of the levied charge.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 123(1)(b)             | Power to make an agreement with recipient of an infrastructure charges notice about whether infrastructure may be provided instead of paying all or part of the levied charge.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 125                   | Power, as a local government, to consider representations made on an infrastructure charges notice and, issue a negotiated notice or give a decision notice.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 125(2)                | Power to consider representations.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 125(3)                | Power to give a negotiated notice to the recipient.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 128(1)                | Power, as a local government with a LGIP that identifies adequate trunk infrastructure to service the subject premises, to impose a development condition requiring either or both of the following to be provided at a stated time: a) the identified infrastructure; and/or b) different trunk infrastructure delivering the same desired standard of service. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Act 2016 | 128(2)                          | Power, as a local government with a LGIP that does not identify adequate trunk infrastructure to service the subject premises, to impose a development condition requiring development infrastructure necessary to service the premises to be provided at a stated time.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 130, 131, 132, 133, 134 and 135 | Power, as a local government, to impose an extra payment condition. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 130, 131, 132, 133, 134 and 135.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 130(1)(a)                       | Power to decide if the development:<br>(i) will generate infrastructure demand of more than that required to service the type or scale of future development that the LGIP assumes; or<br>(ii) will require new trunk infrastructure earlier than when identified in the LGIP; or<br>(iii) is for premises completely or partly outside of the PIA. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 130(1)(b)                       | Power to decide whether the development would impose extra trunk infrastructure costs on the local government and to take into account either or both of the following to decide:<br>(i) levied charges for the development;<br>(ii) trunk infrastructure provided, or to be provided, by the applicant under this part.                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 131(2)                          | Power to agree to an alternative payment time.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 135(3)                          | Power to make an agreement with a payer in relation to a refund.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 137                             | Power in the circumstances referred to in subsection (1) to, by notice given to the applicant, amend the infrastructure charges notice.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 140, 141 and 142                | Power, as a local government, to consider and decide a conversion application. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 140, 141 and 142                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 140(1)                          | Power to consider and decide the conversion application.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 140(3)                          | Power to give the applicant a notice requiring the applicant to give information that the local government reasonably needs to make the decision.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 140(5)(b)                       | Power to agree to a later period for giving the information in respect of a conversion application                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 142(3)                          | Power to amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 144(2)                          | <del>Power to make an agreement with an applicant in relation to a levied charge.</del> Power, as a local government, to agree with an applicant that a levied charge, for the purpose of its recovery, is not taken to be rates.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 145                             | Power, as a local government, to impose a development condition about non-trunk infrastructure.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 149                             | Power in the circumstances referred to in subsection (1) to:- (a)pay the amount of the levied charge to the State infrastructure provider; and<br>(b)agree with the State infrastructure provider and the person who provided the replacement infrastructure about when the amount of the levied charge will be paid.                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 149(2)(b)                       | Power to agree with the state infrastructure provider and the person who provided the replacement infrastructure about when the amount of the levy charge will be paid.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 151(2)                          | Power to tell the entity making the proposal if the recipient agrees to enter into negotiations for an infrastructure agreement.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 158(1)(a)                       | Power to enter into an agreement with a person about providing or funding infrastructure.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 158(1)(b)                       | Power to enter into an agreement with a person about refunding payments made towards the cost of providing or funding infrastructure.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 167                             | Power, as an enforcement authority, to give a show cause notice.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |           |                                                                                                                                                                                                                                                                                |                         |                                                                |
|-------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Planning Act 2016 | 167(1)(a) | Power to form reasonable belief that a person has committed, or is committing, a development offence.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 167(1)(b) | Power to consider giving an enforcement notice for an offence to a person.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 167(2)    | Power to give a show cause notice.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 167(4)    | Power to give an enforcement notice to a person if it still considers it appropriate to do so.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 167(5)(b) | Power to form reasonable belief that it is not appropriate in the circumstances to give the show cause notice                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 168       | Power, as an enforcement authority, to give an enforcement notice.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 168(1)    | Power to form reasonable belief a person has committed, or is committing, a development offence, and give an enforcement notice to—<br>(a) the person; and<br>(a) if the offence involves premises and the person is not the owner of the premises— the owner of the premises. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 168(4)(a) | Power to form a reasonable belief that it is not possible or practical to take steps to make the development accepted development.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 168(4)(b) | Power to form a reasonable belief that it is not possible or practical to take steps to make the works comply with a development approval.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 168(4)(c) | Power to form a reasonable belief that the works are dangerous and that it is not possible or practical to take steps to remove the danger.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 169       | Power to consult with a private certifier before giving an enforcement notice.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 169(3)    | Power to form a reasonable belief the works for which the enforcement notice is to be given are dangerous.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 169(5)    | Power to carry out consultation in the way the enforcement authority considers appropriate.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |            |                                                                                                                                                                                                                                                                                           |                         |                                                                |
|-------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Planning Act 2016 | 170        | Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 174        | Power to bring offence proceedings for an offence against the Act.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 175(1)(a)  | <del>With consent, power to bring offence proceedings in a representative capacity on behalf of a body of persons or a corporation.</del> Power to consent to proceedings being brought on behalf of the corporation.                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 175(1)(b)  | With consent, power to bring offence proceedings on behalf of an individual.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 176(10)    | Power, as an enforcement authority, to:- (a)take the action required under the enforcement order; and (b)recover the reasonable cost of taking the action as a debt to the authority from the defendant.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 176(10)(b) | Power to recover the reasonable cost of taking the action as a debt owing to the authority from the defendant.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 178(1)(b)  | <del>Power to apply to a Magistrate for an order for the payment of expenses.</del> Power, as an enforcement authority in an offence proceeding, to apply for an order for the payment of the expenses.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 180        | Power to the start proceedings in the P&E Court for an enforcement order.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 181(13)    | Power to the start proceedings in the P&E Court for an enforcement order.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 180(13)    | Power, as an enforcement authority, to:- (a)take the action required under the enforcement order; and (b)recover the reasonable cost of taking the action as a debt to the authority from the respondent.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 180(13)(b) | Power to recover the reasonable cost of taking the action as a debt owing to the authority from the respondent.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 181(4)     | <del>Power to apply to the P&amp;E Court to cancel or change an enforcement order or interim enforcement order.</del> Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 214        | Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 221        | Power to make a claim for compensation from the State where Council incurs loss because of the exercise, or purported exercise, of a power by or for an inspector.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 229(2)     | <del>Power to start an appeal within the appeal period.</del> Power as an appellant to start an appeal.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 229(4)     | Power as a respondent or co-respondent to be heard in an appeal.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 229(5)     | <del>Power to apply to the tribunal of the P&amp;E court to withdraw from the appeal if an appeal is only about a referral agencies response.</del> Power, where an appeal is only about a referral agency's response, to apply to the tribunal or P&E Court to withdraw from the appeal. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 230(6)     | Power to elect to be a co-respondent in an appeal.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 239(1)     | Power to start proceedings for a declaration by a tribunal. For avoidance of doubt, the power delegated includes the power to take all actions detailed in sections 239(1), 240 and 241.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 240(1)     | Power to start proceedings for a declaration about whether a development application is properly made.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 241(2)     | Power to start proceedings for a declaration about whether the proposed change to the approval is a minor change.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 246(2)     | Power to give the registrar information that the registrar reasonably requires for the proceedings.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                   |                |                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Planning Act 2016 | 248            | Power to appear as a party to a tribunal proceeding.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 249            | Power to make submissions to the tribunal.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 257            | Power to give notice to the Registrar once a tribunal's direction or order has been complied with.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 263(1)(b)(i)   | Power to be satisfied that the development would create a need to construct infrastructure on land or to carry drainage over land.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 263(1)(b)(ii)  | Power to be satisfied that a person with the benefit of the approval has taken reasonable steps to get the agreement of the owner of the land to actions that would facilitate the construction or carriage, but has not been able to get the agreement.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 263(1)(b)(iii) | Power to be satisfied that the action is necessary for the development.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 263(3)         | In certain circumstances, power to take or purchase land under the Acquisition Act.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 264(1)(a)      | Power to keep or keep publically available documents including registers relating to local government functions as prescribed in the Reg.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 264(2)         | Power to keep a copy of each exemption certificate given pursuant to section 46 (2) of the Act and power to keep a register of exemption certificates.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 264(5)         | Power to allow a person to inspect or obtain a copy of a document prescribed in the Reg                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 264(6)         | Power to decide if a document or information in a document prescribed under the Reg is not disclosable.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 265            | Power to give an applicant the planning and development certificate applied for.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 265(3)         | Power to give a limited, standard or full planning and development certificate for premises.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 267(13)        | Power to note the registration of premises on Council's planning scheme.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 | 270            | Power, as an owner of premises in an affected area, before entering into a lease of the premises with a person, to give a notice that states :- (a) the premises are in an affected area; and (b) that restrictions may apply to the person in taking proceedings about emissions from registered premises in the affected area. |                         |                                                                |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                |                   |                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
|------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Planning Act 2016                              | 275B              | Power to serve a document and give a copy of the document as permitted by section 275B.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275C(2)           | Power to sign a certificate of service                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275V(3)           | Power to consider whether matters in subsection (2) apply in relation to a plan application made by an applicant who is not the owner of the premises to which the plan application relates.<br>NB this power only applies to the Ipswich CC.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275VW             | Power to approve a plan application under the Springfield structure plan in the circumstances set out in section 275W.<br>NB this power only applies to the Ipswich CC.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275Y(3)           | Power to ask the applicant for further information about the non-SCG application.<br>NB this power only applies to the Ipswich CC.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275Y(4)           | Power to refuse to decide non-SCG plan application until application complies with subsections (2) or (3).<br>NB this power only applies to the Ipswich CC.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275Z(2)           | Power to have regard to statement about particular matters set out in subsection (1).<br>NB this power only applies to the Ipswich CC.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275ZAA(2)         | Power to have regard to representations made under subsection (2).<br>NB this power only applies to the Ipswich CC.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275ZA             | Power to notify particular entities set out in section of decisions about non-SCG applications.<br>NB this power only applies to the Ipswich CC.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275ZF(3)(a)       | Power to confer with parties under the Springfield structure plan, section 11.1.3, in circumstances where entity elects to join a dispute under subsection (2).<br>NB this power only applies to the Ipswich CC.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275ZH(2)(a)       | Power to give new decision notice in circumstances where, in resolving a dispute, parties agree to the assessment manager for the development application or change application giving a new decision notice for the application.<br>NB this power only applies to the Ipswich CC.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 275ZH(2)(c)       | Power to give replacement infrastructure charges notice to application in circumstances where in resolving a dispute parties agree to the assessment manager for the development application or change application giving a new decision notice for the application.<br>NB this power only applies to the Ipswich CC. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 293(5)            | Power to make an amendment of a type specified in subsection (1) by following the process set out in the rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in the rules.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 312               | Power to bring a proceeding under the section of the old Act stated in column 2, after the commencement, whether the matter happened before or after the commencement.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 314(6)            | Power to apply funds received under a funding agreement to fulfil the local government's responsibilities under subsections (3) or (4), as required by the local government's policy under the unamended old Act, section 143(2).                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 324B(5)           | Power to apply section 79(2), as in force on the commencement, to make a decision about accepting the existing change application.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | 324C(5)           | Power to apply section 86(3), as in force on the commencement, to make a decision about accepting the existing extension application.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016                              | Chapter 4, Part 4 | Power, as a local government, to enter an infrastructure agreement. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in Chapter 4, Part 4.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Planning and Environment Court Act 2016</b> |                   |                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Planning and Environment Court Act 2016        | 11(1)             | Power to start a declaratory proceeding.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016        | 12(2)             | Power, as the assessment manager, to start a declaratory proceeding for a matter done, to be done or that should have been done in relation to the call in.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                         |          |                                                                                                                                                                                                 |                         |                                                                |
|---------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Planning and Environment Court Act 2016                 | 16       | Power, as a party to a P&E Court proceeding, to participate in an ADR process.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 16(3)    | Power, as a party, to confer with the ADR registrar about the way to conduct the P&E Court proceeding.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 18(1)    | Power, as a party to a P&E Court proceeding, to agree to the resolution of all or part of the dispute in an ADR process.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 18(1)    | Power, as a party to a P&E Court proceeding who has agreed on resolution of the dispute, to sign the resolution agreement.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 20(1)    | Power, as a party to a P&E Court proceeding, to apply to the P&E Court for an order giving effect to an agreement reached as a result of an ADR process.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 21(2)(a) | Power, as a party to a P&E Court proceeding, to agree to the ADR registrar or mediator disclosing information acquired as part of the ADR process.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 26(2)    | Power, as a party to a P&E Court proceeding for which the ADR registrar is exercising, or has exercised, a power, to apply for a court review.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 27(1)(a) | Power, as a party to a P&E Court proceeding, to consent in writing to the ADR registrar making an order or direction in the proceeding.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 41(2)(a) | Power to consent to a person starting a declaratory proceeding or a proceeding for an enforcement order under the Planning Act on behalf of Council.                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 41(3)    | Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 63(1)    | Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 64(1)    | Power to apply to the Court of Appeal for leave to appeal.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning and Environment Court Act 2016                 | 64(2)    | Power to file and serve a Notice of Appeal following the granting of leave by the Court of Appeal.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Planning Act 2016 - Development Assessment Rules</b> |          |                                                                                                                                                                                                 |                         |                                                                |
| Planning Act 2016 - Development Assessment Rules        | 1.1      | Power to decide a properly made application.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 1.2      | Power, as an assessment manager, to determine if the application is a properly made application.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 2.2      | Power to give a confirmation notice.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 2.3      | Power, as an assessment manager, to give a confirmation notice.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 3.1      | Power, as an assessment manager, to give an action notice.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 3.2      | Power, as an assessment manager, to agree to a further period for the applicant to comply with all actions in the action notice and give notice to the assessment manager that it has complied. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 3.4      | Power, as an assessment manager, to give a confirmation notice if the applicant has complied with the action notice.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 3.5      | Power, as an assessment manager, to accept the application as a properly made application after giving an action notice.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 3.6(b)   | Power, as an assessment manager, to agree on a further period for giving a confirmation notice.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 5.1      | Power, as an assessment manager, to agree to a further period for the applicant to give a copy of the application to a referral agency.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 6.2      | Power, as a referral agency, to determine if the application is a properly referred application.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules        | 7.1      | Power to give a confirmation notice. Power, as a referral agency, to give a referral confirmation notice.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                  |                     |                                                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
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| Planning Act 2016 - Development Assessment Rules | 8.1                 | Power to give an action notice.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 8.1(a)              | Power, as a referral agency, to give the applicant an action notice.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 8.1(b)              | Power, as a referral agency, to give a copy of the action notice to the assessment manager.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 8.2                 | Power, as a referral agency, to agree to a further period for the applicant to comply with all the actions in the action notice.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 8.2(b)              | Power, as a referral agency, where the applicant has complied with all the actions in the action notice, to give a referral confirmation notice to the applicant and a copy to the assessment manager.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 8.3(b)              | Power, as a referral agency, to give the assessment manager notice that the application is taken to have not been referred.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 9.2(a)              | Power, as a referral agency, to agree to a further period for the referral agency assessment period.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 11.2                | Power, as an assessing authority, to agree to receive further information from the applicant during the development assessment process.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 12.1                | <del>Power to make an information request.</del> Power, as an assessing authority, to make an information request.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 12.2                | Power, as an assessment manager, to agree to a further period in which to make the information request.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 12.4                | Power, as a referral agency, to agree to a further period in which to make the information request.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 12.5                | Power, as an assessing authority, to give the applicant advice about an information request or any other matter, including how the applicant may change the application.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 13.1                | Power, as an assessing authority, to agree to a further period for the applicant to respond to the information request.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 17.1, 17.3 and 17.4 | Power, as an assessment manager acting under section 53(10) of the Act, to comply with the public notice requirements.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 18.1                | Power, as an assessment manager, to agree to a further period for the applicant to give notice of compliance with the public notice requirements.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 19.1                | Power, as an assessment manager, to accept properly made submissions and not properly made submissions.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 19.3                | Power, as an assessment manager, to agree to a further period to consider the submissions.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 22.1(a)             | Power, as the assessment manager, to agree to a further period to assess and decide the application.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 23.1                | Power to receive a notice from a concurrence agency.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 25.1                | <del>Power to give a notice of a changed application to a referral agency.</del> Power, as the assessment manager, to:- (a) give a copy of the notice to each referral agency for the original application and any other referral agency required to be given referral; and (b) advise each referral agency, with a copy to the applicant, of the effect of the change on the development assessment process. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 26.1                | Power, as the assessment manager, to determine whether the change:- (a) only deals with a matter raised in a properly made submission for the application; or (b) is in response to an information request for the application; or (c) is in response to further advice provided by an assessing authority about the application.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 26.2(a)(i)          | Power, as the assessment manager, to give the applicant a confirmation notice where part 4 applies to the changed application and part 4 did not apply to the original application.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                  |         |                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
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| Planning Act 2016 - Development Assessment Rules | 26.2(b) | Power, as the assessment manager, to determine whether the change:- (a) would be likely to attract a submission objecting to the thing comprising the change if public notification were to apply to the change;<br>(b) only addresses a matter raised in a properly made submission.                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 26.2(c) | <del>Power to give a notice that public notification is required with respect to the changed application.</del> Power, as the assessment manager, to give notice to the applicant that public notification is required under section 26.2(b) and that it must be carried out in accordance with section 16.4.      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 26.3    | Power to refer a changed application to a referral agency.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 26.5    | Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 26.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 27.2    | Power, as an assessing authority, despite section 11.1, to make an information request about the change.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 27.3    | Power, as the assessment manager, to determine whether the change would be likely to attract a submission objecting to the thing comprising the change, if public notification were to apply to the change.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 28.1    | <del>Power to change a referral agency response to any changed application.</del> Power, as a concurrence agency, after the referral agency assessment period and any further periods has ended, to change its referral agency response or give a late referral agency response before the application is decided. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 28.3    | Power to give a late referral agency response before a changed application is decided with the agreement of the applicant.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 28.4    | <del>Power to give an amended referral agency response to an assessment manager.</del> Power, as a concurrence agency, to give notice of its intention to change its referral agency response to the assessment manager and the applicant.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 28.4(b) | Power, as a concurrence agency, to agree to a further period for the giving of an amended referral agency response.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 29.2    | Power, as a party to the application, to give notice to each other party that the applicant has not referred the application in accordance with section 54(1) of the Act.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 29.6    | Power, as a referral agency, despite section 11.1, to make an information request as a result of a referral under section 29.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 31.1    | Power, as a party who initiated an extension under the DA rules, to give a copy of the agreement to any other party to the application.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 34.1    | <del>Power to request third party advice from a third party about an application.</del> Power, as an assessment manager or as a concurrence agency for the application, to ask any third party for third party advice.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 35.1    | <del>Power to give a further advice to an applicant.</del> Power, as an assessment manager or as a concurrence agency for the application, to give further advice about the application to the applicant, including how the applicant may change the application.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 38.2    | Power, as an assessment manager, to give a notice to the applicant extending the decision period until a day no later than 10 days after the end of the caretaker period.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Act 2016 - Development Assessment Rules | 2       | Power to determine if a change would result in a substantially different development                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Planning Regulation 2017</b>                  |         |                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Planning Regulation 2017                         | 12(b)   | Power to request an extension to the decision making period specific in 12(a).                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                         | 10(1)   | Power to make a requested decision.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Regulation 2017 | 10(2)                | Power to give a notice of a requested decision.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 10(3)                | Power to decide not to make a requested decision and power to give notice of the decision.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | Table 1 "Other uses" | Power to apply to a use that is listed in Column 1 a prescribed amount for another similar use listed in Column 1 (other than in this row).                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 3(1)                 | Power to approve a request where compliant with section 2.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 3(2)                 | Power to give notice of an approval to request.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 1(1)                 | Power to keep documents prescribed therein for inspection and purchase.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 2(1)                 | Power to keep documents prescribed therein available for inspection only.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 3(1)                 | Power to publish documents on the local government website.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 3A                   | In the specified circumstances, power to publish on the local government website a register that complies with section 3A.                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 3B                   | Power to keep available for inspection and purchase a document that includes the trunk infrastructure information that the local government publishes on its website under 3A(4)-(5). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 5(1)                 | Power to keep documents prescribed therein for inspection and purchase.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 6(1)                 | Power to keep documents prescribed therein available for inspection only.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 7(1)                 | Power to publish documents on the local government website.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 8(1)                 | Power to keep documents prescribed therein for inspection and purchase.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 9(1)                 | Power to keep documents prescribed therein available for inspection only.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 10(1)                | Power to publish documents as a referral agency on the local government website.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 12(B)                | Power to extend the period mentioned in subparagraph (a).                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 68e(1)               | Power to publish certain material listed in subsection (1) on Council's website after adoption of the economic support instrument.                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 68E(3)(b)            | Power to give a copy of the economic support instrument and adoption notice to the chief executive.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 68G(2)               | Power to publish notice of revocation of an economic support instrument.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017 | 68G(6)               | Power to give copy of notice of revocation of economic support instrument to the chief executive                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Planning Regulation 2017                                                                                                                                                      | Schedule 18, 3(1)       | Power, where the request complies with the criteria stated in section 2, to approve the request.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 18 3(2)        | Power to give notice of the approval to the person making the request.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22 1           | Power to keep the documents listed in subsection (1) available for inspection and purchase.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22 2           | Power to keep the documents listed in subsection (1) available for inspection only.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22 3           | Power to publish the documents listed in subsections (1) and (4) on Council's website.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 223A           | Power, in the circumstances prescribed in Schedule 22, Section 3A, to publish the documents listed in subsections (2), (4) and (5) on Council's website.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 3B | Power, in the circumstance prescribed in Schedule 22, Section 3B(1), to keep available for inspection and purchase a document that includes the trunk infrastructure information the local government publishes on its website from time to time under section 3A(4) or (5).                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 5  | Power, as an assessment manager, to keep the documents listed in subsections (1) and (2) available for inspection and purchase.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 6  | Power, as an assessment manager, to keep the documents listed in subsection (1) available for inspection only.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 7  | Power, as an assessment manager, to publish the documents listed in subsections (1) and (4) on Council's website.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 8  | Power, as a referral agency, to keep the documents listed in subsections (a) to (d) available for inspection and purchase.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 9  | Power, as a referral agency, to keep a register for all development applications and change applications given to the referral agency under section 54 of the Act and to make it available for inspection only.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Planning Regulation 2017                                                                                                                                                      | Schedule 22, Section 10 | Power, as a referral agency, to publish the documents listed in subsections (a) to (d) on Council's website.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Plumbing and Drainage Act 2002</b><br><b>The Purpose of this Act</b><br>An Act about plumbing and draining, the licensing of plumbers and drainers and for other purposes. |                         |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Plumbing and Drainage Act 2002                                                                                                                                                | 84(3)                   | In specified circumstances, power to issue:<br>(a) for a plan — a compliance permit; or<br>(b) for work — a compliance certificate.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002                                                                                                                                                | 85(3)                   | Power to give a person making a compliance request, a written notice (an <i>information request</i> ), requesting further information needed to assess the plan.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002                                                                                                                                                | 85(6)                   | Power to, in deciding compliance request:<br>(a) give the person making the compliance request a compliance permit; or<br>(b) refuse to give a compliance permit.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002                                                                                                                                                | 85(7)                   | Power to decide reasonable and relevant conditions to a compliance permit for achieving compliance.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002                                                                                                                                                | 85(8)                   | Power to give a copy of the compliance permit to:<br>(a) the owner of the premises to which the compliance permit relates; and<br>(b) If the permit is for a plan for work involving the installation of water meters on premises – the water service provider for the premises, if the water service provider is not the local government. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002                                                                                                                                                | 85(10)                  | Power to give the person who made the compliance request an information notice about the decision.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Act 2002 | 85A(2)         | Power to comply with notice given by distributor/retailer.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85C(2)(b)(i)   | Power to be satisfied there is enough water available to premises at which the facility is proposed to be installed to operate the facility.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85C(2)(b)(ii)  | Power to be satisfied either:<br>(a) there is enough suitable land available as part of the premises to allow grey water from the facility to be used on the land; or<br>(b) a suitable alternative arrangement has been made for the use of the grey water.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85D(2)(b)(i)   | Power to be satisfied there is enough water available to premises at which the facility is proposed to be installed to operate the facility.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85D(2)(b)(ii)  | Power to be satisfied either:<br>(a) there is enough suitable land available as part of the premises to dispose of effluent from the onsite sewerage facility; or<br>(b) a suitable alternative arrangement has been made to dispose of the effluent.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85D(2)(b)(iii) | Power to be satisfied the on-site sewerage facility is otherwise appropriate for the premises.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 85E(4)(b)      | Power to extend the decision period to a longer period.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(5)          | Power to assess regulated work at the stages prescribed under the Standard Plumbing and Drainage Regulation.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(6)          | In the specified circumstances the power to decide not to carry out the assessment (if the work is on-site sewerage work), if an approved person for the assessment gives it a notice (a notice of compliance) in the approved form verifying that the work complies with:<br>(a) the relevant compliance permit; and<br>(b) the Standard Plumbing & Drainage Regulation. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(7)          | Power to ask the person making the request for compliance assessment to supply a plan of the assessed work.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(8)          | Power to decide request for compliance assessment.                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(9)          | Power to:<br>(a) give the person making the request a compliance certificate; or<br>(b) refuse to give a compliance certificate.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(10)         | Power to also give a copy of the compliance certificate to:<br>(a) the owner of the premises to which the compliance certificate relates; and<br>(b) if the work involved the installation of water meters on premises – the water service provider for the premises, if the water service provider is not the local government.                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86(12)         | Power to give the person who made the request an information notice about the decision.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Act 2002 | 86(13)(a) | Power to form an opinion that a person is competent to give a notice of compliance for on site sewerage work for the purpose of being an approved person under this section.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86AA(2)   | Power to comply with notice given by distributor-retailer.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86A(3)(b) | In the specified circumstances, power to ask the person who made the request to provide a plan of the completed work.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86A(4)    | Power to decide request for compliance assessment.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86A(5)    | In the specified circumstances, power to:<br>(a) give the person making the request a compliance certificate; or<br>(b) refuse to give a compliance certificate.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86A(6)    | Power to also give a copy of the compliance certificate to the owner of the premises to which the compliance certificate relates.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86A(8)    | Power to give the person who made the request an information notice about the decision.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86B(3)    | Power to decide request for compliance assessment for on-site sewerage work for testing purposes.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86D(3)    | Power to replace the certificate with a new certificate that has different conditions for the ongoing operation, maintenance or testing of the relevant grey water use facility or on-site sewerage facility.                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86E(3)    | Power to, by written notice, require the former holder of the certificate to remove all or a stated part of the relevant grey water use facility or on-site sewerage facility.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 86G(1)    | Power to, by complying with subsections (2) and (3), amend a condition of a compliance certificate for work for testing purposes if it considers the amendment is necessary or desirable because of a change in a relevant chief executive approval. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 107(1)    | Power to appoint an individual to be an inspector if satisfied the individual is qualified for appointment because the individual has the qualifications and experience prescribed under a regulation.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 115(1)    | In certain circumstances, power to give show cause notice.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 116(1)    | In certain circumstances, power to give the owner of premises a notice requiring them to do a stated thing.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 116(2)    | Power to give written notice to a person who has performed plumbing or drainage work requiring the person to do a stated thing if it is reasonably believed that the work does not comply with the <i>Plumbing and Drainage Act 2002</i> .           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002 | 117(1)    | In specified circumstances, power to form the reasonable belief that pollution of the water supply in premises or the water service provider's water service to premises has been, or could be, caused by the plumbing on the premises.              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



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| Plumbing and Drainage Act 2002        | 117(2)           | In specified circumstances, power to give written notice to an owner or occupier of premises to do any of the following:<br>(a) install a backflow prevention device;<br>(b) register a backflow prevention device that is required to be registered under the Standard Plumbing and Drainage Regulation;<br>(c) have a backflow prevention device inspected, tested and if necessary repaired or replaced by a licensee licensed to do the work. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 127A             | Power to, in writing, authorise a person to dismantle or take away all or part of a greywater treatment plant installed on premises.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 128              | Power to, in writing, authorise a person to dismantle or take away all or part of an on-site sewerage facility installed on premises.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 128OA            | Power to authorise the disposal of the contents of a greywater treatment plant into the infrastructure of the sewerage service provider for the area in which the plant is located.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 128P(2)          | Power to approve a place and a way a person must dispose of the contents (other than effluent) of an on-site sewerage facility that has not been installed only for testing purposes.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 128P(4)          | Power to approve a place and a way a person must dispose of effluent from an on-site sewerage facility mentioned in subsection (2).                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 143B             | Power to monitor greywater use facilities in sewerage areas to ensure certain things.                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2002        | 143C             | Power to monitor on-site sewerage facilities installed for testing purposes in sewerage areas to ensure certain things.                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Plumbing and Drainage Act 2018</b> |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
| Plumbing and Drainage Act 2018        | Section 75(4)(e) | Power to approve a maximum temperature for a substance to be a prohibited substance for section 75.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 75(4)(e)(i)      | In the specified circumstances, the power to approve a maximum temperature for a substance.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 77               | <del>Power to grant approval to a person to dispose of the contents of a greywater treatment plant into the sewerage system in an area for which the plant is located.</del> Power to approve the disposal of the contents of a greywater treatment plant into the sewerage system for the area in which the plant is located.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 83(7)(c)         | <del>In the specified circumstances, the power to contact an occupier to arrange for the local government to inspect the work.</del> Power, where an explanatory statement given under section 83 states that Council may contact an occupier to arrange inspection of the work, to contact the occupier.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 90               | Power to start a prosecution for an offence against the Act.                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 90(1)(d)         | Power to commence a prosecution for an offence against this act, other than a crime.                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 135              | Power, generally, to administer the Act within Council's local government area.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 135(4)           | Power to administer the Act those areas not under Council's control that it has been requested to administer by the entity that has control of the area.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 136              | Power to monitor greywater use facilities in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018        | 137              | Power to monitor an on-site sewerage facility in Council's local government area.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Act 2018               | 139(1)    | <del>Power to be satisfied an authorised person has the qualification and experience prescribed by regulation to be appointed as an inspector under this act and to appoint that authorised person as an inspector under this act. Power to appoint an authorised person as an inspector under this Act, with or without conditions.</del>                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 139(2)    | Power to place conditions on the appointment of an inspector by placing those conditions in the instrument of appointment.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 142       | Power to notify the QBCC commissioner of the appointment of an inspector and give the commissioner a list of Council's inspectors.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 142(a)    | Power to advise the commissioner of each appointment of an inspector made by the local government.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 142(b)    | Power to give the commissioner a list of the local government's inspectors as at 1 July in each year, within 20 business days after that day.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 143(1)    | <del>In the specified circumstances, the power to form a reasonable belief that the plumbing or drainage work does not comply with this Act and the power to give a notice to a person who carried out the plumbing or drainage work requiring the person to take stated action. Power to give an enforcement notice to a person who carried out plumbing or drainage work requiring the person to take stated action.</del>       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 143(2)    | <del>The power to form a reasonable belief in the nature set out in section 143(2)(a) to (e) and to give a notice to the owner of a premises requiring the owner to take stated action. Power to give an enforcement notice to the owner of premises requiring the owner to take stated action.</del>                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 143(3)    | <del>In the specified circumstances, the power to give the owner of a premises a notice requiring the owner to take stated action if the local government reasonably believes plumbing on the premises has polluted or could be polluting the water supply in a premise or a water service providers water service. Power to give an enforcement notice to an owner of premises requiring the owner to take stated action.</del>   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 144(1)    | Power to give a show cause notice to a person who Council proposes to give an enforcement notice.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 144(2)    | <del>In the specified circumstances, the power to form a reasonable belief that an enforcement notice relating to plumbing and drainage is a danger to persons or a risk to public health, otherwise, the power to give a notice (a show cause notice) to a person before giving an enforcement notice. Power to form the reasonable belief that the plumbing or drainage is a danger to persons or a risk to public health.</del> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 144(3)(B) | Power to receive written submissions from a person given a show cause notice.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 145(2)    | Power to form the reasonable belief that it is not possible or practical to take steps stated in section 145(2).                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 146(2)(B) | Power to consider written submissions from a person given a show cause notice.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 150       | Power to give an action notice if provided for in a regulation.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 157(2)(M) | Power to recover costs from the owner of premises for costs incurred in carrying out plumbing or drainage work on the premises if provided for in a regulation.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2018               | 157(2)(N) | Power to keep a register if provided for in a regulation.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Plumbing and Drainage Regulation 2019</b> |           |                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Plumbing and Drainage Regulation 2019        | 16(1)(a)  | Power to apply to the Chief Executive for a treatment plant approval for a greywater treatment plant of a particular type.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019        | 16(1)(b)  | Power to apply to the Chief Executive for a treatment plan approval for a secondary on site sewage treatment plant of a particular type.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019        | 16(2)     | Power to apply to the Chief Executive to amend an approval.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019 | 23(b)(i)(B)  | In the specified circumstances, the power to agree to a longer period with the Chief Executive.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 24(2)        | In the specified circumstances, the power to give the Chief Executive notice of the transfer in the approved form.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 26(1)        | In the specified circumstances, the power to give the Chief Executive the specified information.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 26(2)        | Power to comply with a notice issued by the chief executive under subsection (1)                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 27(c)        | <del>In the specified circumstances, the power to consent to the person arranged by the Chief Executive to enter the premises to carry out an inspection.</del> Power, as the owner of premises, to consent to the entry of the premises to carry out the inspection of the treatment plant.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 29(1)        | <del>Power to make written representations about a show cause notice to the Chief Executive in the show cause notice period.</del> Power, as the holder of a treatment plant approval, to make written representations about the show cause notice to the chief executive.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 34(1)        | <del>In the specified circumstances, the power to apply to the Chief Executive to renew an approval under this section.</del> Power, as the holder of an existing treatment plant approval, to apply to the chief executive to renew the approval.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 41           | Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:-(a) publish the declaration on Council's website;<br>(b) give a copy of the declaration to the chief executive;<br>(c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer;<br>(d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 41(a)        | In the specified circumstances, the power to publish a fast-track work declaration or a fast-track opt-out declaration on the local government's website.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 41(b)        | Power to give a copy of a fast-track work declaration or fast-track opt-out declaration for a local government area to the Chief Executive and, if the local government is a participating local government for a distributor-retailer, the distributor retailer.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 41(c)        | Power to make a fast-track work declaration or fast-track opt-out declaration for a local government area available to be inspected, free of charge, at the local government's public office.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 44(1)(b)(iv) | In the specified circumstances, the power to set the local government application fee.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 45(1)(a)     | Power to consider that an application is not a properly made application.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 45(1)(b)     | Power to consider that the local government does not have the expertise to assess work the subject of an application.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 45(1)(c)     | Power to consider that the local government requires further information to decide an application.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 45(2)        | <del>In the specified circumstances, the power to give a notice, to the applicant in the initial consideration period, ask the applicant to do a specified thing.</del> Power, in a circumstance listed in subsection (1), to give the applicant an information request.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 45(4)        | In the specified circumstances, the power to treat an application as having lapsed and to retain the local government application fee.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019 | 46           | <del>In the specified circumstances, the power to consider each properly made application and decide to:-<br/>1. Refuse the application; or<br/>2. approve the application with:-<br/>(a) in the specified circumstances to approve the application with the conditions of approval; and<br/>(b) any other conditions that the Local Government considers reasonable and relevant for carrying out the work. Power to consider each properly made application and decide to:- (a) approve the application with or without conditions; or<br/>(b) refuse the application.</del> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 47(1)        | In the specified circumstances, the power to assess whether each plan for work accompanying an application complies with the code requirements for the work.                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 47(2)        | In the specified circumstances, the power to approve an application if the local government is satisfied with the specified things.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 47(5)        | In the specified circumstances, the power to be satisfied that the specialist work referred to in this section would, if carried out in compliance with the permit applied for comply with the code requirements for the work and the power to approve the application to the extent it relates to the specialist work if so satisfied.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 48           | Power, where Council decides to approve an application, to:-(a) issue a permit, or an amended permit, to the applicant; and<br>(b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 48(a)        | In the specified circumstances, the power to issue a permit, or an amended permit, in the approved form to the applicant.                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 48(b)        | In the specified circumstances, the power to give a copy of a permit or amended permit to the persons and entities listed in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 49(3)(a)(ii) | In the specified circumstances, the power to agree to a longer required period with an applicant of a fast-track application.                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 49(3)(b)(ii) | In the specified circumstances, the power to agree to a longer required period with an applicant of any other application.                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 50(2)        | <del>Power to give an applicant an information notice about a decision.</del> Power, in a circumstance listed in subsection (1), to give an information notice about the decision.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 53(2)(e)(i)  | <del>In the specified circumstances, the power to provide written consent for an application relating to SEQ water work.</del> Power to give written consent for an application relating to SEQ water work.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 53(2)(f)(i)  | In the specified circumstances, the power to provide written consent for work relating to SEQ sewerage work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 59(3)        | <del>In the specified circumstances, the power to give notice of the day a permit is to end to the permit holder and if the permit holder is not the owner of the premises to which the permit relates, the owner of the premises.</del> Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019 | 64(2)(a) | Power to agree to a time for inspection with the responsible person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 67(2)    | <del>In the specified circumstances, instead of inspecting work under section 64, the power to allow the responsible person to give the local government a covered work declaration for the work. Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.</del>                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 68(3)    | <del>In the specified circumstances, the power to inspect the work if the public sector entity has asked the local government to inspect the work under subsection 68(2). Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 69(2)    | <del>In the specified circumstances, the power to allow an appropriate person to give the local government a declaration in the approved form stating that the person has inspected the on-site sewage work and is satisfied the work is compliant. Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.</del>                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 69(3)    | In the specified circumstances, the power to consider a person has appropriate knowledge about the design and function of an onsite sewage facility to which the work relates and is otherwise competent to make a declaration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 71(2)    | <del>In the specified circumstances, the power to publish each declaration on the local government's website, to give the Chief Executive a copy of each declaration, to ensure that the declaration may be inspected free of charge at the local government's public office and to ensure each remote area declaration includes a map identifying the remote area. Power, where Council has passed a resolution under subsection (1), to:- (a) publish each declaration on its website; (b) give the chief executive a copy of the declaration; (c) ensure the declaration may be inspected, free of charge, at the local government's public office; and (d) ensure each remote area declaration includes a map identifying the remote area.</del> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 73(2)    | <del>In the specified circumstances, the power to be satisfied the person is a suitability qualified person for giving the notice and to decide to accept a remote area compliance notice, or otherwise refuse to accept the notice. Power, in the circumstances identified in subsection (1), to decide to:- (a) accept the remote area compliance notice; or (b) otherwise, refuse to accept the notice</del>                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 73(3)    | <del>In the specified circumstances, the power to, within 5 business days after receiving a remote area compliance notice, give the responsible person a notice stating whether the local government has accepted or refused to accept the notice. Power, in the circumstances identified in subsection (1) and where Council has made a decision under subsection (2), to give the responsible person a decision notice.</del>                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 73(4)    | Power, in the circumstances identified in subsection (1) and where Council has refused to accept the remote area compliance notice, to ensure the decision notice includes, or is accompanied by, an information notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 73(6)    | Power, where Council is taken to have decided to refuse to accept the remote area compliance notice, to give an information notice about the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 75(1)(a) | Power to consider the work carried out under a permit is not correctly represented in an approved plan for the work because of a minor inconsistency between the plan and the work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 75(1)(b) | Power to, other than for the work the subject of a decision under subsection 75(1)(a), consider the work carried out under the work permit is compliant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019 | 75(2)    | <del>In the specified circumstances, the power to amend an approved plan so that the plan correctly reflects the work carried out under a permit.</del> Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 76(3)(b) | In the specified circumstances, the power to consider a person is competent to carry out the testing or commissioning.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 77(4)(b) | In the specified circumstances, the power to decide a report may be given within a longer period.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 83(1)    | <del>In the specified circumstances, the power to give an inspection certificate for work to the responsible person for the work.</del> Power to give an inspection certificate for the work to the responsible person for the work.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 84(1)    | <del>In the specified circumstances, the power to give a final inspection certificate for the work to the responsible person for the work.</del> Power to give a final inspection certificate for the work to the responsible person for the work.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 84(1)(c) | In the specified circumstances, the power to be satisfied the plumbing or drainage resulting from, or affected by, the work is operational and fit for use.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 86(1)    | <del>In the specified circumstances, the power to after giving a final inspection certificate for work under section 84, give a copy of the certificate to the permit holder, and if the permit holder is not the owner of the premises the owner of the premises, and if the work involves installing a water meter and the local government is not the water service provider for the premises the water service provider.</del> Power to give a copy of the final inspection certificate to the entities listed in subsection (1). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 86(3)    | <del>In the specified circumstances, the power to give a distributor retailer the specified information in subsection 86(2)(b).</del> Power, where Council receives a notice under subsection (2), to comply with the notice.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 87(3)    | <del>In the specified circumstances, the power to give an information notice about the decision to refuse to give an inspection certificate or final inspection certificate.</del> Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 94(2)(a) | In the specified circumstances, the power to agree to a time to inspect work with the responsible person.                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 95(1)(b) | In the specified circumstances, the power to contact the occupier of the premises to arrange to inspect the work.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 97(3)    | In the specified circumstances, the power to include an information notice about the decision by the local government to give an action notice.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 98(2)(b) | In the specified circumstances, the power to decide a longer period before the end of a stated period.                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019 | 98(3)  | <del>In the specified circumstances, the power to consider the person has not complied with an action notice and to give a copy of the action notice to the owner of a premises within 5 business days after the end of the required period for compliance under subsection 98(2).</del> Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 101    | <del>Power to establish a program for registering each testable backflow prevention device installed at premises in the local government area and for monitoring the maintenance and testing of each device.</del> Power to establish a program for:- (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 107(2) | <del>In the specified circumstances, the power to:</del><br><del>1.Remove the obstruction or fix the damage; and</del><br><del>2.Fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and</del><br><del>3.To recover as a debt from each owner, the owner's share of the cost.</del> Power, in the circumstances listed in subsection (1), to:- (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 108(2) | <del>In the specified circumstances, the power to issue a notice to the owner of an old building and the owner of a new building requiring the owners to take specified action in section 108(2)(a) and section 108(2)(b).</del> Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:-(a)the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 112    | Power to keep a register containing each document listed in subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 112(1) | Power to keep a register containing the specified information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 113    | Power to keep a register containing each notice given to Council under section 102(2) or 103(3).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 113(1) | Power to keep a register containing each notice given to the local government under section 102(2) or 103(3).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 114    | Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 114(1) | Power to keep a register containing a copy of each service report for a greywater use facility or onsite sewage facility given to a local government under section 106.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 115(1) | <del>Power to keep a register containing a copy of each show cause notice and enforcement notice given by the local government.</del> Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019 | 115(2) | <del>Power to remove a notice mentioned in subsection 115(1) from the register if the premises to which the notice relates is demolished or removed.</del> Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Plumbing and Drainage Regulation 2019                                                                                                | 116                                                             | Power, in relation to each register kept under part 8, division 2, to allow a person to:- (a) Inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 116(2)                                                          | In the specified circumstances, the power to decide the reasonable cost of producing a copy of an entry into a register, and to allow a person to inspect the register, free of charge, at the local governments public office or buy a copy of an entry in the register for not more than the reasonable cost of producing a copy.                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 124(2)(b)                                                       | In the specified circumstances, the power to determine what qualifications and experience is necessary to enable a person to assess plans for, or inspect, plumbing work competently.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 124(3)(b)                                                       | In the specified circumstances, the power to determine what qualifications and experience necessary to enable the person to assess plans for, or inspect, drainage work competently.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 124(4)(c)                                                       | In the specified circumstances, the power to determine what qualifications and experience necessary to enable a person to assess for, or inspect, onsite sewage facility competently.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Act 2019                                                                                                       | 125                                                             | Power to sign a certificate stating any of the matters listed in section 125 as being evidence of that matter.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 6(3)(c)                                                         | In the specified circumstances, the power to decide whether a person is competent to develop the performance solution.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 7(3)(c)                                                         | In the specified circumstances, the power to consider whether a person is competent to develop the alternative solution.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 8(2)(b)                                                         | In the specified circumstances, the power to determine if a plan provided for an application other than a fast track application or a fast track amendment application shows enough detail to allow the local government to assess the work to which the plan relates.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | 8(3)(c)                                                         | In the specified circumstances, the power to determine if the relevant details provided for work relating to a greywater use facility of an onsite sewage facility provides enough information about the person's qualifications and experience to allow the local government to decide whether the person is a qualified person to design the facility. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | Schedule 10 definition of "Suitably qualified trade person" (a) | In the specified circumstances, the power to determine whether a person has the experience and skills appropriate for preparing and giving a notice, statement or other document.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Plumbing and Drainage Regulation 2019                                                                                                | Schedule 10 definition of "Suitably qualified trade person" (d) | Power to consider whether a person is competent to prepare and give the document.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Prostitution Act 1999</b><br><b>The Purpose of this Act</b><br>The purpose of this Act is to regulate prostitution in Queensland. |                                                                 |                                                                                                                                                                                                                                                                                                                                                          |                         |                                                                |
| Prostitution Act 1999                                                                                                                | 63B(1)(b)                                                       | In certain circumstances, the power to decide and provide a written notice stating whether the development the subject of the application requires code assessment or impact assessment under the Planning Act.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Prostitution Act 1999                                                                                                                | 64C(5)                                                          | Power to make written submissions about the assessment.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Prostitution Act 1999                                                                                                                                                                                                                                    | 71(1)(a)                                                                       | Power to apply to the court for an order rescinding the declaration.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Prostitution Act 1999                                                                                                                                                                                                                                    | 150(2)(a)                                                                      | Power to no longer require that development applications for the land be refused.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Prostitution Act 1999                                                                                                                                                                                                                                    | Schedule 4 - definition of 'authorised officer of a relevant local government' | Power to, in writing, authorise an officer of Council for the Prostitution Act 1999.                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Prostitution Regulation 2014</b>                                                                                                                                                                                                                      |                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Prostitution Regulation 2014                                                                                                                                                                                                                             | 25(2)                                                                          | In certain circumstances, power to assess assessable development against the assessment benchmarks in Schedule 3.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Public Health (Infection Control for Personal Appearance Services) Act 2003</b><br><b>The Purpose of this Act</b><br>The purpose of this Act is to minimise the risk of infection that may result from the provision of personal appearance services. |                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 9                                                                              | Power to administer and enforce the Act for Council's area.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 33                                                                             | <del>Power to consider an application for a licence and either grant, or refuse to grant, the application.</del> Power to consider all applications for licences, and determine whether to grant or refuse the application.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 34                                                                             | <del>Power to grant an application for a licence only if satisfied of the specified criteria.</del> Power to grant an application for a licence only if Council is satisfied—(a) the applicant is a suitable person to hold a licence; and (b) the premises at which the higher risk personal appearance services are to be provided are suitable for providing the services.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 35                                                                             | Power to have regard to the matters listed in this section in deciding whether a person is a suitable person to hold a licence.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 35(1)                                                                          | In deciding whether a person is a suitable person to hold a licence, the power to have regard to the specified matters.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 36                                                                             | <del>In deciding whether premises at which higher risk personal appearance services are to be provided are suitable for providing the services, the power to have regard to the specified matters.</del> Power to have regard to all the matters listed in this section in deciding whether the premises at which higher risk personal appearance services are to be provided are suitable for providing the services.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 37                                                                             | Power to make inquiries before making a decision regarding sections 35 and 36 and, by giving notice to the applicant, require the applicant to give Council, within the reasonable time of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide the application.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 37(1)                                                                          | Before deciding an application for a licence, the power to —<br>(a) make inquiries to decide the suitability of —<br>(i) the applicant to hold a licence; and<br>(ii) the premises for providing higher risk personal appearance services; and<br>(b) by notice given to the applicant, require the applicant to give you within the reasonable time of at least 40 days stated in the notice, further information or a document you reasonably require to decide the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 38(1)                                                                          | If you decide to grant an application for a licence, the power to —<br>(a) issue a licence to the applicant; and<br>(b) advise the applicant where a copy of the infection control guidelines may be obtained.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                                                                                                              | 38(2) and 41(1)(c)                                                             | <del>If you decide to impose conditions on a licence, the power to immediately give the applicant an information notice for the decision.</del> Power to impose conditions on a licence.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 38(3)    | If you decide to refuse to grant an application for a licence, the power to immediately give the applicant an information notice for the decision.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 39(4)    | If an application for a licence is refused under section 39 of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> , the power to give an information notice to an applicant for the decision.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 40       | Power to decide the earlier ending date of a licence.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 40(2)    | Power to decide an earlier date a licence ends.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 41(1)(c) | Power to impose other reasonable conditions you consider appropriate to give effect to the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> by stating the conditions in the licence.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 41(2)(b) | Power to consider another time, in which you may impose conditions under section 41(1)(c) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> , is necessary to minimise the infection risk associated with the provision of higher risk personal appearance services under a licensee's licence.    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 41(3)    | If you decide to impose conditions under section 41(2)(b) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> , the power to immediately give a licensee an information notice for the decision.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 40       | Power to decide the earlier ending date of a licence.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 44       | Power to consider all applications for renewals of licences, and determine whether to grant or refuse the application for renewal.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 44(4)    | Power to consider an application for renewal of a licence and renew, or refuse to renew, a licence.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 44(5)    | In deciding whether to grant an application for renewal of a licence, the power to have regard to the specified matters.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 44(6)    | If you decide to refuse to renew a licence, the power to immediately give the licensee an information notice for the decision.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 44(7)    | If you decide to impose conditions on a licence, the power to immediately give the licensee an information notice for the decision.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 45       | Power to give a notice to a licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document Council reasonably requires to decide a licence renewal application.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 45(1)    | Before deciding an application for renewal of a licence, the power to, by notice given to the licensee, require the licensee to give you, within a reasonable period of at least 40 days stated in the notice, further information or a document you reasonably require to decide the application.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 46A      | Power to consider an application for restoration of a licence and decide to:-(a) restore the licence; or<br>(b) restore the licence subject to conditions; or<br>(c) refuse to restore the licence.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47       | Power to consider all applications for amendments to licences, and determine whether to grant or refuse the application to amend the licence.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47(3)    | Power to consider an application for an amendment of a licence and amend, or refuse to amend, the licence.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47(4)    | Without limiting section 47(1) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> , the power to amend a licence by changing the location of the premises, or adding additional premises, from which the licensee proposes to carry on business providing higher risk personal appearance services. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47(5) | If the amendment relates to the premises covered by a licence, the power to amend the licence only if satisfied on reasonable grounds that the premises comply with the requirements of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> .                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47(6) | If you decide to refuse to amend a licence, the power to immediately give the licensee an information notice for the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 47(7) | If you decide to impose conditions on an amended licence, the power to immediately give the licensee an information notice for the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 48    | Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document <b>Council reasonably requires to decide an licence amendment application.</b>                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 48(1) | Before deciding an application for an amendment of a licence, the power to, by notice given to a licensee, require the licensee to give you, within a reasonable period of at least 40 days stated in the notice, further information or a document you reasonably require to decide the application.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49    | Power to determine whether to grant or refuse the application to transfer the licence by having regard to whether the transferee is a suitable person to hold a licence and whether the premises are suitable for providing higher risk personal appearance services.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49(3) | Power to consider an application for transfer of a licence and either grant, or refuse to grant, the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49(4) | Power to grant an application for transfer of a licence only if satisfied of the specified criteria.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49(5) | In deciding whether to grant an application for transfer of a licence, the power to, in relation to the proposed transferee, have regard to the matters to which a local government may have regard in deciding whether a person is a suitable person to hold a licence and whether the premises are suitable for providing higher risk personal appearance services.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49(6) | If you decide to refuse to transfer a licence, the power to immediately give the licensee an information notice for the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 49(7) | If you decide to impose conditions on a transferred licence, the power to immediately give a transferee an information notice for the decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 50    | Power to give a notice to the licensee requiring the licensee to give Council, within a reasonable period of at least 40 days stated in the notice, further information or a document <b>Council reasonably requires to decide a licence transfer application.</b>                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 50(1) | Before deciding an application for transfer of a licence, the power to, by notice given to a licensee, require the licensee to give you, within a reasonable period of at least 40 days stated in the notice, further information or a document you reasonably require to decide the application.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 51(2) | <del>For forming a belief that the ground mentioned in section 51(1)(a) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> exists, the power to have regard to the matters to which a local government may have regard in deciding whether a proposed licensee is a suitable person to hold a licence.</del> Power to, for forming a belief that the ground for suspending or cancelling a licence mentioned in subsection (1)(a) exists, have regard to the matters to which Council may have regard in deciding whether a proposed licensee is a suitable person to hold the licence | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 52    | Power to issue a 'show cause notice'.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 52(1)       | If a licence is issued, the power to form the belief a ground exists to suspend or cancel a licence.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 52(2)       | In the specified circumstances, the power to give a licensee a notice under section 52 of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> (a "show cause notice").                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 53(2)       | Power to consider all representations (the "accepted representations") made by a licensee under section 53(1) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> .                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 54 and 55   | Power to determine whether grounds continue to exist for the suspension or cancellation of a licence after issuing the licensee with a 'show cause' notice, and if so, determine whether to suspend or cancel the licence.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 54(1)       | Power to form the belief that a ground no longer exists to suspend or cancel a licence after considering the accepted representations for a show cause notice.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 54(3)       | In the specified circumstances, the power to give a licensee notice that no further action is to be taken about a show cause notice.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 55(1)       | Power to form a belief that —<br>(a) a ground still exists to suspend or cancel a licence; and<br>(b) a suspension or cancellation of the licence is warranted;<br>after considering the accepted representations for a show cause notice.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 55(3)       | In the specified circumstances, the power to —<br>(a) suspend a licence for not longer than the stated period — if the proposed action stated in the show cause notice was to suspend the licence for a stated period; or<br>(b) either cancel a licence or suspend a licence for a period — if the proposed action stated in the show cause notice was to cancel the licence. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 55(4)       | Power to immediately give an information notice for the decision made under section 55(3) of the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> to a licensee.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 56          | Power to suspend a licence immediately if Council believes— (a) a ground exists to suspend or cancel the licence; and<br>(b) it is necessary to suspend the licence immediately because there is an immediate and serious risk of infection to the licensee's clients.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 56(1)       | Power to suspend a licence immediately if you form the belief that —<br>(a) a ground exists to suspend or cancel the licence; and<br>(b) it is necessary to suspend the licence immediately because there is an immediate and serious risk of infection to the licensee's clients.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 56(2)(a)    | Power to effect the suspension by giving an information notice to a licensee about the decision to suspend the licensee's licence together with a show cause notice.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 56(2)(c)(i) | Power to cancel the remaining period of a suspension.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 62          | Power to consider all applications for a replacement licence, and determine whether to grant or refuse the application for the replacement licence.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 62(1)       | Power to consider an application for replacement of a licence and either grant, or refuse to grant, the application.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 62(2)       | Power to grant an application for replacement of a licence if satisfied the licence has been destroyed, lost or stolen, or damaged in a way to require its replacement.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 62(3)    | If you decide to grant an application for replacement of a licence, the power to, as soon as practicable, issue another licence to the applicant to replace the damaged, destroyed, lost or stolen licence.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 62(4)    | If you decide to refuse to grant an application for replacement of a licence, the power to immediately give the applicant an information notice for the decision.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 65(2)(e) | In the specified circumstances, the power to request other information reasonably required to ensure the licensee and operator will take reasonable precautions and care to minimise the risk of infection in providing the higher risk personal appearance service.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 65(3)    | <del>In the specified circumstances, the power to agree to a lesser period for notification under section 65(2) of the Public Health (Infection Control for Personal Appearance Services) Act 2003.</del> Power to make an agreement with a licensee intending to provide higher risk personal appearance services from mobile premises to allow a lesser period for notification to Council of the licensee's intentions. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 68       | Power to, where Council is the second local government for a licence under the Act, notify the first local government where it is reasonable to believe that a mobile licensee or operator has contravened their licence.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 68(1)(b) | In the specified circumstances, the power to consider that a licensee or operator has done or omitted to do something that, if done or omitted to be done in the first local government area, would be a contravention of the conditions of the licensee's licence.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 68(2)    | In the specified circumstance, the power to notify the first local government of the thing done or omitted to be done in section 68(1).                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 69       | Power to, where Council is the first local government and has been notified by a second local government of their reasonable belief that a mobile license holder or operator has breached their licence conditions, take action under the Act.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 70       | Power to appoint authorised persons.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 70(1)    | Power to appoint any of the following persons as authorised persons for Council and its area —<br>(a) employees of Council;<br>(b) if another local government consents - employees of the other local government;<br>(c) other persons under contract to Council.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 70(2)    | Power to be satisfied that a person is qualified for appointment because the person has the necessary expertise or experience to be an authorised person.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 72       | Power to apply conditions to an authorised person's powers under the Act by giving the person a signed notice.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 72(1)    | Power to impose conditions on how an authorised person holds office in —<br>(a) the authorised person's instrument of appointment; or<br>(b) a signed notice given to the authorised person.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 74       | Power to issue an identity card to an authorised person.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 105      | Power to monitor compliance with the Act by having authorised persons inspect places of business in Council's areas and recover monitoring costs from business proprietors.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 105(1)   | Power to monitor compliance with the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> by having authorised persons inspect places of business in Council's area.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 105(2)   | Power to charge business proprietors reasonable fees for inspections carried out.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 110      | Power to charge a business proprietor an inspection fee to check if the remedial notice given by an authorised person acting for Council to the proprietor has been complied with.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 111(6) | Power to prosecute a business proprietor or operator for the contravention of a relevant provision for which a remedial notice has been issued.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 111(7) | Power to prosecute a business proprietor or operator for the contravention of a relevant provision without an authorised person first issuing a remedial notice for the contravention.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 121(2) | <del>Power to, at any time, extend the time for applying for a review.</del> Power to, at any time, extend the time for applying for a review of Council's original decision relating to a licence application.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 122(1) | After reviewing an original decision, the power to make a further decision (the "review decision") to —<br>(a) confirm the original decision; or<br>(b) amend the original decision; or<br>(c) substitute another decision for the original decision.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 122(2) | Power to immediately give the applicant notice of the review decisions (the "review notice").                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2004 | 134(1) | Power to sign a certificate about any of the matters listed in section 134(1).                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2004 | 137    | Power to, following the conviction of a person of an offence against this Act, apply to the court for an order against the person for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2004 | 140    | Power to deal with a thing forfeited to Council, including destroying the thing.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 140(1) | Power to consider appropriate how a forfeited thing is dealt with.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 140(2) | Power to destroy a forfeited thing.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 143    | Power to commence proceedings against a person who has committed an offence against the Act.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 147    | <del>Power to approve forms for use under the Public Health (Infection Control for Personal Appearance Services) Act 2003.</del> Power to approve forms to be used in the administration and enforcement of the Act.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 153    | Power to, with regard to an application for registration of premises made under part 15 of the former regulation, assess the suitability of the application and the premises under this Act, and make inquiries and require further information or a document under section 37 of the Act.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 153(3) | In the specified circumstances, the power to —<br>(a) assess the suitability of an applicant and premises under the Public Health (Infection Control for Personal Appearance Services) Act 2003; and<br>(b) for that purpose make inquiries and require further information or a document under section 37 of the Public Health (Infection Control for Personal Appearance Services) Act 2003. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 154    | Power to, with regard to an application for renewal of registration of premises made under part 15 of the former regulation, assess the suitability of the applicant and the premises under this Act, and make inquiries and require further information or a document under section 45 of the Act.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 154(3) | In the specified circumstances, the power to —<br>(a) assess the suitability of an applicant and premises under the Public Health (Infection Control for Personal Appearance Services) Act 2003; and<br>(b) for that purpose make inquiries and require further information or a document under section 45 of the Public Health (Infection Control for Personal Appearance Services) Act 2003. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003 | 155    | Power to, with regard to an application for registration or renewal of registration of 2 or more premises to which sections 153(2) and 154(2) apply, issue a single licence to cover all the premises.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                  | 155(2)            | In the specified circumstances, the power to issue a single licence to cover all the premises.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health (Infection Control for Personal Appearance Services) Act 2003                                                                                  | Part7, Division 1 | Power to, upon request, review an original decision and make a determination according to section 122 of the Act.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Public Health Act 2005</b><br><b>The Purpose of this Act</b><br>An Act to protect and promote the health of the Queensland Public and for other purposes. |                   |                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Public Health Act 2004                                                                                                                                       | 14                | Power to agree with the chief executive to administer or enforce the Act in partnership with the State.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 14(1)             | Power to agree with the chief executive that:<br>a) the State do a thing in the administration or enforcement of this Act for a matter mentioned in section 13(1); or<br>b) the local government do a thing in the administration or enforcement of the Act for a matter mentioned in section 12(1). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 14(3)             | <del>Power to perform functions and exercise powers for this Act for a matter mentioned in section 12(1), including appointing authorised persons.</del> Power to exercise the powers Council has agreed to exercise pursuant to an agreement under section 14(1)(b) of this Act.                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 16                | Power to consult with the chief executive before the chief executive takes any action under section 15(3) of the Act.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 16(a)             | Power to consult with the Chief Executive before the Chief Executive does a thing under Section 15(3).                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2006                                                                                                                                       | 17                | Power to consult with the chief executive before the chief executive issues a notice requiring Council to provide information about its administration and enforcement of a matter under chapter 2.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 17(2)             | Power to give the Chief Executive information about the local Government's administration and enforcement of the matter if asked by notice by the Chief Executive.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 17(4)             | Power to be consulted by the Chief Executive before notice is given by the Chief Executive under this section.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 22                | Power to consult with the chief executive administering the <i>Biosecurity Act 2014</i> .                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 22(2)             | Power to consult the chief executive administering the <i>Biosecurity Act 2014</i> .                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 24(1)             | Power to consider whether a person has contravened a public health order.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 24(2)             | Power to apply to a magistrate for an order enforcing the public health order (an <i>Enforcement Order</i> ).                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 25(1)             | Power to give a notice of hearing of an application.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 27(2)(b)          | Power to enter a place to take reasonable steps to remove or reduce the risk to public health from the public health risk, or prevent the risk to public health from reoccurring, under orders made.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 32 and 407        | Power to sign a certificate stating an unpaid amount is a charge over the land.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005                                                                                                                                       | 32(3)             | Power to lodge a request to register the charge in the appropriate form over the land the Registrar of Titles.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health Act 2005 | 32(4)       | Power to sign certificate stating there is a charge over the land under section 32.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 36(5)       | In the specified circumstances power to consult with the chief executive.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 39          | Power to agree to the chief executive authorising Council to undertake a prevention and control program.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 39(1)(a)    | In certain circumstances, the power to agree.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 39(1)(c)    | In certain circumstances, the power to agree.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 57B         | Power to form a reasonable belief that the provider has complied with an improvement notice and power to inform the authorised person of the belief.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 90          | Power to agree to the appointment of a Council employee as a contact tracing officer.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 90(4)(a)    | Power to agree to the appointment of a contact tracing officer for a notifiable condition under section 90(2).                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 313E(3)     | Power to publish a pollution notice in relation to the pollution event                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 313H(1)     | Power to claim compensation from the State if loss is incurred because of the exercise or purported exercise for a power by or for the Chief Executive under Chapter 7A                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 333         | Power to agree to the appointment of a Council employee as an emergency officer (general).                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 333(3)      | Power to agree to the appointment of an emergency officer (general) for declared public health emergencies under section 333 (1)(c).                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 376(2)      | Power to give directions to an authorised person.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 376(3)      | Power to give directions to an authorised person for the area in which the authorised person is exercising the powers.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 377 and 378 | Power to appoint an authorised person for the purposes of the <i>Public Health Act 2005</i> .                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 377(2)      | Power to appoint an authorised person.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 377(2)(b)   | Power to agree with the CEO of another local government about the appointment of an employee of the other local government as an authorised person for the local government and its area. Power to agree with the chief executive officer of another Council to appoint a Council employee as an authorised person for the other Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 377(3)      | Power to appoint an employee of, or another person under contract to, one of the local governments to be an authorised person for the local governments' areas.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 378         | Power to appoint a person as an authorised person.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 378(a)      | Power to be satisfied the person is qualified for appointment because the person has necessary expertise or experience.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 379(1)(b)   | Power to sign and to give the signed notice to the authorised person.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 379(2)      | Power to sign and give the signed notice to an authorised person.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005 | 380         | Power to issue an identity card to each authorised person.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Health Act 2005               | 380(1)     | Power to issue an identity card to each authorised person.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 388(2)     | In the specified circumstances power to at reasonable times, enter the place to take the steps stated in the order.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 393(2)     | In the specified circumstances power to give the occupier and owner of the place reasonable notice that the issuing authority, by its employees or agents, intend to enter the place to take the steps required under the public health order.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 407(3)     | Power to lodge a request to register the charge in the appropriate form over the land with the Registrar of Titles.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 407(4)     | Power to sign certificate stating there is a charge over the land under section 407.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 427        | Power to approve a systematic or selective inspection program.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 427(1)     | Power to approve a program (an <i>approved inspection program</i> ).                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 428        | Power to publish notice of an approved inspection program.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 429        | Power to charge a fee to a person requesting a copy of an approved inspection program.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 440(1)     | Power to give a certificate stating the matters in section 440.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 440(4)     | <del>Power to issue a certificate stating the stated costs were incurred and the way in which, the purpose for which, they were incurred is evidence of the matters stated.</del> Power to provide a certificate regarding section 443 proceedings stating the costs incurred by Council and the way in which, and purpose for which, the costs were incurred. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 446(1)     | Power to considered appropriate how to deal with a thing that become the local governments property.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 446(2)     | Power to destroy a thing that has become the local governments property.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 454J(1)    | <del>Power to give the Chief Executive an annual compliance certificate</del> Power to give the chief executive an annual compliance certificate about Council's compliance with the indemnity conditions for 1 or more asbestos-related events that happened during the year.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 454J(2)(b) | Power to sign the annual compliance certificate                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Act 2005               | 458(2)     | <del>Power to approve forms for use by the local government under this Act.</del> Power to approve forms for use by Council under the Public Health Act 2005.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Public Health Regulation 2018</b> |            |                                                                                                                                                                                                                                                                                                                                                                |                         |                                                                |
| Public Health Regulation 2018        | 6,16,22    | Power to administer and enforce Part 2, Divisions 1, 2 and 3.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Health Regulation 2018        | 12(2)(c)   | <del>Power to approve a site for the disposal of asbestos waste.</del> Power to approve a site for the disposal of asbestos waste.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Public Interest Disclosure Act 2010</b><br><b>The Purpose of this Act</b><br>An Act:<br>a) To promote the public interest by facilitating public interest disclosures of wrongdoing in the public sector; and<br>b) To ensure that public interest disclosures are properly assessed and, when appropriate, properly investigated and dealt with; and<br>c) To ensure that appropriate consideration is given to the interests of persons who are subject of a public interest disclosure; and<br>d) To afford protection from reprisals to persons making public interest disclosures. |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 17(3)(a)      | Power to receive a public interest disclosure where the local government is a proper authority for the purposes of section 15 of the <i>Public Interest Disclosure Act</i> .                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 28(a) and (e) | Power to establish reasonable procedures to ensure that:(a)public officers making public interest disclosures receive appropriate support;<br>(b)public interest disclosures are appropriately assessed, investigated and dealt with and appropriate action is taken;<br>(c)appropriate action is taken about any wrongdoing disclosed;<br>(d)a compliant management program standard is developed; and<br>(e)public officers are offered protection from reprisal from other public officers in the local government. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 29(1) and (2) | Power to ensure that a proper record is kept about disclosures received by the public sector entity.                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30(1)         | <del>Power to decide not to investigate or deal with a public interest disclosure having regard to matters outlined in section 30(1)(a)-(d).</del> Power to: (a) decide not to investigate or deal with a public interest disclosure in certain circumstances; and<br>(b) give written reasons for a decision not to investigate.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30(1)(b)      | Power to reasonably consider that the disclosure should be dealt with by another appropriate process.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30(1)(d)      | Power to reasonably consider that the disclosure is too trivial to warrant investigation and that dealing with the disclosure would substantially and unreasonably divert the resources of the entity from their use by the entity in the performance of its functions.                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30(2)         | Power to give written reasons for its decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30(3)         | <del>Power to review decision.</del> Power to review a decision not to investigate upon request from the person receiving written reasons for the decision.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 31(1) and (2) | <del>Power to refer public interest disclosure to another public sector entity.</del> Power to refer a disclosure to another public sector entity in certain circumstances.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 31(3)         | Power to consider there is an unacceptable risk that a reprisal would happen because of a referral.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 31(4)         | Power to consult with the person who made the public interest disclosure.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 32(1)         | <del>In certain circumstances, power to give reasonable information about the disclosure.</del> Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 32(4)         | Power to decide that giving information would be likely to adversely affect matters set out in section 32(4)(a)-(c).                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Interest Disclosure Act 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 60(3)         | Power to consult with the oversight agency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Public Records Act 2002</b><br><b>The Purpose of this Act</b><br>The main purposes of this Act are to ensure:<br>a) The public records of Queensland are made, managed, kept and, if appropriate, preserved in a useable form for the benefit of present and future generations; and<br>b) Public access to records under this Act is consistent with the principles of the Right to Information Act 2009 and the Information Privacy Act 2009. |                  |                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 7(1)(a) and 7(2) | Power to ensure Council makes and keeps records of its activities.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 7(1)(b) and 7(2) | Power to ensure Council has regard to any relevant policy, standards and guidelines made by the archivist about the making and keeping of public records.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 8(1)             | Power to ensure the safe custody and preservation of Council's records.                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 10(1)(a)         | <del>Power to give written notice of a public record's existence to the archivist</del> Power to give written notice to the State archivist of the existence of a public record in Council's possession which is more than 25 years old.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 10(1)(b)         | Power to give a public record in Council's possession, which is more than 25 years old, to the State archivist.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 11(2)            | Power to give a public record in Council's possession, which is 25 years old or less, to the State archivist.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 14(2)            | Power to take action to ensure that a public record remains able to be produced or made available.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16               | Power to give written notice to the State archivist of a restricted access period for a public record.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16(1)(a)         | Power to classify a public record as containing information that potentially is exempt information under the RTI Act, Schedule 3, section 3.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16(1)(A)         | Power to classify a public record as containing information that potentially is exempt information under the RTI Act, Schedule 3, section 2.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16(2)            | Power to classify a public record as containing information about the personal affairs of an individual, whether living or dead.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16(2)(b)(i)      | Power to give a written notice to the archivist.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 16(3)(a)         | Power to give a written notice to the archivist.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 18(2)(b)         | <del>Power to give a written notice to the archivist</del> Power as a responsible public authority to give the State archivist a written notice stating— (a) the public authority has classified a record which has a restricted access period as a record to which unrestricted access is allowed; or (b) access to a record which has a restricted access period may be given on conditions stated in the notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                                                                                                                                                            | 19(2)            | <del>Power to give a written notice to the archivist to change the restricted access notice.</del> Power as a responsible public authority to give the State archivist written notice of a change to the restricted access notice for a record.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Public Records Act 2002                                                                                                                                                                                                                                                                                               | 19(3)     | Power to, if asked by the archivist, or by written notice given to the archivist to change the restricted access notice.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                               | 19(4)     | <del>Power to refer a dispute to the Public Records Review Committee for resolution.</del> Power as a responsible public authority to refer a dispute about a restricted access notice for a public record to the committee.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                               | 26(1)     | <del>Power to apply for, or consent to, the disposal of records.</del> Power to apply to the State archivist for, or consent to, an authorisation for the disposal of particular public records or classes of public records.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                               | 28        | <del>Power to make an arrangement with the archivist.</del> Power to make an arrangement with the State archivist for the storage of public records.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Public Records Act 2002                                                                                                                                                                                                                                                                                               | 39(1)     | <del>Power to make written application to the committee for a review of the decision made by the archivist.</del> Power as a public authority to make a written application to the committee for a review of a decision by made by the archivist refusing to authorise the disposal of particular public records or classes of public records.                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Queensland Competition Authority Act 1997</b><br><b>The Purpose of this Act</b><br>An Act to establish the Queensland Competition Authority, give it powers and functions about pricing practices relating to monopoly business activities, competitive neutrality and access to services, and for other purposes. |           |                                                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(2)    | In the specified circumstances, the power to give written notice to the authority in relation to nominating a local government as a nominated local government.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(2)(b) | In the specified circumstances, the power to sign a statement that the nominee is authorised by you to receive notices under Part 3 of the <i>Queensland Competition Authority Act 1997</i> for all the local governments.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(2)(c) | In the specified circumstances, the power to sign a statement agreeing to Council being authorised to receive notices under the <i>Queensland Competition Authority Act 1997</i> for all the local governments.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(3)    | In the specified circumstances, the power to give written notice to the authority in relation to nominating a local government as a nominated local government.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(3)(b) | In the specified circumstances, the power to sign a statement that the nominee is authorised by you to receive notices under Part 3 of the <i>Queensland Competition Authority Act 1997</i> for all the local governments.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 13C(3)(c) | In the specified circumstances, the power to sign a statement agreeing to Council being authorised to receive notices under the <i>Queensland Competition Authority Act 1997</i> for all the local governments.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 18B(1)    | Power to ask the Ministers—<br>(a) to declare a government business activity that is a significant business activity to be a government monopoly business activity; and<br>(b) if the declaration is made - to refer the government monopoly business activity to the authority under section 23 of the <i>Queensland Competition Authority Act 1997</i> .        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 18B(2)    | Power to give the authority a copy of a request made under section 18B(1) of the <i>Queensland Competition Authority Act 1997</i> .                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 19(5)(b)  | In the specified circumstances, the power to make submissions to the Ministers about an intended declaration.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 36A(3)    | In the specified circumstances, the power to have regard to water pricing determinations and water supply determinations.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Competition Authority Act 1997                                                                                                                                                                                                                                                                             | 36A(4)    | In the specified circumstances and as soon as practicable after a decision is made under section 36A(2) of the <i>Queensland Competition Authority Act 1997</i> , the power to—<br>(a) notify the decision and the reasons for the decision by gazette notice; and<br>(b) give a copy of the decision and the reasons for the decision to the specified entities. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Queensland Competition Authority Act 1997                                                                                                                                                                 | 84(3)(b)            | In the specified circumstances, the power to make submissions to the Ministers about an intended declaration.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Queensland Heritage Act 1992</b><br><b>The Purpose of this Act</b><br>An Act to provide for the conservation of Queensland's cultural heritage for the benefit of the community and future generations |                     |                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
| Queensland Heritage Act 1992                                                                                                                                                                              | 36, 36A, 43, 46, 48 | Power to apply to the Chief Executive to have a place entered or removed from the Queensland Heritage Register including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place entered in or removed from the Register.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 41 and 42           | Power to make a heritage submission (including power to agree to a later day for making the submission).                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 43                  | Power to make written representations to the chief executive about the place the subject of an application under Part 4 of the Act.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 46(2)(a)            | Power to make oral representations to the Heritage Council about the recommendation.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 46(2)(b)            | Power, as the owner, to make a written response to the Heritage Council about the recommendation.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 46(1)(c)            | Power, as the owner, to consult with the chief executive about a proposed destroyed place recommendation.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 48                  | Power to make written representations to the Heritage Council about the place the subject of an application under Part 4 of the Act.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 49 and 50           | Power to request and make oral representations to the Heritage Council about the recommendation.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 50A                 | Power, as the owner, to give the Heritage Council a heritage response to the heritage recommendation.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 50B(3)              | Power, as the owner, to agree in writing with the Heritage Council on a later day by which the heritage response must be given.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 52                  | Power, as the owner of a place the subject of a heritage recommendation to agree to extend the day for making the decision.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 56B                 | Power, as the owner of a place, to apply to the chief executive to have the place excluded from entry into the Queensland heritage register as a State heritage place including all powers authorised or required by Part 4 of the Act for the purpose of making the application and having the place excluded. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 58                  | Power, as the owner of a place referred to in subsection (1), to give notice to the chief executive before a prescribed application is made for the place.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 59                  | Power, as the owner of a place in the circumstances referred to in subsections (1) or (3), to advise the chief executive of a development approval and within the relevant period advise the chief executive of the relevant application.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 71                  | Power to make a submission about development the State proposes to carry out on a Queensland heritage place.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 72 and 73           | Power, as a relevant person for a Queensland heritage place, to apply to the chief executive for an exemption certificate to carry out development mentioned in subsection (3) on the place including all powers authorised or required by Part 6, Division 2 to obtain the exemption.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 72(1)               | Power to consider an application for an exemption certificate.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 72(2)(b)(i)         | Power to assess and decide the impact of a proposed development on the cultural heritage significance of a place.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                                                                                                                                                                              | 72(3)(b)            | Power to decide if a development will not have a detrimental impact, or will only have a minimal impact on the cultural heritage significance of the place.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                              |                                              |                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Queensland Heritage Act 1992 | 73(1)                                        | Power to request, by notice to the applicant, further information reasonably required to decide the application.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 74(2)                                        | Power to approve the application, with or without conditions                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 74(3)                                        | Power to refuse the application or approve the application with conditions                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 80                                           | Power to enter into a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 80(1)(b) and 80(2)(b)                        | Power, as owner, to consent to the entering of a heritage agreement for a Queensland heritage place and to agree to the changing or ending of a heritage agreement.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 80(2)                                        | Power to enter into a local heritage agreement for a local heritage place with:<br>(a) the owner of the place; or<br>(b) with the owner's consent, another person or entity who has an interest in the place.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 80(5)                                        | Power to change or end a local heritage agreement for a local heritage place by agreement with the party it was entered into with.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 82                                           | Power, as a party to a heritage agreement, to apply to the Planning and Environment Court for the orders required to secure compliance with the agreement.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 82(1)(b)                                     | Power to form reasonable belief that the other party to the agreement may fail to comply with the agreement.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 82(1)                                        | Power to make an application to the Planning and Environment Court for an order under this section.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 84(1)(a) and (b)                             | Power to form reasonable belief that it is necessary to carry out essential repair or maintenance work on the place and that the work is required to be carried out to protect the place from damage or deterioration caused by weather, fire, vandalism, or insects.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 84(3)                                        | Power to consult with the owner of the place about the essential repair or maintenance work the decision-maker believes necessary to carry out.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 84(6)                                        | Power, as the owner of a Queensland heritage place, to comply with a repair and maintenance notice.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 89                                           | Power to give the chief executive notice of the discovery of an archaeological artefact or underwater cultural heritage artefact.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 94 and 95                                    | Power to apply to the chief executive for compensation for a loss suffered because of the exercise of a power under section 92 including all powers authorised or required by Part 9, Division 2 to obtain compensation.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 98                                           | Power to apply to QCAT for an external review of a compensation decision.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 105 and 106                                  | Power to apply to the chief executive for a permit to enter a protected area including all powers authorised or required by Part 10, Division 1 to obtain the permit.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 110                                          | Power to respond to a show cause notice in relation to a proposal to cancel a permit to enter a protected area.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 111                                          | Power to appeal to the Planning & Environment Court in relation to those matters listed in subsection (1).                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 112, 112B, 113, 114, 116, 117, 118, 120, 122 | Power as a local government to keep a local heritage register for its area including all powers authorised or required by Part 11, Divisions 1, 1A, 2, 3 and 5, other than section 119, to keep the register. ###Please note that section 112B and Part 11 divisions 2 to 5 do not apply to those local governments identified in section 199##. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992 | 116(1)                                       | Power to propose to enter a place in a local heritage register if–<br>(a) the place is in the local government's area; and<br>(b) the delegate reasonably considers the place is a place of cultural heritage significance for its area.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
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| Queensland Heritage Act 1992                        | 116(3)          | Power to be satisfied that a place is no longer a place of cultural heritage significance for its area.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 117(1)          | Where it is proposed to enter a place in, or remove a place from, its local heritage register, power to--<br>(a) give the owner of the place notice of the proposal; and<br>(b) within 10 days after giving the notice, publish the notice in a newspaper circulating generally in the area.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 118             | Before deciding to enter a place in, or remove a place from, its local heritage roster, power to--<br>(a) have regard to--<br>i) The submissions received under section 117 about the proposal to enter or remove the place; and<br>ii) If the chief executive, under section 115, recommended that the local government enter the place in its register - the information about the place included in the chief executive's recommendation; and<br>(b) Have regard to other information the local government considered relevant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 125(2)          | Power to, by instrument in writing, appoint a local government employee of the local government as an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 125(3)          | Power to form the view that a person is appropriately qualified for appointment as an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 161             | Power, as a person identified in subsection (1), to appeal to the Planning & Environment Court against the decision.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Heritage Act 1992                        | 165             | Power, as a local government, to provide any information or assistance that the Minister or chief executive reasonably requires for the purposes of the Act.                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Queensland Reconstruction Authority Act 2011</b> |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Queensland Reconstruction Authority Act 2011        | 42(5)           | Power to request the Minister to declare a project for proposed development to be a declared project.                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 43(7)           | Power to agree about the declaration of acquisition land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 43(8)           | Power to request the Minister to declare a part of the State to be a reconstruction area and/or acquisition land.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 49              | Power, as a decision-maker for a prescribed decision, to comply with a progression notice given by the authority.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 50              | Power, as a decision-maker for a prescribed decision, to comply with a notice to decide given by the authority.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 53(3)           | Power, as a decision-maker for a prescribed decision, to give the authority all reasonable assistance or materials it requires.                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 53(2)           | Power, as a decision-maker for a prescribed decision, to give the authority a written report containing the information prescribed in subsection 53(2).                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 53(4)           | Power to give the authority a written recommendation to impose a condition for infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 80(2) and 80(6) | Power, as a referral agency for a relevant application, to assess the application having regard to the development scheme and give the weight considered appropriate to any amendment or replacement of the development scheme.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2020        | 80(3) and 80(6) | Power, as an assessment manager for a relevant application, to assess the application against the matters stated in the development scheme as assessment benchmarks for the Planning Act and give the weight considered appropriate to any amendment or replacement of the development scheme.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 81              | Power, as a responsible entity for a change application, to assess the application against the development scheme and give the weight considered appropriate to any amendment or replacement of the development scheme.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011        | 92(3)           | Power, as an assessment manager, to comply with the requirements under the Planning Act about giving public access to development approvals, as if the notice were a development approval.                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |           |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
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| Queensland Reconstruction Authority Act 2011 | 111(2)    | Power to request the Minister to direct the local government to take particular action about a local planning instrument.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011 | 111(3)    | Power to make submissions to the Minister about a proposal to direct the local government to take particular action about a local planning instrument.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Queensland Reconstruction Authority Act 2011 | 1112      | Power to comply with a direction of the Minister given under section 112.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>RailSafety National Law (Queensland)</b>  |           |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Rail Safety National Law (Queensland)        | 20(5)     | Power to comply with a notice issued by the Regulator pursuant to section 20(2).                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 105(2)(a) | Power, as a road manager, to enter an interface agreement.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 107(2)(a) | Power, as a road manager of a public road, to identify and assess, so far as is reasonably practicable, risks to safety from the existence or use of any rail or road crossing that is part of the road infrastructure because of the circumstances listed in subsection 107(2)(a)(i) and 107(2)(a)(ii).                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 107(2)(b) | Power, as a road manager of a public road, to determine measures to manage, so far as is reasonably practicable, the risks identified pursuant to section 107(2)(a).                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 107(2)(c) | Power, as a road manager of a public road, for the purposes of managing risks identified under section 107(2)(a), to seek to enter an interface agreement with the rail infrastructure manager of the rail infrastructure.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 108(2)(a) | Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to identify and assess, so far as is reasonably practicable, risks to safety from the existence or use of any rail or road crossing that is part of the road infrastructure of the road because of, or partly because of, railway operations. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 108(2)(b) | Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to determine measures to manage, so far as is reasonably practicable, risks identified pursuant to section 108(2)(a).                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 108(2)(c) | Power, as a road manager of a private road given a written notice under section 108(1)(c)(i), to enter into an interface agreement with the rail infrastructure manager to manage risks identified pursuant to section 108(2)(a).                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 110(6)    | Power, as a road manager, to comply with a notice given by the Regulator under section 110(2) or a direction given under section 110(4).                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 111(2)    | Power, as a road manager, to maintain a register of interface agreements, and arrangements determined by the Regulator under section 110, in relation to roads for which it is the road manager.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 168A(4)   | Power to make available for inspection by a rail safety officer, or produce to the officer for inspection, particular documents.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 177       | Power to comply with an improvement notice within the period specified in the notice.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 181       | Power to comply with a direction given under Part 4, Division 8 or a prohibition notice.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 199(1)    | Power to notify the relevant rail infrastructure manager before carrying out any works near a railway that threaten, or are likely to threaten, the safety of the railway or the operational integrity of the railway.                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 199(4)    | Power to comply with a notice given by the Regulator under section 199(2).                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 199(6)    | Power to comply with a notice given by the Regulator under section 199(5).                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 216       | Power, if an eligible person, to apply for a review of a reviewable decision.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Rail Safety National Law (Queensland)        | 217       | Power, if an eligible person, to apply to the Court against: (a) a reviewable decision made by the Regulator; or (b) a decision made, or taken to have been made, by the Regulator under section 216 in respect of a reviewable decision.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Retail Shop Leases Act 1994</b>           |           |                                                                                                                                                                                                                                                                                                                                             |                         |                                                                |
| Retail Shop Leases Act 1994                  | 21B(1)    | Power, as a lessor, to give the prospective lessee:-(a) a draft of the lease; and (b) a disclosure statement.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                             |                   |                                                                                                                                                                                                             |                         |                                                                |
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| Retail Shop Leases Act 1994 | 21B(2)            | Power, as a prospective lessee, to give the lessor a waiver notice.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21C(1) and (2)(b) | Power, as a prospective sublessor, to request a head lessor disclosure statement from the lessor and pay the lessor's reasonable expenses incurred for preparation of the head lessor disclosure statement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21C(2)(a)         | Power, as a lessor, to give the prospective sublessor a head lessor disclosure statement                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21E(2)            | Power, as a lessor, to give the lessee a current disclosure statement.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21E(3)            | Power, as a lessee, to give a renewal notice with or without a waiver notice.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21E(4)            | Power, as a lessee, upon receiving the current disclosure statement, to give the lessor a written notice stating that the renewal notice is withdrawn.                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21F(1)            | Power, as a lessee in the circumstances set out in subsection 21F(1), to terminate the retail shop lease by giving written notice to the lessor.                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 21F(5)            | Power, as a lessor, to pay to the lessee the reasonable compensation decided by way of the dispute resolution process.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22                | Power, as a lessor, to give the lessee the signed lease document or a certified copy of the signed lease.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22B               | Power, as the assignor of a retail shop lease for a leased shop, to give a prospective assignee a disclosure statement and a copy of the current lease.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22B(1A)(b)        | Power, as a prospective assignee, to give the assignor a waiver notice.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22B(2)            | Power, as a prospective assignee, to give a disclosure statement to the assignor.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22B(3)            | Power, as an assignor, to give the lessor a copy of the disclosure statement given to the assignee to the lessor.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22C(1)            | Power, as a lessor, to give the prospective assignee a disclosure statement and a copy of the lease.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 22C(2)(b)         | Power, as a prospective assignee, to give the lessor a waiver notice.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 26(2)             | Power, as a lessor, to disclose the information permitted by the section.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 26(3)             | Power, as a lessee, to agree to a person given information under subsection 26(2)(b)(i), (ii) or (iii) disclosing the information to someone else.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 27(8)(b)          | Power, as a major lessee before the lease is entered, to give the lessor a written notice stating the lessee agrees that subsections 27(2) to (7) do not apply in relation to the lease.                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 27A(1A)(b)        | Power, as a major lessee before the lease is entered, to give the lessor a written notice stating the lessee agrees that part 6, division 4, subdivision 2 does not apply in relation to the lease          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 27A(2)            | Power, as a lessee, to give written notice to the lessor asking or the current market rent to be determined.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 27A(2)            | Power, as a lessee or a lessor, to agree on the current market rent.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 28(2)             | Power, as a lessee or a lessor, to agree on the specialist retail valuer.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 28A(5)            | Power, as a lessee or a lessor, to give a submission to the valuer and give a copy to the other party.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 28A(6)            | Power, as a lessee or a lessor, who receives a copy of a submission to give the valuer a written response to it.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 30(1)             | Power, as a lessor, to give the valuer the relevant information required by the valuer.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 34                | Power, as a lessee or a lessor, to pay to the specialist retail valuer one-half of the valuer's fee.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 35(1)(b)          | Power, as a lessee or a lessor, to agree to the valuer disclosing the information obtained under section 28A or 30 to someone else.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                             |           |                                                                                                                                                                                                                                                                                            |                         |                                                                |
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| Retail Shop Leases Act 1994 | 35(3)     | Power, as a lessee or a lessor, to agree with the valuer about the reasonable compensation to be paid by the valuer.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 38A       | Power, as a lessor, to give the lessee an outgoings estimate.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 38B       | Power, as a lessor, to give the lessee an audited annual statement.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 38C(2)    | Power, as a lessee in the circumstances set out in subsection 38C(1), to withhold payment of apportionable outgoings.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 40(3)     | Power, as a lessor, to pay maintenance amounts paid by the lessee for the credit of the sinking fund into an interest bearing account.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 40(4)     | Power, as a lessor, to apply amounts standing to the credit of the sinking fund and interest earned on the fund for a purpose mentioned in subsection 40(1).                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 40A(2)    | Power, as a lessor, to make available to the lessee a marketing plan that gives details of the lessor's proposed spending on promotion and advertising during that accounting period.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 41(2)     | Power, as a lessor, to apply amounts for promotion and advertising directly attributable to the centre.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 41(4)     | Power, as a lessor, to make available to the audited annual statement.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 41(6)     | Power, as a lessor, to carry forward the unspent promotion amount to be applied towards spending on promotion and advertising of the centre.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 43(2)     | Power, as a lessee, to give the lessor written notice of the loss or damage mentioned in subsection 43(1)                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 44        | Power, as a lessor or a lessee, to agree on the amount of compensation payable under part 6, division 7.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 44A(2)    | Power, as a lessor, to give the lessee a written notice that complies with subsection 44A(3).                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 45(2)     | Power, as a lessor, to agree with the prospective secured creditor about the matters listed in subsection 45(2).                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46(2)     | Power, as a lessor, to give the lessee written notice of the option date.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46AA(2)   | Power, as a lessor, to by written notice to the lessee:-(a)offer the lessee a renewal or extension of the lease on terms, including terms about rent, stated in the notice; or (b)tell the lessee that the lessor does not intend to offer the lessee a renewal or extension of the lease. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46AA(3)   | Power, as a lessor, to revoke an offer made under subsection 46AA(2)(a).                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46AA(4A)  | Power, as a lessee, to, by written notice to the lessor, ask for an extension of the lease.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46AA(5)   | Power, as a lessee, to terminate the lease before the extended period ends by giving written notice.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46D       | Power, as a lessor, to give the lessee a relocation notice.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46E(1)    | Power, as a lessee who has received a relocation notice, to give the lessor a written notice terminating the lease.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46E(2)(a) | Power, as a lessor or lessee, to agree on the day the lease terminates.                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46E(3)    | Power, as a lessor or lessee, to agree on an alternative retail shop.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46E(3)(a) | Power, as a lessor or lessee, to agree on the terms and conditions of an alternative retail shop lease.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46G(2)    | Power, as a lessor or lessee, to agree on the lessee's reasonable costs of relocation.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1994 | 46I       | Power, as a lessor, to give a lessor's termination notice.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Retail Shop Leases Act 1994                                                                         | 46J       | Power, as a lessee who has received a lessor's termination notice, to give the lessor a lessee's termination notice.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1995                                                                         | 46K(2)(a) | Power, as a lessor or lessee, to agree on reasonable compensation for loss or damage suffered by the lessee.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1996                                                                         | 48(3)(d)  | Power, as a lessor, to give the prospective lessee a copy of the prospective lessor's invoice for expenses for the preparation of the final lease.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1997                                                                         | 50(1)(b)  | Power, as a lessee, to give the lessor full particulars of a proposed assignment of the lease and asked the lessor, in writing, to consent to it.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1998                                                                         | 50(1)(c)  | Power, as a lessor, to respond to a proposed assignment of the lease by the lessee.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 1999                                                                         | 52©       | Power, as an eligible lessee, to cast a vote in a secret ballot.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 55        | Power, as a party to a retail tenancy dispute that is within a mediator's jurisdiction under section 97, to lodge the dispute notice with the commissioner and pay the fee.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 56A       | Power to apply to the commissioner to be joined as a party to a mediation of a retail tenancy dispute and pay the fee.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 57        | Power, as a party to a retail tenancy dispute, to represent Council at the mediation conference and conduct Council's case.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 61        | Power, as a party to a retail tenancy dispute, to reach an agreement on the solution of the dispute and sign the mediation agreement.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 64(1)     | Power, as a party to a retail tenancy dispute, to apply, as provided under the QCAT Act, to QCAT for an order to resolve the dispute                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 91(1)     | Power to, by written notice given to the commissioner, withdraw a dispute notice lodged for a retail tenancy dispute                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Act 2000                                                                         | 113(2)(a) | Power, as a party to the dispute resolution process, to agree to the mediator or former tribunal member disclosing information coming to the knowledge of the mediator or member during the dispute resolution process or the hearing        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020</b> |           |                                                                                                                                                                                                                                              |                         |                                                                |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 14(1)     | Power, as a party to an affected lease, to ask the other party to negotiate any or all of the rent payable during the response period or extension period under, and other stated conditions of, the lease.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 14(2)     | Power, as a party to an affected lease, to information relating to the request.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 14(3)     | Power, as a party to an affected lease, to negotiate the conditions of the lease the subject of the initiator's request.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 15(1)     | Power, as a lessor who has received sufficient information about a request under section 14(2), to offer the lessee a reduction in the amount of rent payable under the lease, and any proposed changes to other stated conditions.          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 15(3)     | Power, as a lessor, to cooperate with and negotiate with the lessee about a reduction in the amount of rent payable under the lease for the response period or extension period, including any conditions relating to the reduction in rent. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 15(4)     | Power, as a lessor, to agree to the reduction in rent and any conditions relating to the reduction by way of a variation of the lease or another agreement that gives effect to the matters agreed to under subsection 15(3).                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 17(3)     | Power, as a lessor, to, despite the conditions of the lease, continue to hold any security deposit given to the lessor until the deferred rent has been paid.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020        | 17(4)     | Power, as a lessor, to claim in relation to, the security deposit under the conditions of the lease in effect immediately before it ended.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 18(2)    | Power, as a lessor in the circumstances to which subsection 18(1) applies, to offer the lessee an extension to the term of the lease on the same conditions as those contained in the lease except that the rent payable during the extension must be adjusted for the waiver or deferral. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 19       | Power, as a lessor, to cease or reduce any service at the premises in the circumstances provided under the section.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 20(1)(a) | Power to consent to a party to an eligible lease dispute disclosing protected information obtained under or as a result of the operation of the Regulation.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 23(1)    | Power, as a party to an eligible lease dispute, to agree to undertake a dispute resolution process other than as provided for under part 3.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 25(1)    | Power, as a party to an eligible lease dispute, to attempt to resolve the dispute.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 26(1)    | Power, as a party to an eligible lease dispute, to give a dispute notice.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 27(3)    | Power, as a party to an eligible lease dispute, to ask the mediator to change the mediation conference date.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 27(5)    | Power, as a party to an eligible lease dispute, to ask the mediator to mediate related disputes together at the mediation conference.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 27(6)    | Power, as a party to an eligible lease dispute, to agree to related disputes being mediated together.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 27(7)    | Power, as a party to an eligible lease dispute, to agree to the mediation may be held using technology.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 28(1)    | Power to represent Council at a mediation conference.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 31(2)    | Power to give notice of a person's proposed attendance and participation in a mediation conference.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 32(1)    | Power, as a party to an eligible lease dispute, to reach an agreement about the dispute at the mediation conference and sign the agreement.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 35(1)    | Power, as a party to an eligible lease dispute, to, by written notice, withdraw a dispute notice lodged for an eligible lease dispute                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 41       | Power, as a party to an eligible lease dispute in the circumstances set out in subsection 41(1), to apply to QCAT, as provided under the QCAT Act, for an order to resolve the dispute and give the small business commissioner written notice that the person has made the application.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020 | 46(1)    | Power, as a party to an eligible lease dispute who enters into a settlement agreement, to apply to a court with jurisdiction to hear the dispute for an order enforcing the agreement.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Retail Shop Leases Regulation 2016</b>                                                    |          |                                                                                                                                                                                                                                                                                            |                         |                                                                |
| Retail Shop Leases Regulation 2016                                                           | 9A(2)    | Power, as a party who receives a notice under the Act, section 56(1)(b)(ii), to ask the mediatory in writing to change the mediation conference date                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Regulation 2016                                                           | 9B(1)    | Power, as a party who receives a notice under section 9A(1), to ask the mediator in writing to mediate related disputes together at the mediation conference.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Retail Shop Leases Regulation 2016                                                           | 9B(2)    | Power, as a party to a related dispute, to agree to the mediator mediating the related disputes together at the mediation conference.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Retail Shop Leases Regulation 2016                                                                                                                                                                                                                                                                                  | 9C            | Power, as a party to a dispute, to agree with the mediator to the mediation being held using technology.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Residential Services (Accreditation) Act 2002</b><br><b>The Purpose of this Act</b><br>An Act to regulate the conduct of residential services                                                                                                                                                                    |               |                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 29(1) and (3) | Power, on application by a person conducting, or proposing to conduct, a residential service in premises, to assess and determine whether a building complies with the prescribed building requirements.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 29(2)(a)      | Power to approve the form of an application for a notice of compliance with prescribed building requirements.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 29(3)         | Within 20 business days after receiving an application for a notice of compliance with prescribed building requirements, the power to—<br>(a) decide if the premises comply with the prescribed building requirements; and<br>(b) give the person notice of the decision.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 29(3)(b)      | Power, where a building complies with the prescribed building requirements, to issue a building compliance notice.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 29(4)         | Power, where a building does not comply with the prescribed building requirements, to give notice of the decision stating those matters required by section 29(4).                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Services (Accreditation) Act 2002                                                                                                                                                                                                                                                                       | 189(3)(a)     | <del>In the specified circumstances the power to give a notice stating the extent to which premises comply with the prescribed building requirements.</del> Power to issue a notice stating the extent to which the premises comply with the prescribed building requirements.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Residential Tenancies and Rooming Accommodation Act 2008</b><br><b>The Purpose of this Act</b><br>The main objectives of this Act are to state the rights and obligations of:<br>a) Tenants, lessors and agents for residential tenancies; and<br>b) Residents, providers and agendas for rooming accommodation. |               |                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 58(1)         | Powers to give a prospective tenant for a residential tenancy the documents prepared for section 61 (the written residential tenancy agreement) and any other information prescribed by regulation.                                                                                                                                    | Chief Executive Officer | Chief Executive Officer                                        |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 61            | Power to prepare a residential tenancy agreement in the way required by section 61.                                                                                                                                                                                                                                                    | Chief Executive Officer | Chief Executive Officer                                        |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 62(1)         | <del>Power to give a document prepared for section 61 to the tenant for signing on or before the day the tenant occupies the premises under the agreement.</del> Power to give to the tenant a residential tenancy agreement prepared for section 61 for signing.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 62(3)         | <del>Power to sign the document referred to in section 61.</del> Power to sign a residential tenancy agreement signed by the tenant and to return a copy signed by both parties to the tenant.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 64(3)         | <del>Power to form the reasonable belief that a tenant has contravened section 62(2) and in that case, to apply to a tribunal for an order requiring the tenant to sign the relevant document and return it.</del> Power to apply to a tribunal if the Council as lessor reasonably believes the tenant has contravened section 62(2). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 65(2)         | <del>Power to sign a condition report at the start of tenancy.</del> Power to prepare, in the approved form, a condition report for premises and any inclusions, to sign the condition report, and to give a copy of the condition report to the tenant.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 66(2)(a)      | Power to sign the copy of the condition report at the end of tenancy.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 66(2)(b)      | Power to, if the lessor or agent does agree with the report, show the parts of the report the lessor or agent disagrees with by marking the copy in an appropriate way.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008                                                                                                                                                                                                                                                            | 66(2)(c)      | Power to, if the tenant has given a forwarding address to the lessor or agent, make a copy of the report and return it to the tenant at the address.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Residential Tenancies and Rooming Accommodation Act 2008 | 66(3)    | Power to sign the copy of a condition report received from the tenant at the end of the tenancy and, if not agreeing with the report, show the parts of the condition report that are disagreed with by marking the copy in an appropriate way, and to make a copy of the condition report and return it to the tenant at the tenant's given forwarding address. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 67       | Power to give to a tenant an information statement in the approved form containing information for the benefit of the tenant, by the period specified in section 67.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 68(2)    | <del>Power to give a copy of park rules to the tenant.</del> Power to give to the tenant a copy of the park rules in a moveable dwelling park and a copy of the rules as changed.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 69       | Power to give the tenant a copy of relevant by-laws.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 69(1)    | Power to give a tenant a copy of body corporate by-laws when giving the written agreement to the tenant for signing.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 76B      | Power to give a prospective resident the information prescribed by regulation.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 77       | Power to prepare a rooming accommodation agreement in the way required by section 77.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 77(4)(h) | Power to sign a rooming accommodation agreement on behalf of the provider.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 78(1)    | <del>Power to give a document prepared for section 77 to the resident on or before the day the resident occupies the room in rental premises under the agreement.</del> Power to give the document prepared for section 77 to the resident for signing.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 78(2)    | <del>Power to, within 3 days after receiving the document signed by the resident, sign the document and return a copy signed by both parties to the resident.</del> Power to sign a rooming accommodation agreement signed by the resident and to return a copy signed by both parties to the resident.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 81(1)    | Power to prepare, in the approved form, a condition report for the room and the facilities in the room, to sign the condition report and to give a copy of the condition report to the resident.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 81(1)(b) | Power to sign a condition report at the start of rooming accommodation.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 83(3)    | Power to give the tenant a written notice stating an approved way, or a different approved way, as the way in which rent is required, or is proposed, to be paid.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 83(3)    | Power to agree in writing to payments of rent being made in the way stated in a written notice received from the tenant.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 84(2)    | Power to give the tenant a written notice that gives the tenant a choice of at least 2 approved ways for payment of rent under section 83(4)(a) to (f) and advises about costs associated with the approved way.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 85(2)    | Power to give a written notice stating a place, or a different place, as the place at which rent is required to be paid.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 88       | Power to give and sign a receipt for payment of rent.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 88(3)    | Power to sign a receipt for payment.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 88(5)    | <del>Power to make a written record of payment and to give a copy of the record to the tenant.</del> Power to make a written record of the payment of rent.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 91(2)    | <del>Power to give a written notice of proposal to increase rent to the tenant.</del> Power to give written notice of a proposal to increase rent for a periodic agreement or a fixed term agreement during the term of the agreement.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 97(3)    | Power to apply to a tribunal to make an order about the payment of an amount by or to a tenant.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 98(3)(a) | Power to give a written notice to the resident about the way to pay rent.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 98(3)    | Power to give a written notice stating an approved way, or a different approved way, to pay rent under a rooming accommodation agreement.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                          |           |                                                                                                                                                                                                                                                                                       |                         |                                                                |
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| Residential Tenancies and Rooming Accommodation Act 2008 | 99(2)     | Power to give a resident a written notice for the payment of rent that gives the resident a choice of at least 2 approved ways and advises about costs associated with the approved ways.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 98(3)(b)  | Power to agree, in writing, with the resident (the <i>Rent Agreement</i> ) to payments of rent being made in the way stated.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 99(2)(a)  | Power to:<br>(a) give a written notice to the resident that gives the resident a choice of at least two other approved ways for payment of rent under section 98(4)(a) to (f); and<br>(b) advises the resident of the costs associated with the approved way.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 100(2)    | Power to give a written notice stating a place, or a different place, as the place where rent is required to be paid.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 102       | Power to give a receipt for the payment of rent.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 102(3)    | Power to sign a receipt of payment.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 102(5)    | Power to make a written record of the payment of rent paid.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 105(2)    | Power to make a written record of the payment of rent paid.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 105(3)    | Power to give a resident a written notice stating the amount of increased rent and the day by which the rent is payable.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 106       | Power to agree on the amount and time for the decrease of rent for matters including loss of amenity or service.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 106(2)    | Power to agree with the resident, the rent payable under the agreement decreases by the amount and from the time agreed.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 106(3)    | Power to apply to a tribunal for an order decreasing the rent.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 107       | Power to agree to a reduction in rent because of the resident's absence.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 107(2)    | Power to agree with the resident to a reduction in rent for the period of the absence.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 109(3)    | Power to apply to a tribunal to make an order about the payment of an amount by or to the resident.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 116(1)    | Power to pay a rental bond to the authority and to give the authority a notice, in the approved form, about the rental bond.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 116(1)(1) | Power to pay the rental bond to the authority.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 116(1)(b) | Power to give the authority a notice, in an approved form, about a rental bond.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 117       | If rental bond instalments are payable under a residential tenancy agreement, power to pay the rental bond to the Residential Tenancies Authority once all rental bond instalments have been received and to give the Authority a notice, in the approved form about the instalments. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 117(2)(a) | In the specified circumstances, the power to pay the instalment to authority.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 117(2)(b) | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 117(3)(a) | In the specified circumstances, the power to pay the instalments received by the lessor or agent to the authority.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 117(3)(b) | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(2)    | Power, as a provider who has received the last rental bond instalment, to pay the instalments to the authority and to give the authority a notice, in the approved form about the instalments.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(2)(a) | In the specified circumstances, the power to pay the instalments to the authority.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 118(2)(b)                             | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(3)                                | Power, as a provider where the agreement is ended before the provider receives all the rental bond instalments, to pay the instalments received by the provider to the authority and to give the authority a notice, in the approved form about the instalments.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(3)(a)                             | In the specified circumstances, the power to pay to the authority the instalments received by the provider or agent.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(3)(b)                             | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(4)                                | Power, as a provider in the circumstances set out in subsection 118(4), to pay the instalments received by the provider to the authority and to give the authority a notice, in the approved form about the instalments.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(4)(a)(i)                          | In the specified circumstances, the power to pay to the authority the instalments received by the provider or agent.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(4)(a)(ii)                         | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(4)(b)(i)                          | In the specified circumstances, the power to pay the instalment to the authority within 10 days after receiving it.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 118(4)(b)(ii)                         | Power to give the authority a notice, in the approved form, about instalments.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 119(2)                                | Power, as a lessor under a residential tenancy agreement in the circumstances set out in subsection 119(1), to pay to the authority an amount equal to the maximum rental bond for the agreement or the difference between the maximum rental bond and the amount of rental bond actually paid. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 125                                   | Power to apply to the authority for payment of a rental bond.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 136A                                  | Power to make a dispute resolution request to the authority about an application for payment of a rental bond.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 136B(4)                               | Power, where an application has been made to the tribunal, to give the authority written notice of the application.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 136C(2)                               | Power, as an interested person, to make a written request to the authority for an extension of the claim period.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 136(3)(c)(IV)(A) and 136(4)(c)(iv)(A) | Power to apply to a tribunal for an order about the payment of a rental bond and give the residential tenancy authority a written notice informing it of the application.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 136(5)                                | Power to give the Residential Tenancies Authority a written application requesting it to extend the 7 day period by not more than 3 days.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 140                                   | Power to withdraw an application to the Residential Tenancies Authority for the payment of a rental bond.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 145(1)                                | Power to give a receipt for a rental bond.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 145(2)(b)                             | Power to sign a receipt for a rental bond.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 145(4)                                | Power to withdraw an application to the Residential Tenancies Authority for the payment of a rental bond.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 154                                   | Power to give written notice to the tenant or resident to increase the rental bond if the rent payable under the agreement increases.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 154(b)                                | Power to give a written notice to the tenant to increase a rental bond.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 155(3)                                | <del>Power to apply to a tribunal to make an order declaring an amount is or is not a rental bond.</del><br>Power to apply to a tribunal disputing the amount being treated as a rental bond.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 156                                   | Power to require a prospective tenant to pay a key deposit.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 157                                   | Power to give a receipt for a key deposit that was paid by a prospective tenant.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 158                                    | Power to refund a key deposit in full when the key is returned.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 159                                    | Power to require a prospective tenant to pay a holding deposit for a tenancy of premises.                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 160                                    | Power to give a receipt for a holding deposit.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 160(1)                                 | Power to give a receipt for a holding deposit.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 161(2)                                 | Power to refund the holding deposit to the prospective tenant within 3 days after notification that the prospective tenant intends not to exercise the option.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 168(3)                                 | Power to agree a reduced rent amount attributable to a service or facility becoming unavailable for use by the tenant.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 168(3)(a)                              | Power to agree with the tenant on an amount as reflecting the amount of rent attributable to the service or facility.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 168(4)                                 | Power to give the tenant a written statement showing each service or facility for which an amount of rent is attributable and the amount attributed. Power to give a written statement to the tenant showing each service or facility for which an amount of rent is attributable and the amount attributed to the service or facility. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 169(2)                                 | Power to apply to a tribunal for a decision about: (a) the amount of the lessor's outgoings for a service charge payable by the tenant; or (b) the amount of the reduced rent payable under the agreement because a service or facility ceases to be available for use by the tenant.                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 184D(2)                                | Power to respond to the tenant's request to keep a pet at the premises.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192, 193, 194, 195, 196, 197, 198, 199 | Power to enter premises on a ground specified in section 192(1), to take all steps necessary to allow for the entry, and to exercise all the powers of Council upon making the entry.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192(1)                                 | In the specified circumstances, the power to enter the premises.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192(1)(h)                              | Power to form a belief, on reasonable grounds, that premises have been abandoned.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192(1)(i)                              | Power to give the tenant a notice to remedy a breach of the agreement that is a significant breach.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192(1)(j)                              | Power to agree with a tenant that the lessor or lessor's agent may enter premises.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 192(1)(l)                              | Power to form a belief, on reasonable grounds, that the entry is necessary to protect the premises or inclusions from imminent or further damage.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 193(1)(a)                              | Power to give a notice of proposed entry (the <i>entry notice</i> ) to the tenant.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 195(1)(b)                              | Power to make an agreement with the tenant that the lessor may enter premises on a Sunday or public holiday or on another day after 6.00 pm or before 8.00 am.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 195(5)                                 | Power to agree a time for entry of premises under section 192(1)(j) with the tenant.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 197(1)(a)                              | Power to give a notice to leave the premises to the tenant.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 198(1)(a)                              | Power to give a tenant a notice of the lessors' intention to sell the premises.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 201                                    | Power to apply to a tribunal to enter the premises under order of the tribunal, and to comply with the rules of entry as changed by the tribunal.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 203                                    | Power to obtain the tenants written consent to use a photo or other image of something belonging to the tenant in an advertisement for the premises.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 205(1)                                 | Power to ask the tenant the tenant's name or place of employment.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 205(3)(a)                              | Power to ask the tenant in writing to state the new address.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 206                                    | Power to give a written notice to the tenant stating the lessor's and/or the lessor's agent's name and address for service including any change of such details.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 207/208   | Power to agree to the tenant attaching a fixture or making a structural change to the premises including the power to set the terms upon which the agreement is given.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 209       | Power to waive the breach by a tenant attaching a fixture or making a structural change to the premises without the lessor's agreement and to treat the fixture or change as an improvement to the premises for the lessor's benefit.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 210       | Power to supply and maintain the locks and keys that are necessary to ensure the premises are reasonably secure.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 211       | Power to change a lock to the premises or to agree to the other party to the residential tenancy agreement changing a lock to the premises and to give a copy of the key to the other party.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 211(1)    | Power to agree to not being given a key for a lock to the premises changed by the tenant.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 211(1)(a) | Power to enter into an agreement with the tenant under which the tenant agrees to not being given a key.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 211(1)(b) | Power to enter into an agreement with the tenant to change a lock.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 213(1)    | Power to apply to a tribunal about a lock or key for the premises.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 216       | Power to nominate a nominated repairer and to provide written notice to the tenant stating the nominated repairer and to give written notice of any change in a nominated repairer.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 216(1)(a) | Power to nominate a person to act for the lessor in arranging for emergency repairs, or emergency repairs of a particular type, to be made of the premises or inclusions.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 216(1)(b) | Power to nominate a person to make emergency repairs, or emergency repairs of a particular type, of the premises or inclusions.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 216(2)    | Power to enter into an agreement with the tenant under which the tenant agrees to not being given a key.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 220(2)    | <del>Power to enter into an agreement with the tenant to change a lock.</del> Power to apply to a tribunal for an order about the reimbursement or payment of an amount for emergency repairs to the tenant.                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 221B(1)   | Power to apply to the tribunal for an extension of time to comply with a repair order.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 223       | <del>Power to give a notice (notice to relocate) to the tenant requiring the tenant to relocate to another site in the moveable dwelling park within a stated period.</del> Power to give a notice to relocate to another site in the moveable dwelling park to the tenant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 227       | Power to make rules about the use, enjoyment, control and management of a moveable dwelling park owned by Council.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 228       | Power to give a notice proposing a change to a park rule to residents of the park.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 229       | Power as an owner of a moveable dwelling park to set up a park liaisons committee to consider objections received to the proposal to change a park rule.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 229(1)(b) | Power to give a notice of proposal to each resident and any person who becomes a resident before the objection closing day of a proposed change of a park rule.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 231(3)(b) | Power to be Council's nominee on the park liaison committee.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 231(6)    | Power to give a non-resolution notice to each of the objectors objecting to a change of a park rule.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 233(2)    | <del>Power to apply to a tribunal for an order declaring a proposal about a change of park rule to be reasonable or unreasonable.</del> Power to apply to a tribunal for an order declaring the proposal to change a park rule to be reasonable or unreasonable.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 237(2)    | <del>Power to agree with the tenant, in writing, of the transfer or subletting of a tenant's interests under an agreement.</del> Power to agree in writing to the transfer or subletting of the tenant's interest under an agreement.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 238(2)(a) | <del>Power to agree in writing to the transfer or subletting of a tenants interests under an agreement.</del> Power to agree in writing to the transfer or subletting of all or a part of the tenant's interests under the agreement.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 240        | Power to require the tenant to pay an amount equivalent to the reasonable expenses incurred by the lessor in agreeing to the transfer or subletting.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 241(2)     | Power to require a tenant to pay a fee for the sale or attempted sale of a caravan on the premises.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 242(1)(a)  | <del>Power to give a written notice of tenancy to a buyer.</del> Power to give a written notice of a tenancy to a buyer to whom Council proposes to transfer the Council's interests in the premises.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 242(1)(b)  | <del>Power to give a written notice of transfer (the attornment notice) to the tenant.</del> Power to give a written notice of the transfer (the attornment notice) to the tenant if the lessor's interest is transferred.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 243(7)     | <del>Power to give a written notice of transfer (the attornment notice) to the tenant.</del> Power to give a written notice of the transfer (the attornment notice) to the tenant if the lessor's interest is transferred.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 245(8)     | Power to be heard before a tribunal on an application by a person to be recognised as the tenant or a co-tenant under an agreement instead of the person's domestic associate.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 246(6)     | Power to be heard before a tribunal on the application of an occupant for an order to be recognised as the tenant, or a co-tenant under an agreement instead of the tenant or co-tenant.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 247(2)     | Power to agree about cleaning common areas for a common area used by the resident and a minority of other residents of the provider.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 248(1)     | <del>Power to give a written notice to the resident of address for service.</del> Power to give a written notice to the resident stating the provider's name and address for service or the provider's agent's name and address for service and a notice detailing any changes to those details. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 248(2)     | Power to give a written notice of change to the resident.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 250(1)     | Power to supply and maintain the locks that are necessary to ensure the resident's room is reasonably secure.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 251        | Power to agree to change or repair a lock at the request of a resident.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 252        | Power to apply to a tribunal for an order relating to a lock or key mentioned in section 250.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 254and 255 | Power to agree to the resident attaching a fixture, or making a structural change, to rental premises including setting the terms of the agreement.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 255(1)     | Power to give an agreement to the attaching of a fixture, or making of a structural change.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 256(1)     | Power to waive a breach by a resident who attaches a fixture or makes a structural change to rental premises without the provider's agreement, or to treat the fixture or change as an improvement to the rental premises for the provider's benefit.                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 256D(2)    | Power to respond to a resident's request to keep a pet.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 257(1)     | <del>Power to agree with the resident for the provider to enter the residents room for any reason.</del> Power to enter a resident's room, for any reason, if the resident agrees.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 258(1)     | Power to enter a resident's room, at a reasonable time, to inspect the room and to give notice of the entry.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 259        | Power to give at least 24 hours prior written notice of a proposed entry to a resident's room for a purpose mentioned in the section.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 259(2)     | Power to give a written notice of proposed entry to a resident.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 259(4)     | Power to give a written notice of proposed entry to the agent to whom the resident normally pays rent.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 260        | Power to enter a resident's room without notice for one of the reasons set out in section 260.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 264        | Power to make an application to a tribunal for an order to enter the resident's room, which entry may be subject to rules of entry as changed by the tribunal.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 268(1)                                                                                                                                                   | Power to make house rules for rental purposes for any of the matters specified in section 268(1).                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 270(1)                                                                                                                                                   | Power to give a written notice of proposed rule change for rental premises.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 271                                                                                                                                                      | <del>Power to give a written notice to a resident of a withdrawal of a proposed rule change.</del> Power to give a written notice withdrawing the proposed rule change.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 272(4)(b)                                                                                                                                                | <del>Power to give a written notice to each resident if the provider receives objections to the proposed rule change.</del> Power to give a written notice to residents stating that at least the prescribed number of residents have objected to the rule change and that the proposed change will not take effect on the proposed commencement date. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 273(2)                                                                                                                                                   | <del>Power to apply to a tribunal for an order declaring a proposed change to be reasonable.</del> Power to apply to a tribunal for an order declaring the proposed rule change to be reasonable.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 273(7)                                                                                                                                                   | <del>Power to give a written notice of the decision of the tribunal about a proposed rule change to each resident of the rental premises.</del> Power to give a written notice of the tribunal's decision regarding an application under section 273 to each resident of the rental premises.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 274(7)                                                                                                                                                   | <del>Power to give a written notice of the decision of a tribunal to each resident of the rental premises about an existing rule.</del> Power to give a written notice of the tribunal's decision on an application by a resident for an order declaring an existing house rule to be unreasonable to each resident of the rental premises.            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 275                                                                                                                                                      | Power to give a person a copy of the house rules for the premises.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 276                                                                                                                                                      | Power to display a copy of the house rules at a place in the rental premises where it is likely to be seen by the residents.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 277(2)                                                                                                                                                   | <del>Power to end a residential tenancy agreement by entering into an agreement with the tenant.</del> Power to end a residential tenancy agreement by written agreement with the tenant.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 277(3)                                                                                                                                                   | <del>Power to give a notice to leave the premises to the tenant if a residential tenancy agreement ends.</del> Power to give a notice to leave the premises to the tenant.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 277(7)(b)                                                                                                                                                | Power to give a tenant's personal representative or relative a written notice that an agreement ends because of a tenant's death.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 277(7)(c)                                                                                                                                                | <del>Power to agree a day with the tenant's personal representative or relative of when a residential tenancy agreement ends.</del> Power to agree with the tenant's personal representative or relative on a day for the residential tenancy agreement to end.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 280                                                                                                                                                      | Power to give a tenant a notice to remedy breach.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 280(1)                                                                                                                                                   | Power to form a belief on reasonable grounds that:<br>(a) the rent payable under an agreement has remained unpaid;<br>(b) the tenant has breached another term of the agreement and the breach has not been remedied.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 280(2)                                                                                                                                                   | Power to give a notice to the tenant requiring the tenant remedy the breach within the allowed remedy period.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 281(1), 282(1), 283(2), 284(1), 285(2), 286(1), 287(2), 288(1), 289(2), 290(2), 290A(1), 290B(1), 290C(1), 290D(1), 290E(1), 290F(1), 290G(1) and 291(1) | Power to give a notice to leave the premises to a tenant because of any of the reasons set out in sections 281 to 291 (inclusive).                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 281(1)                                                                                                                                                   | Power to give a notice to leave the premises because the tenant has failed to comply with a notice to remedy breach.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 282(1)                                                                                                                                                   | Power to give a notice to leave the premises to the tenant because the tenant has failed to comply with an order of a tribunal.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 283(2)                                                                                                                                                   | Power to give a notice to leave to the tenant because the tenant has failed to comply with a notice to relocate.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 284(1)                                                 | Power to give a notice to leave to the tenant because the premises have been destroyed or otherwise in the circumstances set out in that section.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 285(2)                                                 | Power to give a notice to leave to the tenant because the park has become an unfit place in which to live in a moveable dwelling.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 286(1)                                                 | Power to give a notice to a tenant under a periodic agreement because the lessor has entered into a contract to sell the premises.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 287(2)                                                 | Power to give a notice to leave the premises to the tenant because the park premises is to change use or otherwise the park is to be closed.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 288(1)                                                 | Power to give a notice to a tenant if the tenant's employment ends or entitlement to occupy under employment ends.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 289(2)                                                 | Power to give a notice to leave to the premises if the tenant's entitlement to supported accommodation ends.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 290A(1)                                                | Power to give a notice to leave the premises to the tenant because of a serious breach and otherwise in the specified circumstances.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 291(1)                                                 | Power to give a notice to leave the premises to the tenant without stating a ground for the notice.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 293, 294, 295, 296, 296A, 297, 297A, 297B, 298 and 299 | Power to apply to a tribunal for a termination order because of any of the reasons set out in sections 293 to 299 (inclusive).                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 294(1)                                                 | Power to apply to a tribunal for a termination order in the circumstances of that subsection.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 295(1)                                                 | Power to apply to a tribunal for a termination order because the lessor would suffer excessive hardship.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 296(1)                                                 | Power to apply to a tribunal for a termination order because the tenant has intentionally or recklessly caused damage or injury.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 296A(1)                                                | Power to apply to a tribunal for termination for damage or injury in public or community housing in the circumstances of that subsection.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 297(1)                                                 | Power to apply to a tribunal for a termination order for tenant's objectionable behaviour.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 297A(1)                                                | Power to apply to a tribunal for a termination order for objectionable behaviour in public or community housing.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 298(2)                                                 | Power to apply to a tribunal for a termination order because the lessor and tenant are incompatible in a way that makes it desirable in the interests of both parties for the agreement to end.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 299(2)                                                 | Power to apply to a tribunal for a termination order for repeated breaches by the tenant.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 300                                                    | Power to apply to a tribunal for an interim order to restrain tenant from causing further damage or injury.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 300(1)(b)                                              | Power to form a belief on reasonable grounds that a tenant is likely to cause further damage or injury.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 300(2)                                                 | Power to apply to a tribunal for an order to restrain a tenant from causing further damage or injury.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 303                                                    | Power to remedy a lessor's breach following receipt of a notice to remedy breach from the tenant.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 308C(2)                                                | Power, after receiving the notice ending tenancy interest, to inform the vacating tenant whether the lessor proposes to apply to the tribunal under section 308H to have the notice set aside.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 308C(3)                                                | Power, if there are other tenants for the residential tenancy agreement, to inform the vacating tenant of the matters set out in subsection 308C(3).                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 308E(3)                                                | Power, if there are other tenants for the residential tenancy agreement, to inform the vacating tenant of the matters set out in subsection 308C(3). Power, in the circumstances set out in subsection 308E(1), to give each remaining tenant for the agreement a continuing interest notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 308H(2)                                                | Power to apply to the tribunal for an order setting aside the notice because it does not comply with section 308B.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 324A(1)   | Power, as lessor, to:-(a) give the tenant's personal representative or relative written notice that the agreement ends because of the tenant's death;<br>(b) agree with the tenant's personal representative or relative on a day for the tenancy to end;<br>(c) apply to the tribunal to decide the day for the tenancy to end. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 325(2)(a) | Power to sign a notice to remedy breach.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 326(1)(b) | Power to sign a notice to leave premises.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 333(1)    | <del>Power to withdraw a notice to leave for an unremedied breach.</del> Power to withdraw a notice to leave for unremedied breach.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 333(2)(b) | Power to give a written notice of withdrawal to the tenant.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 334(2)    | <del>Power to withdraw a notice to leave for an unremedied breach.</del> Power to withdraw a notice to leave for unremedied breach.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 335(1)    | <del>Power to make an application to the tribunal for a termination order in the circumstances prescribed.</del> Power to apply to the tribunal for a termination order without giving a notice to leave the premises to the tenant.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 355(1)    | Power to form a belief on reasonable grounds that a tenant has abandoned premises and to give a notice ( <i>abandonment termination notice</i> ) to the tenant terminating the agreement.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 357(1)    | <del>Power to form a belief on reasonable grounds that the tenant has abandoned premises and to apply to a tribunal for an order under this section.</del> Power to apply to a tribunal for an order about the abandonment by the tenant of the premises.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 358       | Power to apply to a tribunal for an order requiring the tenant to pay compensation for the tenant remaining in possession and an occupation fee.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 359       | Power to apply to a tribunal for an order for compensation following the giving of an abandonment termination notice.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 359(1)    | Power to apply to a tribunal for an order for compensation.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 362       | Power to take all reasonable steps to mitigate loss or expense incurred because of the matters set out in section 362(1).                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 363(2)    | <del>Power to sell goods left on premises or to dispose of them and to form a reasonable belief on the grounds set out in that section.</del> Power to sell tenant's goods left on premises or dispose of them in another way.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 363(4)    | Power to sell goods that are not reclaimed in the circumstances in that subsection.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 363(8)    | Power to pay any balance from the sale of goods of a former tenant to the public trustee.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 363(10)   | Power to apply to a tribunal for an order for an entitlement to receive an amount in the fund kept under the <i>Public Trustee Act 1978</i> .                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 364       | Power to give documents left on the premises in the ways prescribed under section 364.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 366(a)    | Power to agree with a resident, by written agreement, to end a rooming accommodation agreement.                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 366(b)    | Power to end a rooming accommodation agreement by giving a notice under Part 2.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 366(2)    | Power to enter into an agreement with the resident to end a rooming accommodation agreement.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 366(7)(b) | Power to give a written notice that an agreement ends because of the resident's death to the resident's personal representative or relative.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 366(7)(c) | Power to agree the day on which the agreement ends with the resident's personal representative or relative.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 368(1)    | Power to form a reasonable belief that a resident has breached a rooming accommodation agreement and that the breach has not been remedied.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Residential Tenancies and Rooming Accommodation Act 2008 | 368(2)                                                                      | <del>Power to give a resident a notice requiring a resident to remedy the breach.</del> Power to give a resident notice requiring the resident to remedy a breach of a rooming accommodation agreement.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 368(3)(d)                                                                   | Power to sign a notice.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 368(4)                                                                      | Power to form a reasonable belief of the steps necessary to remedy a breach or to avoid a further breach of a rooming accommodation agreement.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 369(1)                                                                      | <del>Power to give a resident a notice requiring the resident to leave the premises in the circumstances of that subsection.</del> Power to give a resident a notice requiring the resident to leave the rental premises because of failure to remedy breach.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 369(2)(d)                                                                   | Power to sign a notice.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 369(5)                                                                      | <del>Power to withdraw a notice.</del> Power to withdraw a notice requiring the resident to leave the rental premises because of failure to remedy breach.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 369(5)                                                                      | <del>Power to withdraw a notice.</del> Power to withdraw a notice requiring the resident to leave the rental premises because of failure to remedy breach.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 370(1), 371(1), 371A, 371B(1), 371C(1), 371D(1), 371E(2), 372(2) and 374(1) | Power to give a notice to leave the rental premises to a resident because of any of the reasons set out in sections 370(1) to 374(1) (inclusive).                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 370(2)(b)                                                                   | Power to sign a notice.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 371                                                                         | Power to give a resident a notice requiring the resident to leave premises in the circumstances prescribed in that subsection.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 371(3)(d)                                                                   | Power to sign the notice.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 372(1)                                                                      | Power to terminate a periodic agreement by giving a written notice to the resident.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 372(2)                                                                      | Power to terminate a fixed term agreement by giving a notice to a resident.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 374(1)                                                                      | Power to give a notice to a resident requiring the resident to leave the rental premises in the circumstances in the subsection.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 374(2)(d)                                                                   | Power to sign the notice.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 375(2)                                                                      | <del>Power to use reasonable and necessary force to remove a resident and the resident's property from rental premises.</del> Power to use necessary and reasonable force to remove a resident and the resident's property from rental premises if the resident refuses to leave the premises and the circumstances specified in section 375(1) apply. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 375(4)                                                                      | Power, for the purpose of exercising a power under subsection (2), to enter a resident's room.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 376(2)                                                                      | <del>Power to apply to a tribunal for a termination order.</del> Power to apply to a tribunal for a termination order for repeated breaches by resident.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 377(1)                                                                      | <del>Power to apply to a tribunal for an order terminating a fixed term agreement on the grounds of excessive hardship.</del> Power to apply to a tribunal for an order terminating a fixed term agreement because of excessive hardship.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 378                                                                         | Power to remedy a provider's breach following receipt of a notice requiring remedy of breach from the resident.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 381C(2)                                                                     | Power, after receiving the notice ending residency interest, to inform the vacating resident whether the provider proposes to apply to the tribunal under section 381H to have the notice set aside.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 381C(3)                                                                     | Power, if there are other residents for the rooming accommodation agreement, to inform the vacating resident of the matters set out in subsection 381C(3).                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 381E(3)                                                                     | Power, in the circumstances set out in subsection 381E(1), to give each remaining resident for the agreement a continuing interest notice.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 381H(2)                                                                     | Power to apply to the tribunal for an order setting aside the notice because it does not comply with section 381B.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                          |                                 |                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
|----------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Residential Tenancies and Rooming Accommodation Act 2008 | 387A(1)                         | Power, as a provider, to:- (a) give the resident's personal representative or relative written notice that the agreement ends because of the resident's death;<br>(b) agree with the resident's personal representative or relative on a day for the agreement to end;<br>(c) apply to the tribunal to decide the day for the agreement to end. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 388(1)                          | <del>Power to apply to a tribunal for a termination order in the circumstances prescribed in that subsection.</del> Power to apply to the tribunal for a termination order without giving a notice to leave the rental premises to the resident.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 392                             | <del>Power to apply to a tribunal for a termination order in the circumstances prescribed in that subsection.</del> Power to apply to the tribunal for a termination order without giving a notice to leave the rental premises to the resident.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 392(2)                          | <del>Power to apply to a tribunal for a termination order in the circumstances prescribed in that subsection.</del> Power to apply to the tribunal for a termination order without giving a notice to leave the rental premises to the resident.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 393(2)                          | Power to form a reasonable belief that property is perishable or of market value less than the amount prescribed under regulation, or, the storage of goods would be unhealthy or unsafe.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 393(2), 393(4) and 393(5)       | Power to sell property left at the rental premises that is not a personal document or money, or to dispose of it in another way.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 393(5)                          | Power to form a reasonable belief that the market value of property is less than the amount prescribed under a regulation.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 393(7)                          | Power to apply the proceeds from the sale of property under section 393 in the ways stated in the section.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 395(3)                          | Power to make an application to the public trustee to pay an amount to the provider from the unclaimed monies fund kept under the <i>Public Trustee Act 1978</i> .                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 395(4)                          | Power to apply to a tribunal to make an order conferring an entitlement to receive funds paid to the public trustee under section 392 or section 393.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 402, 404, 405, 406, 408 and 410 | Power to make a dispute resolution request to the Residential Tenancies Authority and to take all steps necessary to participate in the conciliation, withdraw from a conciliation and agree to the terms of a conciliation agreement.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 402(1)                          | Power to make a request to the authority to try to resolve a tenancy dispute.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 402(2)                          | Power to make a request to the authority to try to resolve a rooming accommodation dispute.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 405(1)                          | Power to conduct the local government's case on its behalf.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 405(2)                          | Power to represent the local government in the conciliation process.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 408(2)                          | Power to agree with another party in dispute to resolve the dispute.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 410(1)                          | Power to give a written notice to an authority withdrawing a dispute resolution request.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 418                             | Power to make an application to the tribunal for an order declaring that a stated agreement is, or is not, a residential tenancy agreement or a rooming accommodation agreement to which the Act applies.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 418(1)                          | Power to apply to a tribunal for an order in the circumstances of that subsection.                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 419(1)                          | Power to apply to a tribunal for an order it considers appropriate to resolve general disputes between lessors and tenants or providers and residents.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 419(2)                          | <del>Power to apply to a tribunal for an order about a breach of agreement.</del> Power to apply to a tribunal for an order about a breach of a term of a residential tenancy agreement or a rooming accommodation agreement.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 424(1)                          | <del>Power to apply to a tribunal for an order about tenants' notices.</del> Power to apply to a tribunal for an order about a disputed ground stated in a notice to remedy breach or notice of intention to leave premises given to Council as the lessor by the tenant (other than a notice of intention to leave without ground).            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                          |            |                                                                                                                                                                                                                                                                                |                         |                                                                |
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| Residential Tenancies and Rooming Accommodation Act 2008 | 425(2)     | Power to apply to a tribunal for an order about a disputed ground stated in a notice to remedy breach or a notice of intention to leave premises (other than a notice of intention to leave without ground).                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 429(1)     | <del>Power to apply to a tribunal for an order to resolve a dispute.</del> Power to apply to a tribunal for an order about a general dispute between parties to a residential tenancy agreement or rooming accommodation agreement.                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 430(2)     | Power to be heard before the tribunal on an application regarding a dispute between cotenants or coresidents about a rental bond for an agreement.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 449        | Power to claim compensation for a loss or expense incurred because of the exercise or purported exercise of a power under Chapter 7, Part 2.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 455(1)     | <del>Power to apply to a tribunal for an order excluding a person from the park because of the person's behaviour in the park.</del> Power to apply to a tribunal for an order excluding a person from a moveable dwelling park because of the person's behaviour in the park. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 455(3)     | Power to give a written notice of application to a person.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 458A(2)    | Power to give an applicant a written notice.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 458B(2)    | Power to give an applicant a written notice.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 459        | Power to list personal information about a person in a tenancy database after complying with the requirements of section 459(2)..                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 459(2)     | Power to give the other person a copy of the personal information and consider any submissions made by the other person.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 459A(2)    | Power, in the circumstances listed in subsection (1), to give a database operator written notice.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 459A(4)    | Power to keep a copy of a written notice given under this section.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 459C(2)    | Power to give a copy of a person's personal information listed about the person.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 527D       | Where Council is a community housing provider as defined by section 527B, power to give written notice to the tenant to give an acceptable behaviour agreement undertaking.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 527E(1)    | Where Council is a community housing provider, power to apply to the tribunal for a termination order relating to either a failure to enter into acceptable behaviour agreement or a serious or persistent breach of acceptable behaviour agreement.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 455(1)     | <del>Power to apply to a tribunal for an order excluding a person from the park because of the person's behaviour in the park.</del> Power to apply to a tribunal for an order excluding a person from a moveable dwelling park because of the person's behaviour in the park. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 527D(1)    | Power to give a written notice to a tenant to require the tenant to give a written undertaking (and <i>Acceptable Behaviour Agreement</i> ).                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 527D(4)    | Power to enter into an acceptable behaviour agreement with a tenant.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Accommodation Act 2008 | 527E(1)    | Power to apply to the tribunal for a termination order in the circumstances of that subsection.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Residential Tenancies and Rooming Regulation 2009</b> |            |                                                                                                                                                                                                                                                                                |                         |                                                                |
| Residential Tenancies and Rooming Regulation 2009        | 2(3)       | Power to agree on other terms of a general tenancy agreement ( <i>special terms</i> ).                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009        | 5(1)       | Power to prepare, in the approved form, and to sign and give to the tenant, one copy of a condition report for the premises.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009        | 6(1)(b)(v) | Power to enter into a written agreement with the tenant to end a fixed term agreement.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009        | 8(3)(b)(i) | Power to give the tenant a notice proposing a way to pay rent.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                   |             |                                                                                                                                                                         |                         |                                                                |
|---------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Residential Tenancies and Rooming Regulation 2009 | 8(3)(b)(ii) | Power to agree a proposal to pay rent.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(5)        | Power to give a notice to the tenant stating a different place for payment of rent.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 10(1)       | Power to, if the lessor proposes to increase the rent, give notice of the proposal to the tenant.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 13(2)       | Power to give the authority a notice about the bond.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 20          | Power to enter premises during the tenancy only if the obligations under section 192 to 199 have been complied with.                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 22(1)       | Power to give the tenant a copy of any body corporate by-laws in accordance with that subsection.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 27(1)       | Power to agree in writing to the tenant to attach a fixture or make a structural change in the matter prescribed by section 27.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 29(1)(a)    | Power to agree to change the locks with the tenant.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 31(1)(b)    | Power to give a notice to the tenant of the lessor's nominate repairer for emergency repairs.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 34(1)       | Power to agree in writing to the transfer or subletting of a tenant's interests under an agreement.                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 36(1)(a)    | Power to agree to end an agreement with the tenant.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 36(1)(b)    | Power to give a notice to leave the premises to the tenant.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 39(1)       | Power to ask the tenant in writing to state the tenant's new residential address.                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 40(2)(a)    | Power to sign a condition report on behalf of the lessor.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 40(2)(b)    | Power to mark a condition report in an appropriate way indicating the parts of the report the lessor disagrees with.                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 44(4)       | Power to withdraw the lessor's consent to notices being given by facsimile or email to the lessor.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 44(6)       | Power to give a notice to the other party of a new address for service, facsimile number or email address of the lessor.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 2(3)        | Power to agree with the tenant on other terms of a moveable dwelling tenancy agreement ( <i>special terms</i> ).                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 5(1)        | Power to prepare, sign and give to the tenant, a copy of a condition report for the premises.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 6(1)(b)(v)  | Power to agree with the tenant to end a fixed term agreement.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(3)(b)(i)  | Power to give a notice to the tenant proposing a way for payment of rent.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(3)(b)(ii) | Power to agree to a proposal to pay rent in writing.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(5)        | Power to give a notice to the tenant stating a different place for payment of rent.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 10(1)       | Power to give a notice of proposal to increase rent to the tenant.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 13(2)       | Power to give to the authority, a notice about a rental bond.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 14(1)(a)    | Power to give a notice to the tenant to increase a rental bond.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 17(4)       | Power to give the tenant a written statement showing:<br>(a) each service for which an amount of rent is attributable; and<br>(b) the amount attributed to the service. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 20(1)       | The right to enter premises during a tenancy only if the obligations under sections 192 to 199 have been complied with.                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                   |          |                                                                                                                                                                                                                |                         |                                                                |
|---------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Residential Tenancies and Rooming Regulation 2009 | 20(2)    | In the specified circumstances, the power to enter the sit to carry out maintenance of the site without giving the notice of entry required by section 193(1).                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 22(2)    | Power to give a copy of park rules for a moveable dwelling park to the tenant.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 22(3)    | Power to give the tenant a copy of a park rule change.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 28(2)    | Power to agree in writing to the tenant attaching a fixture or making a structural change.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 30(1)(a) | Power to agree with the tenant to change a lock.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 32(1)(b) | Power to give a notice to the tenant of the lessor's nominated repairer for emergency repairs.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 35(1)(a) | Power to agree in writing to the transfer or subletting of a tenant's interests under an agreement.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 36(2)    | Power to agree to the transfer or subletting of a tenant's interest under an agreement.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 38(1)    | Power to give a notice ( <i>notice to relocate</i> ) to the tenant requiring the tenant to relocate the moveable dwelling to another site in the moveable dwelling park.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 42(1)(a) | Power to agree in writing with the tenant that an agreement ends.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 42(1)(b) | Power to give a notice to the lessee to leave the premises.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 45(1)    | Power to ask the tenant in writing to state the tenant's new residential address.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 46(2)(a) | Power to sign a condition report for premises.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 46(2)(b) | Power to mark a condition report in an appropriate way indicating the parts of the report the lessor disagrees with.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 50(4)    | Power to withdraw the lessor's consent to notices being given to them via facsimile or email by giving notice to the other party.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 50(6)    | Power to give a notice to the other party of the lessor's new address for service, facsimile number or email address.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 7(3)     | Power to form a reasonable belief that the housing service information given by the tenant is false or misleading in a material particular or the housing service information given by the tenant has changed. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 7(4)     | Power to change the amount payable under the agreement.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 7(5)     | Power to give the tenant a written notice stating the new amount and when it takes effect.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(4)     | Power to give a notice to the tenant stating a different place for payment.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 9        | In certain circumstances, power to require a tenant to pay rent in advance.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 10(1)    | Power to give a tenant notice stating the rental bond amount under an agreement and whether the bond is to be paid by instalments.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 11(1)(a) | Power to give notice to the tenant to increase the bond.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 13(2)    | Power to give the tenant written notice stating the matters set out in section 13(2)(a) to (c).                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 14(6)    | Power to give the tenant written notice stating that the tenant must pay for water consumption charges in relation to the premises.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 17       | Power to enter the premises in certain circumstances.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 24(1)    | Power to agree to a fixture's attachment or structural change.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 24(5)(a) | Power to take action for a breach of a term in this agreement.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                   |          |                                                                                                                                                                                                                                   |                         |                                                                |
|---------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Residential Tenancies and Rooming Regulation 2009 | 24(5)(b) | Power to waive the breach (that is, not take action for the breach) and treat the fixture or change as an improvement to the premises (that is, treat it as not belonging to the tenant and not having to pay the tenant for it). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 25(4)    | Power to request the tenant to give the lessor a key for a lock.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 26(1)    | Power to agree to change the locks.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 28(1)    | Power to nominate a repair for emergency repairs.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 31       | Power to agree in writing to the transfer of the tenant's interest or to the tenant subletting the premises under this agreement.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 33(1)(a) | Power to agree in writing to end the agreement.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 33(1)(b) | Power to give a notice to the tenant to leave the premises.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 36(1)    | Power to ask the tenant in writing to state the tenant's new residential address.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 37(2)(a) | Power to sign a condition report within 3 business days after receiving a copy.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 37(2)(b) | Power to make a condition report in an appropriate way indicating that parts of the report the lessor disagrees with.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 41(4)    | Power to consent and withdraw a consent to notices being given by fax or email.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 41(6)    | Power to give notice that the lessor withdraws its consent to the notices being given by fax or email.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 42(3)    | Power to give written authority to sublease the premises or allow the premises to be used as a place of residence by anyone other than the tenant, the tenant's family or other persons approved by the lessor.                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 42(7)    | Power to issue a notice to leave or ending of housing assistance.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 43(2)    | Power to give notice to the tenant stating the matters set out in section 43(2)(a) to (c).                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 45(1)    | Power to agree in writing, to the tenant installing or placing upon the premises, any type of swimming pool.                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 2(4)     | Power to agree with a resident on other terms of a rooming accommodation agreement ( <i>special terms</i> ).                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 4(2)     | Power to prepare, sign and give a resident a copy of a condition report.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 6(3)(b)  | In the specified circumstance, the power to give a notice proposing a way to pay rent, or to agree to a proposed a way to pay rent.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 6(5)     | Power to give a notice to the resident stating a different place for payment of rent.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 8(1)     | Power to give notice to the resident of a proposal to increase rent.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 9(2)     | Power to agree with the resident, decrease in amount of rent payable.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 9(3)     | In the specified circumstances, the power to apply to a tribunal for an order decreasing the rent by a stated amount from a stated time.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 10(2)    | Power to agree with the resident to reduce rent for the period of an absence.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 11(2)    | Power to give a notice to an authority a notice about a rental bond.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 21(2)    | Power to, in writing, agree to the resident attaching a fixture or making a structural change.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009 | 22       | Power to enter a resident's room only if the obligations under sections 257 to 262 have been complied with.                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                                                                                                                                                                                                          |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
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| Residential Tenancies and Rooming Regulation 2009                                                                                                                                                                                                                        | 23(1)(a) | Power to agree in writing with a resident that an agreement ends.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009                                                                                                                                                                                                                        | 23(1)(b) | Power to give a notice to leave rental premises to the resident.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009                                                                                                                                                                                                                        | 29(4)    | Power to withdraw consent to the provider being given notices by facsimile or email.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Residential Tenancies and Rooming Regulation 2009                                                                                                                                                                                                                        | 29(6)    | Power to change the provider's address for service, facsimile number or email by notice to the other party.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Right to Information Act 2009</b><br><b>The Purpose of this Act</b><br>An Act to give a right of access to information in the government's possession or under the government's control unless, on balance, it is contrary to the public interest to give the access. |          |                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Right to Information Act 2008                                                                                                                                                                                                                                            | 22       | Power to disclose information under a publication scheme, without limiting another way Council may disclose information.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2008                                                                                                                                                                                                                                            | 27(2)    | Power to give access to a document created after the application is received but before notice is given under section 54.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2008                                                                                                                                                                                                                                            | 29(2)    | Power to search for a document from a backup system if Council considers the search appropriate.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009                                                                                                                                                                                                                                            | 30(1)    | Power to deal with all access applications made to a local government as an agency under this Act, is given directly to the Chief Executive Officer as the Council's "principal officer". Power to deal with an access application. For the avoidance of doubt the power delegated includes all powers of an agency in Chapter 3, Parts 3, 4, 5, 6, 7 and 8 other than those powers referred to in subsection 30(5). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 30(2)    | <del>The CEO as the Council's Principal Officer has the power to delegate the principal officer powers to deal with an application to another officer of the agency.</del> Power to delegate the power to deal with an access application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 30(5)(b) | Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 32(1)(b) | Power to decide the application is outside the scope of this Act.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



# Whitsunday Regional Council Delegations Register - Council to CEO

| Right to Information Act 2009 | 32(2) | Power to give a prescribed written notice to the applicant of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 33(2) | Power to inform the person how the application does not comply with the relevant application requirement. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 33(3) | Power to consult with the applicant with a view to making an application in a form complying with all relevant application requirements. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 33(6) | Power to decide the application does not comply with all relevant application requirements and give the applicant prescribed written notice of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 34(2) | Power to, within 15 business days after the application is received, inform the applicant that:<br>(a) the application could have been made under the Information Privacy Act without any application fee or processing charge being payable; and<br>(b) the applicant may either:<br>(i) ask for the application to be dealt with under the Information Privacy Act; or<br>(ii) confirm the application as an application under this Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 35(1) | In the specified circumstances, power to ask the applicant for a further specified period to consider the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 35(3) | In the specified circumstances, power to continue to consider the application and make a considered decision relating to it. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 36(1) | If a person makes an access application, power to:<br>(a) consider whether a processing charge or access charge is payable in relation to the application; and<br>(b) before the end of the processing period for the application, give the applicant:<br>(i) a schedule of relevant documents for the applicant unless the applicant waives the requirement; and<br>(ii) a charges estimate notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 36(2) | Power to consult with the applicant with a view to narrowing the application to reduce the applicable charges. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 36(4) | Power to give the applicant a new charges estimate notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 36(7) | Power to agree to extend the prescribed period. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

|                               |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
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| Right to Information Act 2009 | 37(1) | Power to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency or person (relevant third party) only after taking steps that are reasonably practicable to:<br>(a) obtain the views of the relevant third party about whether:<br>(i) the document is a document to which this Act does not apply; or<br>(ii) the information is exempt information or contrary to public interest information; and<br>(b) inform the relevant third party that if access is given to the document because of an access application, access may also be given to the document under a disclosure log. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 37(3)(b) | Power to decide:<br>(i) the document is a document to which this Act does apply; or<br>(ii) the information is not exempt information or contrary to public interest information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 37(3)(c) | Power to give prescribed written notice of the decision to the applicant and relevant third party. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 37(4) | Power to give the applicant written notice when access is no longer deferred under subsection (3)(d). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 38(2) | In the specified circumstances, power to transfer an application to another agency.                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |              |                                                                                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
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| Right to Information Act 2009 | 38(2)(b)     | Power to consent to the transfer of an application.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 40(2)        | Power to refuse to deal with the application without having identified any or all of the documents.                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 41(1)        | Power to consider that the work involved in dealing with an application or all of the applications would substantially and unreasonably divert the resources of agency from their use, and subsequently the power to refuse to deal with an access application, or if there are 2 or more, all of the applications.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 42(1)(a)     | Power to give the applicant a written notice:<br>(i) stating an intention to refuse to deal with the application; and<br>(ii) advising that, for the prescribed consultation period for the notice, the applicant may consult with the agency with a view to making an application in a form that would remove the ground for refusal; and<br>(iii) stating the effect of subsections (2) to (6). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 42(1)(a)(ii) | Power to consult the applicant with a view to making an application in the form that would remove the ground for refusal.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 42(6)        | Power to agree to a longer prescribed consultation period.                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 43(3)        | In the specified circumstances, power to refuse to deal with a <i>later application</i> to the extent it is for access to a document or documents sought under the first application.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |               |                                                                                                                                                                                                                               |                         |                                                                |
|-------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Right to Information Act 2009 | 43(3)(b)(ii)  | Power to decide that the application is for a document to which this Act does not apply.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 43(3)(b)(iii) | Power to decide that the document or documents sought are documents access to which was refused under section 47.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 43(3)(c)(ii)  | Power to decide that the application is for a document to which chapter 3 of the Information Privacy Act does not apply.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 45(a)         | In the specified circumstances, power to make a considered decision:<br>(i) whether access is to be given to the document; and<br>(ii) if the access is to be given – whether any charge must be paid before access is given. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 45(b)         | Power to give the person written notice of the decision under section 54.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 46(2)         | <del>In the specified circumstances, power to give prescribed written notice of the decision to the applicant.</del> Power to give prescribed written notice of the decision to the applicant.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 47(3)         | In the specified circumstances, power to refuse access to a document of the agency.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 48(1)         | For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 48(3)         | Despite section 48(1), power to decide to give access to all or part of a document.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                               |          |                                                                                                                                                                                                           |                         |                                                                |
|-------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Right to Information Act 2009 | 49(1)    | For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 49(3)    | Power to consider on the balance, disclosure of information would be contrary to the public interest.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 49(5)    | Despite section 47(3)(b), power to decide to give access to all or part of a document.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 50(1)    | For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 50(4)    | Despite section 47(3)(c), power to decide to give access to all of part of a document.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 51(1)    | For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 51(3)    | Despite section 47(3)(d), power to decide to give access to all or part of a document.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 52(1)(a) | Power to be satisfied that a document does not exist                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 52(1)(b) | Power to be satisfied that:<br>(i) the document has been or should be in the agency's possession; and<br>(ii) all reasonable steps have been taken to find the document but the document cannot be found. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 52(2) | In the specified circumstances, power to consider the document has been kept in, and is retrievable from, the backup system.                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 54(1) | For the specified purposes, power to give a prescribed written notice to an applicant for an access application.                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 55(2) | In the specified circumstances, power to give a prescribed written notice.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 64(1) | Power to consider that the likely associated costs to the agency would be more than the likely amount of the charge, and waive a processing or access charge. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 66(2) | In the specified circumstances, power to decide to waive any processing charge, or access charge for the application.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 66(3) | Power to give the applicant a prescribed written notice of a decision under subsection (2) before the end of the processing period. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 68(4) | In the specified circumstances, power to refuse access in a particular form and to give in another form. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 68(8) | Power to gives access to a document in another form if agreed to by the applicant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 72(1) | In the specified circumstances, power to defer giving access to a document for a reasonable period. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

| Right to Information Act 2009 | 72(2) | Power to give the applicant written notice when access is no longer deferred under section 72(1). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 73(1) | Power to reasonably consider whether information in a document is not relevant to the access application for the document. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 73(2) | Power to delete irrelevant information from a copy of a document and give access to the document by giving access to a copy of the document with the irrelevant information deleted. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

| Right to Information Act 2009 | 73(3) | Power to consider it is reasonably practicable to give access to the copy. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 74(2) | In the specified circumstances, power to give access. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 75(2) | In the specified circumstances, power to give access. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 75B(2) | In the specified circumstances, power to give access. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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# Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 76(2) | In the specified circumstances, power to consider whether it is consistent with the primary object of the Act to give the applicant, or a person nominated by the applicant and approved by the agency (an <i>intermediary</i> ), a summary of the person information on conditions of use or disclosure agreed between the agency and the intermediary, or between the agency, the intermediary and the applicant. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 76(3) | Power to:<br>(a) consult with the information giver;<br>(b) consult with the other person. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the<br>Exercising of Powers |
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## Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 77(2) | In the specified circumstances, power to direct that access to the document is to be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 83(1) | Power to decide an internal review application.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 83(2) | Power to notify the applicant of the decision in the circumstances specified.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 83(3) | <del>Power to give prescribed written notice of the decision to the applicant.</del> Power to give prescribed written notice of the decision to the applicant.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 89(1) | Power, as an agency, to participate in an external review.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 93(1) | Power to apply to the information commissioner to allow Council further time to deal with the access application which has become the subject of an application for an external review concerning a deemed decision in relation to an access application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 93(1)(b) | Power to apply to the commissioner to allow further time to deal with the access application.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 96(1)    | Power to comply with a reasonable request from the Commissioner for further assistance with an external review.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 97(2)(b) | Power to make oral or written submissions to the Commissioner in an external review.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 97(3)    | Power to seek the approval of the Commissioner for Council to be represented by another person in an external review and to appoint the representative.                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 98       | Power to respond to a preliminary inquiry from the Commissioner.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 99(1)    | Power to give the applicant for external review and the commissioner an additional statement containing further and better particulars of the reasons for the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009 | 99(2)  | Power to give an additional statement to the commissioner and the applicant, containing further and better particulars of the reasons for the decision..                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 100    | Power to give the commissioner full and free access at all reasonable times to the documents of the agency or Minister concerned, including documents protected by legal professional privilege.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 101(2) | Power to give the commissioner a written transcript of the words recorded or contained in a document and a written document created using equipment that is usually available to Council for retrieving or collating stored information.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 102    | Power to conduct a particular further search, or further searches, for a document when required to by the commissioner.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 103    | Power to comply with a notice issued by the commissioner pursuant to this section.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 111(2) | Power, as a participant in an external review, to apply to the information commissioner to correct an error in a written decision of the commissioner.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 114(1) | Power, as an agency, to apply to the information commissioner for the declaration of an applicant as a vexatious applicant.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 118(1) | <del>Power to request the commissioner refer a question of law arising on an external review to QCAT.</del> Power, as a participant in an external review, to make a request to the information commissioner to refer a question of law arising on an external review to the Queensland Civil and Administrative Tribunal. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009 | 119    | Power, as a participant in an external review, to appeal to the appeal tribunal against a decision of the information commissioner on the external review.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Right to Information Act 2009                           | 119(1)                           | Power to appeal to the appeal tribunal against the decision of the information commissioner on the external review.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009                           | 1(3)                             | Power to make an application to the information commissioner to extend the 10 year period if the commissioner considers the extension in the public interest.                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Right to Information Act 2009                           | Schedule 4, Part 4, section 1(3) | Power to make an application to the information commissioner to extend the 10 year period during which disclosure of certain information cannot be made.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>River Improvement Trust Act 1940</b>                 |                                  |                                                                                                                                                                                                                                                                      |                         |                                                                |
| River Improvement Trust Act 1940                        | 3(3)                             | Power to, either singly or jointly, apply to the Minister for the establishment, change or abolition of a river improvement trust area.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1941                        | 5(1)(a), 5(1A)(a) and 5(2)       | Power to appoint a councillor to a river improvement trust.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1942                        | 5(3)                             | Power to decide the term of appointment for a councillor appointed pursuant to subsection (1)(a) or (2).                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1943                        | 5A(1)                            | Power to appoint a councillor to a river improvement trust where the office becomes vacant.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1944                        | 5A(2)                            | Power to comply with a notice from the Minister requiring Council to appoint a councillor to a vacant office.                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1945                        | 5A(5B)                           | Power to give the Minister the local government's views on the recommendation of an appointment to the Governor in Council.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1946                        | 5K                               | Power to remove a person from office as a member of a trust.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1947                        | 6(1A)                            | Power to consent for the trust to appoint the chief executive officer to be its secretary.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1948                        | 12A                              | Power to enter into a written arrangement with a trust to use the accounts and the accounting systems of Council.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1949                        | 14A(1A)                          | Power to pay to the trust the amount of revenue estimated by the trust in the budget adopted by it for such year.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| River Improvement Trust Act 1950                        | 14A(1B)                          | Power to negotiate and agree for each financial year the amount to contribute to the trust and to pay the amount to the trust.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Safety in Recreational Water Activities Act 2011</b> |                                  |                                                                                                                                                                                                                                                                      |                         |                                                                |
| Safety in Recreational Water Activities Act 2011        | 29                               | Power, as a person who conducts a business or undertaking that provides recreational water activities, to ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business has occurred. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Safety in Recreational Water Activities Act 2011        | 29(7)                            | Power, as a person conducting a business or undertaking that provides recreational water activities, to keep a record of each notifiable incident for at least 5 years from the day that notice of the incident is given to the regulator.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Safety in Recreational Water Activities Act 2011        | 30                               | Power as a person with management or control of a place at which a notifiable incident has occurred, to ensure, so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives or otherwise directs.     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Standard Plumbing and Drainage Regulation 2003</b>   |                                  |                                                                                                                                                                                                                                                                      |                         |                                                                |
| Standard Plumbing and Drainage Regulation 2003          | 14(6)                            | Power to require a person to give a reasonable number of copies of a plan for regulated work.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Standard Plumbing and Drainage Regulation 2003 | 14D(3)(c)(ii) | In the specified circumstances the power to require other information in relation to the testing.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 15(1)         | Power to decide that a part of the compliance assessable work or onsite sewerage work is outside the local government's expertise to assess.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 15(2)         | In the specified circumstances, the power to accept certification of a plan for compliance assessable work and associated documents by a competent person.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 18(2)         | In the specified circumstances, the power to require a person to give Council the information or documents needed to assess compliance assessable work.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 20(2)(a)      | In the specified circumstances, the power to agree on a time an inspector must start assessing the compliance assessable work or onsite sewerage work with the responsible person for the regulated work or onsite sewerage work.                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 22(6)(b)      | In the specified circumstances, the power to allow a responsible person for compliance assessable work or onsite sewerage work to give a compliance report at a time more than 10 business days after the testing or commissioning.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 22(7)(b)(i)   | In the specified circumstances, the power to form an opinion that another person is competent to test or commission the plumbing or drainage.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 27            | In the specified circumstances, the power to decide to test or commission plumbing or drainage, the subject of compliance assessable work carried out in a remote area.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29(1)(b)      | Power to decide to accept a notice given under section 86A(3)(a) of the <i>Plumbing and Drainage Act 2002</i> from another person.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29(3)         | If a notice given under section 86A(3)(a) of the <i>Plumbing and Drainage Act 2002</i> is accepted from an approved person, the power to advise the person who performs the regulated work of this decision.                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29(4) and (5) | Power to form an opinion that a person is competent to verify the regulated work complies with the <i>Standard Plumbing and Drainage Regulation 2003</i> .                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29A(2)        | Power to agree, with the responsible person and the occupier of the place where notifiable work was performed:<br>(a) for the local government to assess the work for compliance with this regulation; and<br>(b) the time within which the local government must start assessing the work. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29A(2)(a)     | In the specified circumstances, the power to agree on a time with the responsible person that an inspector must start inspecting the work.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Standard Plumbing and Drainage Regulation 2003 | 29B(2)     | The power to form a reasonable belief the work does not comply with this regulation, and to give the responsible person for the work written notice (a rectification notice) of the action required to make the work comply.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29B(4)(c)  | The power to form a reasonable belief an assessment of the rectification work is required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29B(4)(d)  | The power to decide conditions that the delegate considers reasonable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 29B(10)(a) | The power to decide with the responsible person a period within which the responsible person must comply with a rectification notice.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 30(3)(b)   | Power to:<br>• be satisfied that use of a non-certified plumbing or drainage item is necessary for maintaining the plumbing and drainage in its original form; and<br>• approve the continued use of the non-certified plumbing or drainage item.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 30(4)      | For approving the continued use of a non-certified plumbing or drainage item under section 30(3)(b) of the <i>Standard Plumbing and Drainage Regulation 2003</i> , the power to require a person to have the plumbing or drainage item tested at the person's cost within a stated reasonable time and at a stated reasonable place.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 32         | In the specified circumstances, the power to—<br>(a) require that a plumbing or drainage item is not installed or used in the circumstances; and<br>(b) approve the installation or use of—<br>(i) the plumbing or drainage item, but with a protective coating, lining or wrapping for the plumbing or drainage item; or<br>(ii) another plumbing or drainage item.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 34(1)      | In the specified circumstances, the power to form a belief on reasonable grounds that an ordinary supply pipe can not give an efficient water supply for the premises or premises group.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 34(2)      | In the specified circumstances and for a supply pipe for premises, the power to require—<br>(a) part or all of the supply pipe (the "premises main") to be built to the standard of a water main; and<br>(b) the premises main to supply directly each separately occupied part of the premises; and<br>(c) the premises main to supply directly each fire service within the premises.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 34(3)      | In the specified circumstances and for a supply pipe for a premises group, the power to require—<br>(a) a part of the supply pipe (the "premise group main") to be built, in the way and to the extent directed, to the standard of a water main; and<br>(b) each separately occupied part of the premises group to be served directly by a supply pipe connected to the premises group main; and<br>(c) each separately occupied part of the premises group that is to have a fire service to be served directly by a fire service connected to the premises group main. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Standard Plumbing and Drainage Regulation 2003 | 35(1)    | In the specified circumstances, the power to form the belief on reasonable grounds that drainage alone can not give efficient drainage for the premises.                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 35(2)    | In the specified circumstances and for sanitary drainage for premises, the power to require the building of a sewer for the premises (the "premises sewer") that it is to the standard of a sewer forming part of Council's or another service provider's sewerage system.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 35(3)    | In the specified circumstances and for sanitary drainage for a premises group, the power to require a sewer for the premises group (the "premises group sewer") be built to the standard of a sewer forming part of Council's or another service provider's sewerage system. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 38(2)    | Power to authorise an entity to keep a register of the testable backflow prevention devices.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 39(1)(d) | Power to require a larger capacity for a grease arrestor on premises.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 39(7)(a) | Power to approve the diameter of any outlet pipe from a grease arrestor on premises.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 39(8)    | Power to approve the design and location of the ventilation for a grease arrestor on premises.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 39(9)    | In approving the design and location of a grease arrestor's ventilation under section 39(8) of the <i>Standard Plumbing and Drainage Regulation 2003</i> , the power to have regard to the grease arrestor's design and location of trap water seals in the grease arrestor. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 41(1)(a) | Power to approve the connection of air cooling equipment to a supply pipe.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 41(2)(b) | In the specified circumstances, the power to approve the connection and use of air cooling equipment that is in the form of a domestic evaporative air conditioner.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 41(3)    | Power to give an approval under section 41(2) of the <i>Standard Plumbing and Drainage Regulation 2003</i> only if satisfied that it is reasonable in the circumstances to allow the equipment's use.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 44(1)(a) | Power to approve the connection of hydraulic powered equipment to a supply pipe.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 44(2)(b) | Power to approve the connection and use, on premises occupied by a disabled person, of hydraulic powered equipment that is in the form of a domestic water lift.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003 | 44(3)    | Power to give an approval under section 44(2) of the <i>Standard Plumbing and Drainage Regulation 2003</i> only if satisfied there is no other practical or economic way of giving mobility to the disabled person.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                         |                                             |                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Standard Plumbing and Drainage Regulation 2003          | 45(1)                                       | Power to give written approval to a pipe carrying water supplied by Council or another service provider—<br>(a) being connected to a water storage tank used to store water obtained from another source; or<br>(b) being discharged into a water storage tank used to store water obtained from another source. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 47(1)                                       | Power to give approval of a water closet pan, urinal or another fixture being installed in part of a premises below the level of the sewer or on-site sewerage facility for the premises.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 47(2)                                       | Power to give an approval under section 47(1) of the <i>Standard Plumbing and Drainage Regulation 2003</i> only if satisfied on reasonable grounds that there is adequate provision for lifting waste water to the sewer or on-site sewerage facility and preventing sewerage flowing back into the room.        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 52(2)                                       | In the specified circumstances, the power to, by written notice given to an owner of a new building and an owner of an old building, require that—<br>(a) the new building's owner pay the reasonable costs of changing the vents on the old building; and<br>(b) the old building's owner change the vents.     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 53(2)(a)                                    | In the specified circumstances, the power to form the opinion that an individual has the qualifications, skills and experience to give the individual the necessary competence for assessing plumbing and drainage work.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 53(3)(a)                                    | In the specified circumstances, the power to form the opinion that an individual has the qualifications, skills and experience that gives the individual the necessary competence for inspecting and approving on-site sewerage facilities.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 54(3)(a)                                    | In the specified circumstances the power to perform the work.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 54(3)(b)                                    | In the specified circumstances the power to fairly apportion the reasonable overall cost between or among the owners.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | 54(3)(c)                                    | In the specified circumstances the power to recover, as a debt from each owner, the owner's share of the costs.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Standard Plumbing and Drainage Regulation 2003          | Schedule 6 definition of "Competent person" | In the specified circumstances, the power to form an opinion that a person is competent to practise in the aspect of design of plumbing or drainage, including, for example, giving and certifying plans of plumbing or drainage work.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>State Penalties and Enforcement Regulation 2014.</b> |                                             |                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
| State Penalties and Enforcement Regulation 2014         | 19AG                                        | Power to apply to the registrar for the approval of Council as an approved sponsor.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AH(1)                                     | Power to comply with a request of the registrar for additional information.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AM(1)                                     | Power, as an approved sponsor, to agree with the registrar to an amendment of the approval.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AN(1)                                     | Power, as an approved sponsor, to keep the records listed in subsection 19AN(1).                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AO(2)                                     | Power, as an approved sponsor, to comply with a request of the registrar to give copies of all documents relevant to the work and development orders for which Council is an approved sponsor.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AQ(1)                                     | Power, as an approved sponsor, to surrender the approval as an approved sponsor.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014         | 19AU(2)                                     | Power, as an approved sponsor, to make written representations to the registrar in response to a show cause notice.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                                                                                                                                                                                                                                       |                         |                                                                |
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| State Penalties and Enforcement Regulation 2014                                                                                                                                                                                                                                                                                                                                                                    | 19Z(1)(a)     | Power, as an approved sponsor, to take the remedial action, to the satisfaction of the registrar.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties and Enforcement Regulation 2014                                                                                                                                                                                                                                                                                                                                                                    | 19AZ(2)       | Power, in the circumstances specified in subsection 19AZ(1), to apply to QCAT for a review of the decision.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>State Penalties Enforcement Act 1999</b><br><b>The Purpose of this Act</b><br>An Act for:<br>a) Maintaining the integrity of fines as a viable sentencing or punitive option for offenders; and<br>b) Maintaining confidence in the justice system by enhancing the way fines and other money penalties may be enforced; and<br>c) Reducing the cost to the State of enforcing fines and other money penalties. |               |                                                                                                                                                                                                                                       |                         |                                                                |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 15(1)         | Power to approve the form of the infringement notice.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 23(3)(b)      | Power to approve of an acceptable way, other than the approved form, of making an application for payment of fine through instalments.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 23(5)         | Power to be satisfied that the application was made by the alleged offender.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 28(1)         | Power to withdraw an infringement notice at any time before the fine is satisfied in full.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 28(2)(a)      | Power to serve on the alleged offender a withdrawal notice in the approved form.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 33(1)         | Power to give to SPER for registration a default certificate for the relevant infringement notice offence.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 33(2)(b)      | Power to approve of an acceptable way, other than the approved form, for how an election may be made.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 57(5)         | Power to:<br>(a) start a proceeding against an applicant for the offence; or<br>(b) accept payment of the fine in full as stated in the infringement notice for the offence; or<br>issue a fresh infringement notice for the offence. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 150(2)(a)(ii) | Power to determine an acceptable way of taking payment.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 157(2)        | Power to issue a certificate for evidentiary purposes.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| State Penalties Enforcement Act 1999                                                                                                                                                                                                                                                                                                                                                                               | 160           | Power to delegate Council's powers as administering authority under the <i>State Penalties Enforcement Act</i> , or its functions and powers under another Act as an administering authority, to an appropriately qualified person.   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| State Penalties Enforcement Act 1999                                                                                              | 162       | Power to approve forms for use as infringement notices.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Statutory Bodies Financial Arrangements Act 1982</b>                                                                           |           |                                                                                                                                                                                                                                             |                         |                                                                |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 31(1)     | Power, as a statutory body, to operate a deposit and withdrawal account with a financial institution.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 31(2)     | Power, as a statutory body, to seek the approval of the Treasurer to operate a deposit and withdrawal account with an overdraft facility.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 34(1)     | Power, as a statutory body, to borrow money and to seek the treasurer's approval for the borrowing.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 35(3)     | Power, as a statutory body, to, (a) create an encumbrance; and (b) otherwise transfer property, or assign income, by way of security, and to seek the treasurer's approval for same.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 42 and 44 | Power, as a statutory body, to exercise category 1 investment powers.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 42 and 45 | Power, as a statutory body, to exercise category 2 investment powers.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 46        | Power, as a statutory body, to exercise category 3 investment powers.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 47(2)     | Power, as a statutory body, to keep records that show Council has invested in the way most appropriate in all the circumstances.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 52(2)     | Power, as a statutory body, to: (a) obtain the Treasurer's approval for continuing with an investment arrangement referred to in section 52(1); or (b) liquidate an investment arrangement referred to in section 52(1).                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 53(1)     | Power, as a statutory body, to enter a derivative transaction.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 53(1)(b)  | Power, as a statutory body, to appoint a person as an agent for Part 7, Division 1 and obtain the treasurer's approval for the appointment.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 59        | Power, as a statutory body, to appoint a person as a funds manager and obtain the treasurer's approval for the appointment.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 60A       | Power, as a statutory body, to enter a type 1 financial arrangement and obtain the treasurer's approval for the arrangement.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 61A       | Power, as a statutory body to which section 61 applies, to enter a type 2 financial arrangement and obtain the treasurer's approval for the arrangement.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 62(1)     | Power, as a statutory body, to sign documents for a financial arrangement under the Act.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 62(2)     | Power, as a statutory body, to obtain the treasurer's approval before signing for a financial arrangement that: (a) creates an encumbrance; or (b) otherwise transfers Council's property, or assigns Council's income, by way of security. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 71        | Power, as a statutory body, to apply to the treasurer for approval of the exercise of a power under the Act.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 72        | Power, as a statutory body, to respond to a request from the Treasurer for a document or information the Treasurer considers necessary for considering Council's application under section 71 of the Act.                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Statutory Bodies Financial Arrangements Act 1982                                                                                  | 74        | Power, as a statutory body, to keep a register of the Treasurer's approvals under Part 9, Division 3 of the Act for Council's exercise of a power.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Stock Act 1915</b><br><b>The Purpose of this Act</b><br>An Act to consolidate and amend the law relating to diseases in stock. |           |                                                                                                                                                                                                                                             |                         |                                                                |
| Stock Act 1915                                                                                                                    | 19(1)     | Power to destroy any diseased stock, or stock that is suspected of being diseased found straying on any road or land under the local government's control.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Stock Act 1915                                                                                                                                             | 19(2)           | Power to give notice to nearest inspector and to the owner of the stock.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Stock Route Management Act 2002</b><br><b>The Purpose of this Act</b><br>The main purpose of this Act is to provide for stock route network management. |                 |                                                                                                                                                                                                                                                          |                         |                                                                |
| Stock Route Management Act 2002                                                                                                                            | 105-109         | Power to:-(a) prepare a stock route network management plan;<br>(b) consult on the stock route network management plan as required by sections 107 and 108; and (c) carry out public notification as required by section 109..                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 113             | Power to review, amend or renew, its stock route network management plan when the chief executive officer of the local government considers it appropriate                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 113(1)          | Power to review, or renew, stock route network management plan.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 115             | Power to:- (a) publish a copy of the stock route network management plan on Council's website; and<br>(b) keep an electronic copy of the plan available for inspection at Council's public office.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 116(5)          | Power, as an issuing entity, to waive payment of the application fee if satisfied the applicant is experiencing financial hardship                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 116(2)(c)(i)(B) | In the specified circumstances, the power to be satisfied that the relevant land contains more pasture and water than is needed for the use of travelling stock.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 116(2)(c)(ii)   | <del>In the specified circumstances, the power to give notice that a person may apply for a permit for the land.</del> Power, as an issuing entity, to give notice that a person may apply for a permit for the land.                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 117             | Power to by written notice, ask the applicant of a stock route permit to give further reasonable information or documents about the application by the reasonable date stated in the notice and refuse the application if the applicant does not comply. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 117(1)          | Power to, by written notice, ask an applicant to give further reasonable information or documents about the application by the reasonable date stated in the notice.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 117(2)          | Power to refuse an application if an applicant does not give the information or documents by the stated day, without reasonable excuse.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 118             | Power to grant or refuse an application for a stock route agistment permit.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 118(1)          | Power to consider and decide whether to grant or refuse an application.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 118(2)          | In the specified circumstances, the power to grant an application.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 118(2)(b)       | Power to be satisfied that the specified criteria applies.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 119(1)(b)       | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 121(a)          | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 121(b)          | In the specified circumstances, the power to refund the permit fee, if any, paid by the applicant.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 122(3)          | Power, as an issuing entity, to waive payment of the renewal application fee if satisfied the applicant is experiencing financial hardship                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 123             | Power to grant or refuse an application to renew a stock route agistment permit.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 123(1)          | Power to consider and decide whether to grant or refuse an application.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                                                                                                                            | 123(2)          | Power to be satisfied that there is enough pasture and water available on the land for the continued agistment and the use of travelling stock.                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Stock Route Management Act 2002 | 124(1)(b) | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 125(a)    | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 125(b)    | In the specified circumstances, the power to refund the permit fee, if any, paid by the applicant.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 126       | Power to impose on a stock route agistment permit the reasonable conditions you decide.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 126(1)    | Power to impose on a stock route agistment permit the reasonable conditions you decide.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 127       | Power to amend the conditions of a stock route agistment permit.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 127(3)    | Power to consider and decide whether to grant or refuse an application.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 127(4)    | In the specified circumstances, the power to give a holder written notice of the amended conditions.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 127(5)    | In the specified circumstances, the power to give a holder a review notice about the decision.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 128       | Power to cancel a stock route agistment permit.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 128(1)    | Power to cancel a stock route agistment permit if satisfied the specified criteria applies.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 128(2)(a) | In the specified circumstances, the power to give a permit holder a written notice.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 130       | Power to require the holder of a stock route agistment permit to return the permit.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 130(1)    | Power to, by written notice, require the holder of a stock route agistment permit to return the permit, within a stated reasonable period, for amendment under a decision made under section 127(4) or 129(2)(b)(ii) to (iv) of the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 130(3)    | In the specified circumstances, the power to issue a replacement permit.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 134(3)    | Power, as an issuing entity, to waive payment of the application fee if satisfied the applicant is experiencing financial hardship.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 135       | Power to ask the applicant to give the further reasonable information or documents about the application, and to refuse the application if the applicant does not comply.                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 135(1)    | Power to, by written notice, ask an applicant to give further reasonable information or documents about an application by the reasonable date stated in the notice.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 135(2)    | Power to refuse an application for a stock route travel permit if an applicant does not give the information or documents by the stated day, without reasonable excuse.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 136       | Power to grant or refuse an application for a stock route travel permit.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 136(1)    | Power to consider and decide whether to grant or refuse an application.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 136(2)    | Power to be satisfied that the specified criteria applies.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 136(3)    | In the specific circumstances, the power to seek the written consent of the other local government authority.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 137(1)(b) | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 139(a)    | In the specified circumstances, the power to give an applicant a review notice about the decision.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 141       | Power to require a stock route travel permit holder who gives a notice of the correct particular to return the permit.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 141(1)    | In the specified circumstances, the power to, by written notice, require the holder to return the stock route travel permit.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                 |           |                                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
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| Stock Route Management Act 2002 | 141(3)    | In the specified circumstances, the power to issue a replacement permit, showing the correct particulars, to the holder.                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 142       | Power to impose on a stock route travel permit the reasonable conditions it decides.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 142(1)    | Power to impose on a stock route travel permit the reasonable conditions you decide.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 143       | Power to amend a stock route travel permit.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 143(3)    | Power to consider and decide whether to grant or refuse an application.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 143(4)    | In the specified circumstances, the power to give a holder written notice of the amended conditions.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 143(5)    | In the specified circumstances, the power to give a holder a review about the decision.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 144       | Power to cancel a stock route travel permit.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 144(1)    | Power to cancel a stock route travel permit if satisfied the specified criteria applies.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 144(2)(a) | In the specified circumstances, the power to give a permit holder written notice.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 144(2)(b) | In the specified circumstances, the power to refund to the holder the amount of the permit fee less the amount that would have been payable for the distance travelled by the stock before the permit was cancelled.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 144(3)    | In the specified circumstances, the power to give a notice of cancellation.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 146       | Power to require the holder of a stock route travel permit to return the permit for an amendment under a decision made under certain sections of the Act.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 146(1)    | Power to, by written notice, require the holder of a stock route travel permit to return the permit within a stated reasonable period for amendment under a decision made under section 143(4) or 145(2)(b)(ii) to (iv) of the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> .                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 147(2)    | Power to authorise inspections to calculate the rate of travel of stock.                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 148       | Power to consider it necessary to build a stock-proof fence on the boundary of land adjoining a stock route network                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 148(1)    | Power to consider whether it is necessary to build a stock-proof fence on the boundary of land adjoining a stock route network in order to protect or improve the stock route network.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 149       | Power to issue a fencing notice.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 149(1)    | In the specified circumstances, the power to, by written notice (a fencing notice) given to a land owner, require the land owner to build a stock-proof fence on the boundary of the land Schedule 2 - Limits and Conditions to the Exercising of Powers to prevent stock on the land entering a part of the stock route network. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 152       | Power to enter land at any reasonable time to build or complete the building of the fence, or do anything necessary to make the fence stock-proof.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 152(2)    | In the specified circumstances, the power to enter an owner's land at any reasonable time to build or complete the building of the fence, or do anything necessary to make the fence stock proof.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 152(3)    | In the specified circumstances, the power to give an owner at least 7 days written notice.                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                 |           |                                                                                                                                                                                                                                                                |                         |                                                                |
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| Stock Route Management Act 2002 | 155       | Power to form a reasonable belief that it is necessary to muster stock on relevant land in Council's area to monitor compliance with:<br>(a) a stock route agistment permit; or<br>(b) a stock route travel permit.                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 156       | Power to give a mustering notice.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 156(1)    | In the specified circumstances, the power to, by written notice (a <i>mustering notice</i> ) given to a permit holder, require the permit holder to muster the permit holder's stock on the land.                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 158(1)    | In the specified circumstances, the power to enter land at any reasonable time and muster the stock.                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 158(2)(b) | In the specified circumstances, the power to give a landowner at least 24 hours written notice of the intended entry.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 160       | Power to manager and conserve pasture on its stock route network.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 161(1)    | Power to form a reasonable belief that, because of the number of stock on land within which a part of the stock route network in Council's area is fenced or otherwise enclosed, sufficient pasture will not be available for travelling stock on the network. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 161(2)    | <del>Power to, by written notice given to a landowner, require the owner to reduce the number of stock on the land.</del> Power to require an owner to reduce the number of stock on the land.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 163(1)    | Power to enter into an agreement (a <i>water facility agreement</i> ) with the chief executive and a landowner about any of the specified matters.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 167       | Power to:<br>(a) reasonably suspect stock found on the stock route network in Council's area are stray stock;<br>(b) seize the stock.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 168(1)    | Power to give the owner of seized stock written notice of the seizure.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 169       | In the specified circumstances, the power to release the stock to the person.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 169       | Power to be satisfied that a person is entitled to possession of the stock.                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 169       | Power to recover payment for the reasonable costs of seizing, removing and holding the stock and giving the notice.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 170(2)    | Power to form a reasonable belief that the stock have a market value of more than the amount prescribed under a regulation.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 170(2)    | In the specified circumstances, the power to sell stock by public auction or tender.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002 | 170(3)    | In the specified circumstances, the power to dispose of stock in a way considered appropriate.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Stock Route Management Act 2002                             | 172(1)   | Power to form a reasonable belief that:<br>(a) stock found on the stock route network in Council's area are stray stock; and<br>(b) it is not practicable to seize the stock under section 167 of the Land Protection (Pest and Stock Route Network) Act 2002; and<br>(c) it is necessary to destroy the stock in the interests of public safety.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 172(2)   | In the specified circumstances, the power to destroy the stock in a way considered appropriate.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 180      | Power to consent to the burning or removal of pasture.                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 180(1)   | Power to consent to the burning of pasture on a stock route network within Council's area.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 184(3)   | Power to consult with the Minister about the performance of the function or obligation under the <i>Stock Route Management Act 2002</i> .                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 184(5)   | Power to take action to comply with any notice given by the Minister in relation to the administration and enforcement of the <i>Stock Route Management Act 2002</i> .                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 187(5)   | Power to pay the amount to the chief executive in the stated period.                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Act 2002                             | 188      | Power to provide any information that the Minister may required in relation to: (a) details of amounts payable to received by Council under the Stock Route Management Act 2002; and (b) functions or powers performed or exercised or required to be performed or exercised by Council under the Stock Route Management Act 2002.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Stock Route Management Regulation 2023</b>               |          |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Stock Route Management Regulation 2023                      | 8        | Power to set a reasonable stock route agistment permit fee having regard to the factors listed in subsection 8(2).                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Stock Route Management Regulation 2023                      | 9(3)     | Power, in the circumstances listed in subsection 9(1), where the original permit had included the correct particular and the revised permit fee would have been less than the original permit fee, to:- (a) refund the amount of the difference between the fees to the holder; or (b) reduce the original permit fee by the amount of the difference between that fee and the revised permit fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Strong and Sustainable Resource Communities Act 2017</b> |          |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Strong and Sustainable Resource Communities Act 2017        | 7(3)     | Power to consult with the owner of a large resource project preparing an operational workforce management plan                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Strong and Sustainable Resource Communities Act 2017        | 9(5)     | Power to consult with the owner of, or proponent for, a large resource project described in section 9(1) about the social impact assessment prepared under section 9(2)                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Summary Offences Act 2005</b>                            |          |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Summary Offences Act 2005                                   | 32(3)    | Power to recover from the owner of a place, as a debt, any damages, including costs, paid by Council under section 32(2), if the breach of duty by the owner that caused the injury to, or death of, a local graffiti removal officer amounts to gross negligence.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Summary Offences Act 2005                                   | 33(2)    | Power to make an agreement with the owner of a place in relation to the fee payable by Council to the owner for the removal of public graffiti by the owner.                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Summary Offences Regulation 2016</b>                     |          |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Summary Offences Regulation 2016                            | 10(1)(a) | Power to consult with an entity that intends to make an application for an area of public land to be prescribed as motorbike control land about the proposal.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Summary Offences Regulation 2016                            | 14(3)    | Power, as entity having a legitimate interest in the area, to consult with a government entity for the purposes of reviewing the number and location of prescribed areas of motorbike control land.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Survey and Mapping Infrastructure Act 2003</b>           |          |                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
| Survey and Mapping Infrastructure Act 2003                  | 21(2)    | Power, as an owner or occupier of land, to consent to a surveyor placing a permanent survey mark on the land.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Survey and Mapping Infrastructure Act 2003                                                                                                                                                                      | 34          | Power, as a public authority that placed, or requested to be placed, a survey mark, to give to the chief executive a copy of a survey plan or other information necessary to establish a survey mark as a recognised permanent survey mark.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Survey and Mapping Infrastructure Act 2003                                                                                                                                                                      | 39          | Power, where the survey mark is on a road under the control of Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Survey and Mapping Infrastructure Act 2003                                                                                                                                                                      | 40          | Power, as a public authority, where the survey mark is on land, other than roads, controlled by Council, to maintain the integrity of survey markers, and provide updated information to the survey control register.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Survey and Mapping Infrastructure Act 2003                                                                                                                                                                      | 44          | Power, as a public authority, where a person interferes with a recognised permanent survey mark, to take action reasonably necessary to reinstate the physical and survey integrity of a recognised permanent survey marker.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Survey and Mapping Infrastructure Act 2003                                                                                                                                                                      | 49          | Power, as a public authority, to provide the chief executive with information about the boundaries of an administrative area.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Tattoo Industry Act 2013</b><br><b>The Purpose of this Act</b><br>An Act to provide for the licensing and regulation of body art tattooing businesses and body art tattooists and other related matters.     |             |                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Tattoo Industry Act 2013                                                                                                                                                                                        | 61(1)       | Power to enter into an arrangement (an information-sharing arrangement) with the chief executive.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Tobacco and Other Smoking Products Act 1998</b><br><b>The Purpose of this Act</b><br>An Act to improve the health of members of the public by reducing their exposure to tobacco and other smoking products. |             |                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 26ZPC(2)    | In the specified circumstances, power to give the Chief Executive information about the local government's administration and enforcement of the local law.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 28(2)       | Power to appoint:-<br>a) an employee of the local government; or<br>b) if another local government consents, an employee of the other local government; or<br>c) another person under contract to the local government as an authorised person for the local government and its area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 28(3)       | Power, together with CEOs of other local governments, to appoint:-<br>a) an employee of one of the local governments; or<br>b) another person under contract to one of the local governments as an authorised person for the local governments' area.                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 155         | Power to consult with the Department about a proposed local law under section 154.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 156         | Power to respond to a request for information from the chief executive about a local law made under section 154.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 165 and 166 | Power to administer and enforce Part 7, divisions 4 to 8 and Part 8, division 4 of the Act.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 167         | Power to respond to a request for information from the chief executive about the local government's administration and enforcement.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 181         | Power, as an occupier of a place, to give consent to an authorised person to enter the place.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 182         | Power, as an occupier of a place, to sign an acknowledgement confirming that consent to enter the place was given to an authorised person.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 188(1)      | Power, as a person required to give the authorised person reasonable help under section 187(3)(f), to comply with the requirement.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998                                                                                                                                                                     | 189(1)      | Power, as a person given a requirement under section 187(3)(g), to comply with the requirement.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Tobacco and Other Smoking Products Act 1998              | 209(1)                                                                                                               | Power, as an owner of a seized thing, to inspect the thing seized by an authorised person and, if it is a document, to copy it.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998              | 169(2) and (3)                                                                                                       | Power to give an authorised person directions concerning the exercise of the authorised person's powers.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998              | 170 (2) and 171                                                                                                      | Power to appoint authorised persons for the Act.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998              | 172                                                                                                                  | Power to give an authorised person a signed notice concerning the authorised person's powers.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Tobacco and Other Smoking Products Act 1998              | 173                                                                                                                  | Power to issue an identity card to each authorised person under the Act.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Torres Strait Islander Cultural Heritage Act 2003</b> |                                                                                                                      |                                                                                                                                                                                                                                                                                                         |                         |                                                                |
| Torres Strait Islander Cultural Heritage Act 2003        | 17(2)                                                                                                                | Power, in the circumstances set out in subsection (1), to take all reasonable and practicable steps to ensure that the human remains are taken into the custody of the chief executive.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 18(2)                                                                                                                | Power, in the circumstances set out in subsection (1), to advise the chief executive of the existence and location of the human remains and give the chief executive all details that the chief executive reasonably requires.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 23(1)                                                                                                                | Power, as a person who carries out an activity, to take all reasonable and practicable measures to ensure the activity does not harm Torres Strait Islander cultural heritage.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 28(2)                                                                                                                | Power to consult with the Minister about cultural heritage duty of care guidelines.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 30(1)                                                                                                                | Power, as a person who is involved in putting an approved cultural heritage management plan into effect, to take all reasonable steps to ensure the chief executive is advised about all Torres Strait Islander cultural heritage revealed to exist because of any activity carried out under the plan. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 31(1)                                                                                                                | Power, as a person who carries out an activity, to advise the chief executive of Torres Strait Islander cultural heritage revealed to exist because of the activity.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 53,56,57,58,59,60,61,62(2),63(2),64(2), 65(2), 67,68,69(2),70,71,72,76, 77(2) and 153                                | Power to carry out a cultural heritage study and have its findings recorded in the register including all steps authorised or required by Part 6 of the Act for the purpose of carrying out the study, recording it in the register and objecting to the way the study is recorded in the register.     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 54(3)                                                                                                                | Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for carrying out cultural heritage studies.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 70(3)                                                                                                                | Power, as the owner or occupier of land, to consult with the sponsor about obtaining access to the land and determine whether or not access should be given.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 72(1)(c)                                                                                                             | Power to consult with the chief executive about a cultural heritage study.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 76                                                                                                                   | Power to object to the Land Court to:-(a) the chief executive's recording in the register of the findings of a cultural heritage study; and (b)the chief executive's refusal to record in the register the findings of a cultural heritage study.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 82,83,91,92,93,94,95,96, 97(2),98(2),99(2),100,101,103,104,105,106,107,109(5),111,112,113,114,115,116,117(5),and 153 | Power to develop, reach agreement on and seek approval for a cultural heritage management plan including all steps authorised or required by Part 7 of the Act for the purpose of developing, reaching agreement on and seeking approval of the plan and objecting to any refusal to approve the plan.  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 85(3)                                                                                                                | Power to consult with the Minister about guidelines to help people in choosing suitable methodologies for developing cultural heritage management plans.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Torres Strait Islander Cultural Heritage Act 2003        | 153                                                                                                                  | Power, as the owner or occupier of land, to consult with a person who wishes to enter land to perform a cultural heritage activity about obtaining access to the land and to determine whether or not access should be given.                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| <b>Transport Infrastructure Act 1994</b><br><b>The Purpose of this Act</b><br>An Act that is, consistent with the objectives of the Transport Planning and Coordination Act 1994, to provide a regime that allows for and encourages effective integrated planning and efficient management of a system of transport infrastructure. |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 11(4)    | Power to consult with the chief executive concerning the development of a roads implementation program if the chief executive believes that Council would be affected by the program.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 14(3)(a) | Power to consult with the chief executive concerning the development of a rail implementation program if the chief executive believes that Council would be affected by the program.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 17(4)    | Power to consult with the chief executive concerning the development of implementation programs for miscellaneous transport infrastructure if the chief executive believes that Council would be affected by the programs.                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 25(b)    | <del>In the specified circumstances, the power to make submissions to the Minister on a proposed declaration, or revocation of a declaration, of a State-controlled road.</del> Power to prepare and make submissions to the Minister in relation to any declaration, or revocation of a declaration that a road or route, or part of road or route, is a State-controlled road.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 26       | Power, as a railway manager, to:- (a) consult with, and make submissions to, the Minister before a declaration is made making a road or route, or part of a road or route, that crosses rail corridor land and continues on the other side of the rail corridor land a State-controlled road;<br>(b) construct, maintain and operate a railway on a declared common area in a way not inconsistent with its use as a State-controlled road;<br>(c) make an agreement with the chief executive regarding the State-controlled road on the common area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 27(3)(b) | <del>In the specified circumstances, the power to make submissions to the Minister on a proposed declaration, or revocation of a declaration, of a State-controlled road as a motorway.</del> Power to prepare and make submissions to the Minister in relation to any declaration or revocation of declaration that the whole or a part of a State-controlled road is a motorway.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29       | Power to enter into contracts with the chief executive in respect of road works, other works or the operation of State-controlled roads within and outside Council's local government area.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(1)    | Power to enter into an agreement with the Chief Executive for the carrying out of specified works                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(2)    | Power to enter into an agreement with the Chief Executive for the carrying out of road works on the local government road.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(3)    | Power to enter in a contract with the Chief Executive for the local government to carry out road works.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(4)    | Power to contract with the state about the maintenance and operation of a State-controlled road, including arrangements about which powers of the local government are to be exercised by the Chief Executive and which powers are to be exerted by the local government.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(5)    | Power to enter into a contract with the Chief Executive for the carrying out of specified works under subsection (1) even though the contract relates to works or operations outside the local government's area.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                                                                                                                                                                                                                                                    | 29(6A)   | Power to enter into a contract with the Chief Executive to carry out accommodation works.                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
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| Transport Infrastructure Act 1994 | 32       | Power to make a sharing arrangement with the chief executive for the costs of:- (a) acquisition of land for transport infrastructure; (b) road works on a State-controlled road; (c) other works that contribute to the effectiveness and efficiency of the road network; or (d) the operation of a State-controlled road; including all necessary preliminary costs associated with acquisition, works, or operation.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 33(2)    | Power to apply for an approval to carry out road works on a State-controlled road or interfere with a State-controlled road or its operation.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 36(1)    | Power, as an owner or occupier of land, to provide written approval agreeing to the proposed temporary occupier occupying or using the land under section 35.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 36(1)(a) | Power to give written notice to the owner or occupier of land and the persons referred to in that subsection.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 36(4)    | <del>Power to consider any submissions that are made in response to the notice given.</del> Power, as an owner or occupier of land, to make submissions to the proposed temporary occupier about the accommodation works or land management activities proposed to be carried out on the land.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 36(5)    | In the specified circumstances, the power to enter the land and carry out the road works specified in the notice.                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 36(6)    | In the specified circumstances, the power to notify the owner or occupier of the land orally.                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 37       | Power, as an owner of land, to give notice to the chief executive claiming compensation for physical damage caused by the temporary entry, occupation, or use, or for the taking or consumption of material.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 40       | Power to enter into agreements with the chief executive in relation to funding for road works on Council's roads.                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 41       | <del>In the specified circumstances, the power to make financial arrangements with the chief executive for improvements to be made to a State-controlled road.</del> Power to enter into a financial arrangement with the chief executive for improvements to State controlled roads that would be beneficial to Council's road network.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 42       | Power to obtain the chief executive's written approval for consent to carry out road works or make changes to the management of a Council road if conditions under subsection (1) apply and exceptions under subsections (2) or (5) do not apply.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 42(1)    | In the specified circumstances, the power to apply to the chief executive for written approval to carry out road works on a local government road or make changes to the management of a local government road where the works or changes would - (a) require the carrying out of road works on a State-controlled road; or (b) otherwise have a significant adverse impact on a State-controlled road; or (c) have a significant impact on the planning of a State-controlled road or a future State-controlled road. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 42(5)    | Power to apply and enforce conditions to proposed road works or changes to the management of a Council road.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 43       | Power to obtain the chief executive's written consent to the erection, alteration or operation of an advertising sign or device that would be:- (a)visible from a motorway; (b)beyond the boundaries of the motorway; and (c)reasonably likely to create a traffic hazard; and on conditions that comply with fixed criteria.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 43(1)    | In the specified circumstances, the power to apply to the chief executive for written approval where you intend to approve the erection, alteration or operation of an advertising sign or other advertising device that would be - (a) visible from a motorway; and (b) beyond the boundaries of the motorway; and (c) reasonably likely to create a traffic hazard for the motorway.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 43(4)    | Power to apply conditions to the erection, alteration or operation of an advertising sign or device.                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |                                                                |
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| Transport Infrastructure Act 1994 | 45     | Power to exercise all the powers Council may exercise for a local government road in its area in relation to State-controlled roads in its area.                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 50(3)  | Power to apply for an approval to construct, maintain, operate or conduct ancillary works and encroachments on a State-controlled road.                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 52(6)  | Power, as an owner of ancillary works and encroachments, to enter into an agreement with the chief executive for a contribution towards the cost of the alteration, relocation, making safe or removal of the ancillary works and encroachments.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 55     | Power to make submissions to the chief executive concerning a proposal to publish a gazette notice to make, amend or revoke a declaration or to make, amend or replace a policy for limited access roads.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 55(b)  | In the specified circumstances, the power to make submissions to the chief executive on a proposal to publish a gazette notice to make, amend or revoke a declaration or to make, amend or replace a policy for a limited access road.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 62(1)  | Power to make an application to the chief executive to make a written decision stating any of the matters provided in sub-subsections (a)-(k) concerning access between 1 or more State-controlled roads and particular adjacent land which Council has an interest in.                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 67A    | Power to ask the chief executive, in writing, to give Council a copy of any decision in force under section 62(1) for land that Council has an interest in.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 72(2)  | Power, as an owner or occupier of land, to enter into an agreement with the chief executive for:- (a) the supply by the chief executive of, or a contribution towards the supply by the chief executive of, alternative road access works between a State-controlled road and Council's land or between Council's land and another road; or (b) the carrying out, or contributions towards the carrying out of, other works in relation to Council's land.                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 73(4)  | Power, as an owner or occupier of land, to recover, as a debt from the chief executive, compensation for the diminution in land value because of the prohibition or change made to the access between a State-controlled road and Council's land.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 76     | Power to enter into an agreement with the chief executive for the supply of roadside service centres, roadside rest facilities and other roadside businesses adjacent to or near State-controlled roads.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 81     | Power, as the owner of a public utility plant, to give the chief executive written notice of Council's intention to take action mentioned in section 80 on a State controlled road.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 83     | Power, as the owner of a public utility plant (whether existing or proposed), to arrange with the chief executive for the sharing of the costs, including preliminary costs, of all or any of the following:- (a) acquisition of land associated with the plant; or (b) construction, augmentation alteration or maintenance of the plant; or (c) construction of road works affected by the plant.                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 84B(2) | Power, as a railway manager, to consult with, and make submissions to, the Minister about an intended declaration under section 84A.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 84B(4) | Power, as a railway manager for a rail corridor land that has been declared to be part of a common area, to construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a toll road.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 84B(5) | Power, as a railway manager for rail corridor land that has been declared to be part of a common area, to enter into an agreement with chief executive, or the lease holder for the particular State toll road corridor land, regarding the following:- (a) responsibility for maintaining a toll road, and the transport infrastructure relating to a toll road, on the common area; and (b) responsibility for the cost of removing road transport infrastructure from the common area and restoring the railway. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 84D    | Power to claim compensation regarding land, in which Council has an interest but has been declared to be State toll road corridor land under section 84A, under the <i>Acquisition of land Act 1967</i> , section 12(5A) and (5B), and part 4 as if the interest were land taken by the State under that Act.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
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| Transport Infrastructure Act 1994 | 85A                 | Power, as a railway manager, to:- (a) consult with, and make submissions to, the Minister regarding the construction, maintenance or operation of a road, or part of a road, that crosses rail corridor land and continues on the other side of the rail corridor land; (b) construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a franchised road; (c) enter into an agreement with the franchisee regarding the franchised road on the common area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 94(2)               | Power, as a toll road operator, to recover, as a debt, from the driver the amount of any unpaid toll or user administration charge, subject to any applicable agreement made by Council.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 95(2)               | Power, as a toll road operator, to enter into an agreement with a person regarding the liability of a designated vehicle's driver for the toll payable at a toll plaza.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 99                  | Power, as a toll road operator, to give the registered operator of a vehicle a written notice requiring the registered operator, within the prescribed time for the notice— (a) to pay Council the deferred toll amount; or (b) to give Council the registered operator's statutory declaration containing the required information.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 99AA                | Power, as a toll road operator, to give a single notice to a registered operator for notices under section 99 and 105ZH.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 100                 | Power, as a toll road operator, to give written notice, in the approved form, under this section if Council has not received a deferred toll amount and it considers, on reasonable grounds, that a person other than the vehicle's registered operator has information that could help the toll road operator establish the name and address of the driver.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 100(2)              | Power to give a statutory declaration complying with subsection (3).                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 101                 | Power, as a toll road operator, to give a written notice, in the approved form, under this section if Council has not received a deferred toll amount and it considers, on reasonable grounds, that Council has correctly identified the person who was the driver.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 101A                | Power, as a toll road operator, to give a single notice to a person for notices under section 101 and 105ZK.                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 104(2) and 105ZN(2) | Power to disclose, allow access to, record or use personal information under certain circumstances.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | Chapter 6, Part 8   | <a href="#">Power to exercise all the powers of Council, including applying for the Minister's consent for a local government tollway, under Part 8 (Local Government Tollways).[1]</a>                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105                 | Power to certify any of the matters stated in subsection (1)(c).                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105C(1)             | In the specified circumstances, the power to ask the Minister for approval for a tollway project.                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105G(1)             | In the specified circumstances, power to ask the Minister to declare a local government tollway for the approved project.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105GB(1)            | In the specified circumstances, power to ask the Minister the items prescribed in 1(a) to (c) of section 105GB(1).                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105I                | Power— (a) as a railway manager, to consult with, and make submissions to, the Minister about an intended declaration under section 105H; (b) to construct, maintain and operate a railway on a declared common area in a way not inconsistent with its use as a local government tollway; (c) to make an agreement with the chief executive regarding the local government tollway on the common area.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105J(9)             | Power to enter into a lease or sublease of local government tollway corridor land to another person, for use as a tollway.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105JA(3)            | Power, as a person with an interest in land declared to be a local government tollway corridor land under section 105H, to claim compensation under the <i>Acquisition of Land Act 1967</i> , section 12(5A) and (5B) and part 4 as if the interest were land taken by the State under that Act.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 105N         | Power, as a public utility provider, to do the following on local government tollway corridor land— (a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant;<br>(b) maintain or repair, or alter, for maintenance or repair, its public utility plant;<br>(c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant;<br>(d) seek written agreement from the local government for whom the declaration of the local government tollway corridor land was made;<br>(e) in the interests of public safety, carry out urgent maintenance of its public utility plant on local government tollway corridor land without the written agreement of the local government. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105N(6)(a)   | Power to provide oral agreement to a public utility provider carrying out urgent maintenance of its public utility plant under the Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105O(1)      | Power, as a public utility provider, to ask another local government for information about lines and levels for planned local government tollway infrastructure on local government tollway corridor land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105X(4)      | Power, as a public utility provider, to make an agreement with a local government regarding the reduction in cost of replacing or reconstructing a public utility plant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105Y         | Power to enter into a local government tollway franchise agreement with another local government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 105ZO        | Power to certify any of the matters stated in subsection (1)(c).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 109A(4)(a)   | Power, as an owner or occupier of land, to allow the chief executive to enter the land by giving written consent to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 110          | Power to apply to the chief executive for a rail feasibility investigator's authority for an area of land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 114(3)(a)    | Power:- (a) as an owner or occupier of land, to consent to an investigator or an associated person to enter onto land; or<br>(b) as an authorised investigator, to enter land, with the owner's or occupier's consent; for the purpose of investigating the land's potential and suitability as a rail corridor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 115(1)       | Power, as an authorised investigator, to allow an associated person to act under the investigator's authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 115(4)       | Power, as an owner or occupier of land, to ask person who has entered, is entering, or is about to enter Council's land under an authority for the person's identification or about the person's authority to enter Council's land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 117(b)       | Power, as an authorised investigator, to do anything necessary or desirable to minimise damage to the land or inconvenience to the land's owner or occupier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 118(1)       | Power, as an owner or occupier of land, to:- Power, as an owner or occupier of land, to:-<br>(a) claim compensation from the relevant person for the loss or damage arising out of an entry onto land, any use made of the land, anything brought onto the land, or anything done or left on the land in connection with the relevant person's authority;<br>(b) require the relevant person to carry out works to rectify, within a reasonable time, the damage after the relevant person has finished investigating the land under the authority; or<br>(c) require the relevant person to carry out works to rectify the damage and claim compensation from the investigator for any loss or damage not rectified.                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 118(4)(a)    | Power:- (a) as an owner or occupier of land, to make an agreement with the relevant person with regards to the amount of compensation; or<br>(b) as an authorised investigator, to make an agreement with owner or occupier of the land with regards to the amount of compensation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 126(2)(d)(i) | Power, as an owner of land, to agree to allow an applicant for accreditation as a railway manager and/or operator to access the land where the railway is constructed or is proposed to be constructed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 165(c)       | Power, as an owner or occupier of land, to agree to allow the chief executive or an accredited person to take or use the material on Council's land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 166(1)                   | Power, as an owner or occupier of land, to give written notice to the chief executive or an accredited person regarding:- (a) a claim for compensation for the loss or damage caused by the entry or railway works or accommodation works carried out on Council's land; (b) a claim for compensation for the taking or use of materials; (c) a requirement that the accredited person carry out works in restitution for the damage; or (d) a requirement that the accredited person carry out works in restitution for the damage and a claim for compensation for any loss or damage not restituted. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 168                      | Power to seek the chief executive's written approval to carry out works near a railway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 168(7)(b)                | Power, as an owner or occupier of land, to make an agreement with an authorised person to allow the authorised person to enter Council's land and inspect railway works.                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 169                      | Power, as a railway manager, to— (a) temporarily close or regulate a railway crossing if satisfied it is necessary because of an immediate threat to— (i) the safety of the railway; or (ii) the public using it or who may use it; (b) construct a substitute crossing if Council decides to close or regulate a crossing.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 178(1)(a)                | Power, as an occupier of a place, to consent to the entry of a rail safety officer into the place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 179(3) and (5)           | Power, as an occupier of a place, to sign an acknowledgement of Council's consent to allow a rail safety officer to enter the place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240(4)                   | Power, as a railway manager, to enter into a sublease with the chief executive for rail corridor land or non-rail corridor land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240B(2A)                 | Power, as a railway manager, to make an agreement with the chief executive to renew a sublease for a section of rail corridor land before or immediately after its expiry.                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240B(5)-(7)              | Power to make an agreement with the chief executive, or commence proceedings in a court, for compensation to be paid to Council because of the revocation of an unregistered right in a railway manager's sublease for a section of rail corridor land.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240D                     | Power to enter into a sublease with the chief executive for a section of non-rail corridor land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240E(2) and (3)          | Power, as an owner of land, to seek and negotiate with the railway manager a right of access across a proposed railway if Council's land is adjacent to the relevant land or Council has access over the relevant land.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240E(5)                  | Power, as a railway manager or as an owner of land, to ask the chief executive, if an agreement regarding right of access cannot be made, to decide whether a right of access across the proposed railway should be granted.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240E(7)                  | Power, as a railway manager or an owner of land, to give the chief executive the information the chief executive requires in deciding whether to grant a right of access across the proposed railway.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240F(3)(a)               | Power, as a railway manager of a rail corridor land or as a right of access holder, to agree to cancel the right of access to the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240F(4)                  | Power, as a railway manager of a rail corridor land or as an owner of land, to enter into an agreement in relation to the compensation payable for the cancellation of a right of access across a rail corridor land.                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 240F(6)                  | Power, as an owner of land, to commence proceedings in the Land Court for compensation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 241(3)                   | Power, as a railway manager, to grant a sublicence in relation to an easement described in schedule 4 to a railway operator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 244(2)(b) and 244A(2)(b) | Power, as a railway manager, to— (a) alter the rail transport infrastructure; and (b) manage the railway using the rail transport infrastructure, whether or not altered; and (c) operate, or authorise a railway operator to operate, rolling stock on the railway.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 249(3)(a) | Power:- (a) as a railway manager for rail corridor land or future railway land, to construct, maintain and operate a railway on the common area in a way not inconsistent with its use as a relevant road;<br>(b) to construct, maintain and operate a local government tollway corridor land within a declared common area in a way not inconsistent with its use as a railway                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                         |                                                                |
| Transport Infrastructure Act 1994 | 249(5)    | Power:- (a) to make an agreement with the railway manager for a railway within a common area; or<br>(b) as a railway manager, to make an agreement with a relevant person for a relevant road within a common area;<br>regarding the costs of removing rail transport infrastructure from the common area and restoring the relevant road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                         |                                                                |
| Transport Infrastructure Act 1994 | 250       | Power:- (a) as a railway manager, to:-<br>(i) in constructing or managing a railway, to alter the level of a road or require the authority responsible for the road to alter its level;<br>(ii) make an agreement with the authority responsible for the road with regards to the responsibility for the payment of all reasonable expenses incurred in altering the road level;<br>(iii) make an agreement with a person, whose land is directly affected by the road alteration, regarding the amount of compensation payable to the person;<br>(iv) if an agreement cannot be reached with the person directly affected by the road alteration, make an application to a court with jurisdiction to make a decision on the amount of compensation; or<br>(b) as an authority responsible for a road, to make an agreement with the railway manager with regards to the responsibility for the payment of all reasonable expenses incurred in altering the road level; or<br>(c) as an occupier or owner of land that has been directly affected by the road alteration, to:-<br>(i) make an agreement with the railway manager regarding the amount of compensation payable to Council;<br>(ii) make an application to a court with jurisdiction to make a decision on the amount of compensation. |                         |                                                                |
| Transport Infrastructure Act 1994 | 253(1)    | <del>In the specified circumstances, the power to make a request to the chief executive for permission to construct, maintain and operate a road on rail corridor land by way of-</del><br>(a) a bridge or other structure over a railway; or<br>(b) a bridge or other structure that allows the road to pass under the railway; or<br>(c) a level crossing. Power to construct, maintain and operate a road on rail corridor land or non-rail corridor land, if permitted by the chief executive, by way of a bridge or other structure that allows the road to go over or pass under the relevant infrastructure on the land, or a crossing at the same level as the relevant infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 253(3)    | Power, as a railway manager of rail corridor land or as a sublessee of non-rail corridor land, to consult with the chief executive before the chief executive makes a decision on proposed relevant infrastructure on rail corridor land or non-rail corridor land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 253(4)    | Power, as a railway manager of rail corridor land or as a sublessee of non-rail corridor land, to continue to use the land and the airspace above the land, other than any land and airspace excluded by a condition of the permission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 253(7)    | Power to enter into an agreement with the chief executive concerning the maintenance of a road and a bridge, structure or crossing constructed on rail corridor land or non-rail corridor land, as well as the costs of removing the bridge, structure or crossing when the road is no longer in use and the subsequent restoration of the relevant infrastructure on the land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 255(1)         | Power:- (a) as a railway manager, to give written approval to a person seeking to interfere with the railway; or<br>(b) to seek written approval from a railway's manager to interfere with the railway; and<br>(c) to interfere with a railway provided that the interference is:-<br>(i) with the railway manager's written approval;<br>(ii) permitted or authorised under a right of access under sections 240E or 253, or under the Transport (Rail Safety) Act 2010; or<br>(iii) otherwise approved, authorised or permitted under this Act or another Act.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 256            | Power, as a railway manager, to require, by written notice, a person who has contravened section 255(1) to rectify the interference within a stated reasonable time, or to rectify the interference if the person fails to comply with the requirement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 258A           | Power to make an application to the chief executive to make a change to the management of a local government road if the change would require work on a railway or would have a significant adverse impact on the safety and operational integrity of a railway or future railway.                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 260(3)         | Power, as a railway manager, to construct and maintain a fence of substantially similar quality to any fence around the neighbouring land when the railway was constructed in order to satisfy its obligation under subsection (2)(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 260(4)(b)      | Power, as an owner or occupier of land next to existing railway, or as a railway manager of the existing railway, to enter into an agreement for compensation for railway works with the railway manager or the owner or occupier of the land, respectively.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 260(6) and (7) | Power:- (a) as an owner or occupier of land adjacent to an existing railway, to carry out further works at Council's expense, with the railway manager's agreement, if Council considers that the works carried out under section 260 are insufficient for the convenient use of the land; or<br>(b) as a railway manager of an existing railway:-<br>(i) to agree to the further works proposed to be carried out by the owner or occupier of land adjacent to the existing railway at its expense;<br>(ii) to require, by written notice given to the owner or occupier, the further works to be carried out under the supervision of a person nominated by Council and according to plans and specifications approved by Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 260(9)         | Power, as an owner or occupier of land adjacent to an existing railway, to cross the existing railway with Council's, and its employees' and agents', vehicles and livestock until the railway manager carries out the works pursuant to subsection (2), unless Council has received compensation for the works.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 266A(2)(a)     | Power, as a railway manager, to give written notice to the chief executive, at least 2 months before a preserved train path is allocated to a person, stating details of the proposed allocation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 266D           | Power, as a railway manager, to make a submission against the imposition of a penalty pursuant to section 266C(2) in the way stated in the proposed penalty notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 266F           | Power, as a railway manager, to appeal a penalty notice to the Supreme Court against the chief executive's decision to impose a penalty.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 273            | Power to exercise all the powers and functions of a port authority under Chapter 8 if Council is given management of a port under Chapter 8.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 279A           | Power— (a) as a port lessor, port lessee or port manager of the Port of Brisbane, to impose charges in relation to port services and port facilities;<br>(b) as a port user, to make an agreement with the port lessor, port lessee or port manager regarding subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 279B           | Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to enter into a port agreement with the Minister about charges imposed pursuant to section 279A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 281C  | Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to— (a) decide a reasonable time for payment of a charge imposed pursuant to section 279A and a reasonable interest rate to be applied to any unpaid amount; and (b) recover a charge, or part of a charge, and any interest payable in relation to the charge, as a debt payable to Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 281F  | Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to (a) by written notice, require a person to give Council a security deposit as a security for a liability or debt incurred, or that may be incurred, by it under chapter 8, part 3A in relation to the payment of a charge or damage caused, or that may be caused, to port facilities; (b) appropriate, or partly appropriate, a security deposit to meet the liability or indebtedness of the person if the liability or debt is unpaid after becoming due; (c) by written notice, require the person to give Council a further security deposit subsequent to the appropriation, or part appropriation, of a security deposit; and (d) by written notice, require the person to give Council a security deposit in a greater amount, or in a different form, or both, if Council considers that the person's liability or indebtedness, or potential liability or indebtedness, to Council under chapter 8, part 3A should be more adequately guaranteed. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282   | Power, as a port lessor of the Port of Brisbane, to display or publish a port notice to control activities or conduct in its port area if Council reasonably considers the activities or conduct may— Power, as a port lessor of the Port of Brisbane, to display or publish a port notice to control activities or conduct in its port area if Council reasonably considers the activities or conduct may— (a) affect the port's operation; or (b) cause damage to the port authority's strategic port land or Brisbane core port land; or (c) cause damage to the environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282AA | Power, as a port lessor of the Port of Brisbane, to display or publish a port notice requiring a person or class of persons to produce to the port lessor or port lessor's delegate, information relevant to the matters listed in sub-subsections (a)-(e).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282A  | Power, as a port lessor of the Port of Brisbane, to control by port notice— (a) the movement or mooring of ships at its port facilities; or (b) the movement or mooring of ships if the movement or mooring may affect the port's operation; or (c) activities on or by ships moored at its port facilities or in its port if the activities may affect the port's operation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282C  | Power, as a port lessor of the Port of Brisbane, to control, by port notice, the movement, handling or storage of goods loaded, waiting to be loaded, unloaded or transhipped to or from ships at its port facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282D  | Power, as a port lessor of the Port of Brisbane, to control, by port notice, the movement of persons at its facilities including, for example, where the movement of members of the public, or another identified group, is restricted or prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282E  | Power, as a port lessor of the Port of Brisbane, to control by port notice the parking or stopping of vehicles at or on its port facilities, strategic port land or Brisbane core port land including, for example, by indicating a place where parking or stopping of a vehicle is restricted or prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282F  | Power, as a port lessor of the Port of Brisbane, to control by port notice the movement, stopping or parking of rolling stock at its port facilities including, for example, by indicating where parking of rolling stock is restricted or prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 282K  | Power, as a port lessor of the Port of Brisbane, to appoint a person as an authorised officer for Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 283ZJ | Power, as a port operator, to consult with the Minister before the Minister gives a direction under subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 283ZZ      | Power, as an assessment manger for a development application for development on Brisbane core port land under the <i>Sustainable Planning Act 2009</i> , to impose a condition on the development approval for the application requiring a contribution only in relation to the following infrastructure provided by the Brisbane City Council or a service provider—<br>(a)drainage;<br>(b)public transport;<br>(c)roads;<br>(d)sewerage and water supply headworks. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 283ZZB     | Power to apply to the planning chief executive for a planning and development certificate for premises on Brisbane core port land.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 283ZZJ     | Power, as an assessment manger for a development application for development on land that becomes Brisbane core port land, to give the application to the planning chief executive and respond to any request for information from the planning chief executive.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 283ZZN     | Power, as a port lessor, port lessee or port manager of the Port of Brisbane, to grant a licence to enter and use port land, if leased by Council under the <i>Land Act 1994</i> , or trade lease of land, if subleased to Council.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 285C       | Power to make written submissions in respect of a statement of proposal under section 285A or draft plan under section 285B made by a port authority over land in or adjoining Council's area.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289C       | Power to apply to a port authority for approval to perform a controlled activity in a port authority's port area.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289G       | Power, if Council's interests are affected by a decision mentioned in section 289F(1), to ask the port authority to review the decision or, pursuant to the <i>Transport Planning and Coordination Act 1994</i> , part 5, division 2, make an application to the Queensland Civil and Administrative Tribunal to have the original decision stayed.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289I(2)(b) | Power, as a port operator, to have abandoned property found at the port facility moved to a place Council considers appropriate.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289J       | Power to seek the return of abandoned property from a port authority or port operator.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289K       | Power, as a port operator, to sell property that has remained unclaimed 28 days after the publication of a notice under section 289I about the abandoned property.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289L       | Power, as a port operator, to sell abandoned property if it is perishable and it is impracticable for Council to keep it having regard to its nature and condition.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289N       | Power, as a port operator, to dispose of abandoned property that is insufficient value property in the way Council considers appropriate.                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289Z       | Power, as a port lessor of the Port of Brisbane, to delegate a function under Chapter 8, other than under part 3A, to a port lessee or port manager.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 289ZA      | Power:- (a) as a port lessor of the Port of Brisbane, to appoint an entity as a port manager for the Port of Brisbane; or<br>(b) as a port lessee—<br>(i) to seek written approval from the port lessor to appoint an entity as a port manager for the Port of Brisbane; and<br>(ii) with the written approval of the port lessor, appoint an entity as a port manager for the Port of Brisbane.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 300(2)     | Power, as an owner or occupier of land, to claim compensation from the chief executive for loss or damage caused by the entry, occupation, or use, including by the taking or consumption of materials, of Council's land by the chief executive or a person authorised by the chief executive for purposes relating to busway transport infrastructure.                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 299(2)     | Power to enter, occupy or use the land without the permission of, or notice to, the owner or occupier of the land to perform urgent remedial work to facilitate or maintain the operation of busway transport infrastructure.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 299(3)     | Power to notify the occupier orally or in writing before entering the land.                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 299(4)     | In the specified circumstances, the power to obtain written permission in the manner prescribed, or give notice to the occupier before the entry, occupation or use of land.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 299(4)(a)         | Power, as an owner or occupier of land, to give permission to a person proposing to enter Council's land for purposes other than for the performance of urgent remedial work to facilitate or maintain the operation of busway transport infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 299(7)            | Power to consider any submissions made in response to a notice given before carrying out accommodation works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 300(2)            | Power, as an owner or occupier of land, to claim compensation from the chief executive for loss or damage caused by the entry, occupation, or use, including by the taking or consumption of materials, of Council's land by the chief executive or a person authorised by the chief executive for purposes relating to busway transport infrastructure.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303AAA            | Power, as a person given a written notice under section 303(2D), to claim compensation under the <i>Acquisition of Land Act 1967</i> , section 12(5A) and (5B) and part 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303AA             | Power to enter into a sublease with the State for an established busway, or a proposed busway, on busway land, including the power to negotiate, and agree upon, the terms of the sublease.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303AB(1)          | Power to seek a licence from the chief executive in relation to busway land or busway transport infrastructure for any of the following purpose:- (a) construction, maintenance or operation of any thing on the land; (b) the use of the land or infrastructure for any purpose; (c) maintenance, management or operation of the land or infrastructure.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303AB(3A) and (4) | Power, in relation to a licence granted under section 303AB(1), to:- (a)surrender the licence; and (b)mortgage, sublicense or transfer the licence with the consent of the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303AC(2) and (4)  | Power, as an owner or occupier of busway land or busway transport infrastructure that is subject to a licence granted under section 303AB, to:- (a)claim compensation from the chief executive for loss or damage caused by a relevant activity, including by the taking or consumption of materials; and (b)enter into an agreement with the chief executive about the payment of compensation; or (c)in the absence of an agreement about the payment of compensation, commence proceedings in the Land Court for payment of compensation.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 303B(d)           | Power to construct, maintain and operate a non-State controlled road on a busway common area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 305(2)            | Power to:- (a) consult with the chief executive concerning the nature and extent of the alteration of the level of the road for busway transport infrastructure works, or the management or operation of a busway, before the alteration is commenced; and (b) make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 307(1)            | <del>In the specified circumstances, the power to make a request to the chief executive for permission to construct, maintain and operate a road located on busway land, consisting of-</del><br>(a) a bridge or other structure allowing traffic to pass over the level at which buses use the busway land; or<br>(b) a structure allowing traffic to pass under the level at which buses use the busway land.<br>Power to construct, maintain, and operate a road located on busway land, if permitted by the chief executive, by way of a bridge or other structure that allows traffic to pass over or under the level at which buses use the busway land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 307(5)            | Power to make an agreement with the chief executive concerning the maintenance of a road and a bridge or other structure located on busway land, and the costs of removing the bridge or other structure once it is no longer in use and the subsequent restoration of the busway land.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                         |                                                                |
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| Transport Infrastructure Act 1994 | 308              | Power to enter into a contract with the chief executive for the following:– (a) carrying out busway transport infrastructure works on a busway or on land that is intended to become a busway; or<br>(b) carrying out other works that contribute to the effectiveness and efficiency of the busway network; or<br>(c) carrying out the operation of a busway; or<br>(d) which powers of Council are to be exercised by the chief executive and which powers are to be exercised by Council for the busway – even though the contracted works or operations, as stated in (a), (b) or (c), relate to areas outside Council's area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 308(5)           | Power, as an owner of land adjacent to a busway, to make a request to the chief executive for work to be carried out on the land and enter into a contract with the chief executive for the chief executive to carry out works on the land.                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 308(10)          | Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of— (a) acquiring land for busway transport infrastructure; or<br>(b) busway transport infrastructure works on a busway; or<br>(c) other works that contribute to the effectiveness and efficiency of the busway network; or<br>(d) the operation of a busway.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 309              | Power to obtain the chief executive's written approval if Council intends to approve the erection, alteration or operation of any advertising sign or device that is visible from a busway and may reasonably create a traffic hazard, and the conditions applied by Council to the erection, alteration or operation of the sign or device do not comply with the chief executive's permission criteria.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 309(1)           | In the specified circumstances, the power to apply to the chief executive for written approval where you intend to approve the erection, alteration or operation of an advertising sign or other advertising device that would be -<br>(a) visible from a busway; and<br>(b) reasonably likely to create a traffic hazard for the busway.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 318(1)           | Power, as a public utility provider, to do the following things on busway land:- (a) build, replace or take away, or alter, other than for maintenance or repair, its public utility plant;<br>(b) maintain or repair, or alter, for maintenance or repair, its public utility plant;<br>(c) take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 318(2)           | Power, as a public utility provider, to seek written agreement from the chief executive for Council to do the things mentioned in subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 318(4)           | Power, as a public utility provider, to carry out urgent maintenance of its public utility plant on busway land without the written agreement of the chief executive, if acting in the interests of public safety and Council:- (a) makes all reasonable attempts to obtain the chief executive's oral agreement to the carrying out of the maintenance; and<br>(b) whether or not the chief executive's oral agreement is obtained, acts as quickly as possible to advise the chief executive of the details of the maintenance being carried out                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 319              | Power, as a public utility provider, to make a request to the chief executive to give Council information about lines and levels for planned busway transport infrastructure on busway land necessary to enable Council to minimise possible adverse effects of the establishment of the infrastructure on Council's works.                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 328(2)(B)        | Power, as a public utility provider, to enter into an agreement with the chief executive for the reduction of the cost to the chief executive for the replacement or reconstruction of a public utility plant owned by Council on busway land.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 332, 333 and 335 | Power to seek compensation from the chief executive for interference caused to land in which Council has an interest, or Council occupied land, by the establishment of busway transport infrastructure on busway land.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
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| Transport Infrastructure Act 1994 | 334(1)                   | Power, as an owner or occupier of land, to enter into an agreement with the chief executive, with regards to the establishment or proposed establishment of busway transport infrastructure on busway land, for:- (a) the supply by the chief executive, or a contribution by the chief executive towards the supply, of works for alternative access for Council's land; or (b) the carrying out, or a contribution towards carrying out, of other works in relation to Council's land for the purpose of access for Council's land.         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 335(3)                   | Power to:- (a) enter into an agreement with the chief executive concerning the period upon which an agreement for compensation is to be entered into between the parties; (b) enter into an agreement with the chief executive for compensation within 60 days of the compensation application or within an agreed period; and (c) make an application to the Land Court for compensation.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 335AC                    | Power to apply to the chief executive for accreditation as the busway manager for a busway.                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 335AJ                    | Power, as a busway manager, to apply to the chief executive for an amendment of the conditions of Council's accreditation as a busway manager.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 335AL(2)(e) and 335AM(4) | Power, as a busway manager, to show the chief executive officer that Council's accreditation should not be suspended or cancelled.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 355AO                    | Power, as a busway manager, to surrender Council's accreditation by written notice given to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 337                      | Power to apply to the chief executive for authorisation as an authorised busway user for a busway.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 346V                     | Power, as an owner of a thing seized by a busway safety officer, to inspect the seized thing and, if it is a document, to copy it.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 346Z                     | Power to claim compensation from the State if Council incurs loss or expense because of the exercise, or purported exercise, of a power under relevant busway legislation, including, for example in complying with a requirement made of Council under chapter 9, part 6.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 350(4)(a)                | Power, as an owner or occupier of land, to give permission to the chief executive, or a person authorised by the chief executive, to enter, occupy, or use Council's land in order to perform work other than urgent remedial work to facilitate or maintain the operation of light rail transport infrastructure.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 351(2)                   | Power, as an owner or occupier of land, to make a claim for compensation from the chief executive for loss or damage caused by the entry, occupation, or use, including by the taking or consumption of materials, of Council's land by the chief executive or a person authorised by the chief executive for purposes relating to light rail transport infrastructure.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 351(4)                   | Power, as an owner or occupier of land, to commence proceedings in the Land Court against the chief executive for compensation in the absence of a prior agreement between Council and the chief executive for compensation.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 355                      | Power, as a light rail manager, to:- Power, as a light rail manager, to:- (a) enter into a sublease with the State for an established light rail, or a proposed light rail, on light rail land, including the power to negotiate, and agree upon, the terms of the sublease, such as an option to renew; and (b) if Council attaches light rail transport infrastructure to the land subject of the original sublease, and subsequent subleases, enter into an agreement with the chief executive concerning ownership of the infrastructure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 355A(1)                  | Power to seek a licence from the chief executive in relation to light rail land or light rail transport infrastructure for any of the following purposes— (a) construction, maintenance or operation of anything on the land; (b) the use of the land or infrastructure for any purpose, including, for example, a commercial or retail purpose; (c) maintenance, management or operation of the land or infrastructure.                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
|-----------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Transport Infrastructure Act 1994 | 355A(3A)        | Power, in relation to a licence granted under section 355A(1), to:- (a)surrender the licence; and (b)mortgage, sublicense or transfer the licence with the consent of the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 355B(2) and (4) | Power, as an owner or occupier of light rail land or light rail transport infrastructure that is subject to a licence granted under section 355A, to:- (a)claim compensation from the chief executive for loss or damage caused by a relevant activity, including by the taking or consumption of materials; and (b)enter into an agreement with the chief executive about the payment of compensation; or (c)in the absence of an agreement about the payment of compensation, commence proceedings in the Land Court for payment of compensation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 357(2)          | Power to:- (a)consult with the chief executive concerning the nature and extent of the alteration of the level of the road for light rail transport infrastructure works, or the management or operation of a light rail, before the alteration is commenced; and (b)make an agreement regarding the amount payable to Council for costs incurred by Council in altering the road level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 358(1)          | Power to construct, maintain, and operate a road located on light rail land, if permitted by the chief executive, which consists of a bridge or other structure to allow traffic to pass over the level at which light rail vehicles use the light rail land or a structure that allows traffic to pass under the level that light rail vehicles use the light rail land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 358(2)          | Power, as a light rail manager, to consult with the chief executive before the chief executive makes a decision regarding whether to give permission under subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 358(6)          | Power to make an agreement with the chief executive in relation to the following:- (a)maintenance of a road and a bridge or other structure located on light rail land; (b)the costs of removing the bridge, or other structure, once it is no longer in use; and (c)restoring the light rail land following the removal of the bridge or other structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 359(3)          | Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 359(6)          | Power to consult with the chief executive before the chief executive includes any directions in the gazette notice designating light rail land as light rail land that is to be used as a road under the control of Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 360(3)          | Power, as a light rail manager, to consult with the chief executive before a designation under subsection (1) is made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 360A            | Power to enter into a contract with the chief executive for the following:- (a) carrying out busway transport infrastructure works on a busway or on land that is intended to become a busway; or (b) carrying out other works that contribute to the effectiveness and efficiency of the light rail network; or (c)carrying out light rail transport infrastructure works on a light rail or on land that is intended to become a light rail; or (d)carrying out works on land affected by a light rail or proposed light rail, including, for example, road works on a road; or (e)carrying out other works that contribute to the effectiveness and efficiency of the light rail network; or (f)carrying out the operation of a light rail; or (g)carrying out the operation of a public passenger service using light rail transport infrastructure; or (h)which powers of Council are to be exercised by the chief executive and which are to be exercised by Council for the light rail – even though the contracted works or operations, as stated in (a)-(e), relate to areas outside Council's area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 360A(5)         | Power, as an owner of land adjacent to a light rail, to make a request to the chief executive for work to be carried out on the land and enter into a contract with the chief executive for the chief executive to carry out works on the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Transport Infrastructure Act 1994 | 360A(10)          | Power to enter into an arrangement with the chief executive for the sharing of costs, including preliminary costs, of:- (a)acquiring land for light rail transport infrastructure; or (b)light rail transport infrastructure works on a on a light rail or land that is intended to become a light rail; or (c)works on land affected by a light rail or a proposed light rail, including, for example, road works on a road; or (d)other works that contribute to the effectiveness and efficiency of the light rail network; or (e)the operation of a light rail; or (f)the operation of a public passenger service using light rail transport infrastructure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 362(1)(a) and (4) | Power, as a light rail manager, to:- (a)give written approval to allow a person to interfere with light rail transport infrastructure or light rail transport infrastructure works; and (b)consult with the chief executive before approval is given.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 363(2) and (3)    | Power, as a light rail manager, to give a written notice to a person who has interfered with light rail transport infrastructure, or light rail transport infrastructure works, requiring the person to rectify the interference, following consultation with the chief executive.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 363(6) and (8)    | Power, as a light rail manager, to:- (a)rectify an interference with light rail transport infrastructure or light rail transport infrastructure works; and (b)recover the reasonable costs of rectifying the interference as a debt from the person who was given written notice of the interference.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 366(1)            | Power, as a public utility provider, to do the following on light rail land:- (a)build, replace or take away, or alter, other than for maintenance or repair, its public utility plant; (b)maintain or repair, or alter, for maintenance or repair, its public utility plant; (c)take reasonable steps to stop obstruction or potential obstruction to, or interference or potential interference with, its public utility plant.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 366(2)            | Power, regarding the matters mentioned in subsection (1) of the section:- (a)as a public utility provider, to seek written agreement from each light rail authority for the light rail land for Council to undertake the activities; or (b)as a light rail authority, to agree in writing to activities a public utility provide seeks to undertake.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 366(4)            | Power, as a public utility provider, to carry out urgent maintenance of its public utility plant on light rail land without written agreement of each light rail authority for the light rail land, if acting in the interests of public safety and if Council:- (a) makes all reasonable attempts to obtain each authority's oral agreement to the carrying out of the maintenance; and (b) whether or not each authority's oral agreement is obtained, acts as quickly as possible to advise each authority of the details of the maintenance being carried out.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 367               | Power, as a public utility provider, to make a request to the chief executive to give Council information about lines and levels for planned light rail transport infrastructure on light rail land necessary to enable Council to minimise possible adverse effects of the establishment of the infrastructure on Council's works.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 368               | Power, as a light rail authority for light rail land, to consult with a public utility provider regarding a proposal by the provider to replace the whole or a substantial proportion of its public utility plant on light rail land.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 369(2)            | Power, as a light rail authority, to require a public utility provider, at the provider's cost and within the time stated in a written notice, to take action to remedy an action undertaken by the provider pursuant to section 366(1) of the Act:- (a) without the written or oral agreement of Council; or (b) in a way inconsistent with an agreement between Council and the provider.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 369(5)            | Power, as a light rail authority, to arrange for action the authority considers necessary to remedy the action undertaken by a public utility provider pursuant to section 366(1), should the provider fail to comply with subsection (2) notice.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994 | 371(2)        | Power, as a light rail authority, to ask a public utility provider owning public utility plant located on light rail land to give information defining the location of the plant.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 372, 373, 374 | Power, as a light rail authority, to agree to be liable for any damage to public utility plants located on light rail land.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 376(2)(b)     | Power, regarding replacement or reconstruction of a public utility plant on light rail land:-<br>(a) as a light rail manager, to enter into an agreement with a public utility provider for the reduction of the cost to Council of the replacement or reconstruction of public utility plant owned by the provider; or<br>(b) as a public utility provider, to enter into an agreement with a light rail authority for the reduction of the cost to the authority of the replacement or reconstruction of a public utility plant owned by Council. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 377           | Power, as a light rail manager, to give permission to a person to be on light rail, light rail land, light rail transport infrastructure or light rail transport infrastructure works site.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 377B          | Power to enter into a light rail franchise agreement with the Minister.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 377D(2)(a)    | Power to give the Minister a written notice claiming that part of a light rail franchise agreement or an amendment to the agreement should be treated as confidential on the grounds of commercial confidentiality.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 377R          | Power to:-<br>(a) apply to the chief executive for compensation for compensable taking of overhead wiring easement or compensable overhead wiring damage; or<br>(b) make an agreement with the chief executive to:-<br>(i) allow a longer period during which a compensation application can be settled; or<br>(ii) settle a compensation application; or<br>(c) apply to the Land Court for the compensation.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 380           | Power to seek compensation from the chief executive for an interference with access to land, in which Council has an interest, caused by the establishment of light rail transport infrastructure.                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 382(1)        | Power, as an owner or occupier of land, to enter into an agreement with the chief executive, with regards to the establishment or proposed establishment of light rail transport infrastructure on light rail land, for:-<br>(c) the supply by the chief executive, or a contribution by the chief executive towards the supply, of works for alternative access for Council's land; or<br>(d) the carrying out, or a contribution towards carrying out, of other works in relation to Council's land for the purpose of access for Council's land. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 383(3)        | Power to enter into an agreement with the chief executive with regards to the period of time during which an agreement for compensation can be made for an act done under chapter 10, part 4, division 5.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 383(3)(a)     | Power to apply to the Land Court to decide a compensation claim under subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 403(1)        | Power, as an affected person, to enter into negotiations with the person proposing a development under Chapters 9 or 10 with regards to the entry to Council land.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 403(2)        | Power to apply to the chief executive for an investigator's authority for the land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 404(1)(a)     | Power, as an affected person, to consult with the chief executive about the proposed entry onto Council's land by a person proposing a development under Chapters 9 or 10.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 407(3)        | Power:-<br>(a) as an affected person, to give written consent to an investigator or an associated person of the investigator to enter Council's land; or<br>(b) as an authorised investigator, to enter land with the affected person's written consent.                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 408(1)        | Power, as an authorised investigator, to allow an associated person of Council to act under Council's authority.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 408(4)        | Power, as an affected person, to ask an individual who has entered, is entering or is about to enter Council's land under an investigator's authority for identification or about the individual's authority to enter the land.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Infrastructure Act 1994                                          | 410(b)               | Power, as an investigator under chapter 11, to do anything necessary or desirable to minimise the damage or inconvenience to an affected person's land.                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 411(1)               | Power, as an affected person, to require the investigator, once the investigator has finished investigating, to rectify loss or damage suffered by Council as a consequence of:- (a)the investigator entering the land;<br>(b)the use made of the land by the investigator;<br>(c)anything brought onto the land by the investigator; or<br>(d)anything done or left on the land by the investigator under its authority.                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 411(2)               | Power, as an affected person, to give the investigator a compensation notice for the loss or damage to Council's land that was not rectified.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 412(2)               | Power, as an affected person or as an investigator under chapter 11, to:- (a)make an agreement with the other party in relation to the compensation payable as a result of the failure to rectify the affected person's land; or<br>(b)make an application to the Land Court to decide the compensation amount.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 420                  | Power, as an operational licensee, to:- (a)apply for an approval by a responsible entity to construct, maintain, use or operate miscellaneous transport infrastructure stated in the licensee's operational licence across, over or under an intersecting area and<br>(b)subject to any approval conditions, construct, maintain, use or operate the miscellaneous transport infrastructure identified in the application across, over or under the area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 420(3)               | Power, as a responsible entity for an intersecting area, to grant or refuse an approval for an application by a licensee to construct, maintain, use, or operate miscellaneous transport infrastructure stated in the licensee's operational licence across, over, or under an intersecting area.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 422                  | Power, as an operational licensee, to apply in writing to the Minister for an approval under section 420 should the responsible entity refuse the application or fail to grant the application within 20 business days after the application is made.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 423                  | Power to impose reasonable conditions on an approval given to a licensee's application made by Council or the Minister.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 426(1)               | In the specified circumstances, the power to join with the application for approval in appointing an independent arbitrator to resolve the dispute.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 426(1)               | Power to jointly, with a licensee applicant, appoint an independent arbitrator to resolve a dispute concerning approval conditions.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 426(2)               | Power to make an application to the Minister and the Minister administering the <i>Sustainable Planning Act 2009</i> , if Council and the licensee applicant do not appoint an arbitrator within 10 business days of the giving of a dispute notice, to appoint an independent arbitrator to resolve a dispute concerning approval conditions.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 431                  | Power, as an operational licensee, to make an agreement with the State regarding the ownership of miscellaneous transport infrastructure.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                          | 432(3)               | Power to commence proceedings against a licensee to claim an amount incurred by Council for the cost, damage, liability, or loss because of the existence, construction, maintenance, use or operation of the miscellaneous transport infrastructure by the licensee.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Infrastructure (Public Marine Facilities) Regulation 2023</b> |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Transport Infrastructure (Public Marine Facilities) Regulation 2023        | 5,7,9 and Schedule 1 | Power to manage the public marine facilities listed in schedule 1 for which Council is appointed as manager.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure (Public Marine Facilities) Regulation 2023        | 8(1)                 | Power, as a manager of a non-State managed boat harbour, to pay to the chief executive the fees stated in schedule 2 for each mooring in the boat harbour.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Infrastructure (State Controlled Roads) Regulation 2017</b>   |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
| Transport Infrastructure (State Controlled Roads) Regulation 2017          | 14(2)                | Power, where given a notice by the chief executive, to give the chief executive further information required to decide an application for an approval mentioned in section 50(2)(a) of the Act.                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Marine Pollution) Act 1995</b>                    |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Operations (Marine Pollution) Act 1995                                                                                                                      | 93(5)          | Power to consult with the State, the port authority or port operator, if required, in preparing a response to a discharge or probable discharge of pollutant into coastal waters.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Marine Pollution) Act 1995                                                                                                                      | 113(3)         | Power, if acting as a prescribed entity, to ask the chief executive to secure its discharge expenses.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Marine Pollution) Act 1995                                                                                                                      | 122(1)         | Power, if acting as a prescribed entity, to recover its discharge expenses as a debt.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Marine Pollution) Act 1995                                                                                                                      | 122(2)         | Power, if acting as a prescribed entity, to ask the chief executive to recover its discharge expenses.                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Marine Safety) Regulation 2016</b>                                                                                                           |                |                                                                                                                                                                                                                         |                         |                                                                |
| Transport Operations (Marine Safety) Act 1994                                                                                                                         | 219C(4)        | Power as a public authority to make a submission on a proposal to prepare a draft standard.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Marine Safety) Act 1994                                                                                                                         | 219E(3)        | Power as a public authority to make a submission on a draft standard.                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Marine Safety) Regulation 2016</b>                                                                                                           |                |                                                                                                                                                                                                                         |                         |                                                                |
| Transport Operations (Marine Safety) Regulation 2016                                                                                                                  | 179(1)         | Power to give the general manager a proposal for an area (a proposed area) to be a marine zone under section 177 of the <i>Transport Operations (Marine Safety) Regulation 2016</i> .                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Marine Safety) Regulation 2016                                                                                                                  | 180(1)(a)(iii) | Power to consult with the proposing entity, if it is a government entity, about a proposal under section 179 of the <i>Transport Operations (Marine Safety) Regulation 2016</i> .                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Road Use Management - Road Rules) Regulation 2009</b>                                                                                        |                |                                                                                                                                                                                                                         |                         |                                                                |
| Transport Operations (Road Use Management - Road Rules) Regulation 2009                                                                                               | 179(1)(c)      | <del>Power to issue a commercial vehicle identification label for stopping in zones.</del> Power to issue a commercial vehicle identification label for the purposes of stopping in a loading zone.                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Road Rules) Regulation 2009                                                                                               | 301(4)         | <del>Power to issue a permit to a rider to lead more than 1 other animal on a road.</del> Power to issue a permit to lead more than one animal on a road.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Road Use Management) Act 1995</b><br><b>The Purpose of this Act</b><br>An Act about road management and other purposes related to transport. |                |                                                                                                                                                                                                                         |                         |                                                                |
| Transport Operations (Road Use Management) Act 1995                                                                                                                   | 69             | Power to install and remove official traffic signs on Council's roads, off-street regulated parking areas and, with the chief executive's written consent, on declared roads.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                                   | 69(1)          | Power to install an official traffic sign:<br>(a) on a road that is not a declared road; or<br>(b) on a declared road, with the chief executive's written agreement; or<br>(c) on an off-street regulated parking area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                                   | 69(2)          | Under section 69(1), power to install an official traffic sign that:<br>(a) defines a traffic area; and<br>(b) indicates that parking on declared roads within the traffic is regulated.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                                   | 69(3)          | Power to remove an official traffic sign installed by the local government.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                                   | 69(4)          | Power to install or remove an official traffic sign that will result in a change to the management of a local government road.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Operations (Road Use Management) Act 1995 | 71            | Power to maintain and continue official traffic signs installed pursuant to section 71(1) where the chief executive officer is reasonably satisfied that there is a danger, hindrance, obstruction to traffic or other emergency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 71(1)         | Power to:<br>(a) be satisfied in the circumstances of the case that a danger, hindrance or obstruction to traffic or other emergency exists or is likely to exist, or the use of a road or any part thereof or an off-street regulated parking area or any part thereof is prevented, hindered or obstructed, or likely to be prevented, hindered or obstructed;<br>(b) install any official traffic sign which, in your opinion, may be necessary, required or desirable for the purpose of regulating, guiding or warning traffic.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 71(2)         | Power to be satisfied that the danger, hindrance or obstruction to traffic or other emergency exists or is likely to exist or the use of the road or the part thereof or the off-street regulated parking area or the part thereof is prevented, hindered or obstructed or likely to be prevented, hindered or obstructed.                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 74(2)         | Power to take proceedings against a person who has committed an offence under section 74(1) of <i>Transport Operations (Road Use Management) Act</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 74(2)         | Power to take proceedings for the imposition and enforcement of a penalty under subsection (1) for a contravention relating to an official traffic sign installed by the local government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 75(1)         | <del>In the specified circumstances, the power to remove an official traffic sign or other thing in the nature or similar to or which is likely to be mistaken for an official traffic sign.</del> Power to remove unauthorised traffic signs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 76(1)         | <del>If an official traffic sign installed by the local government is injured, power to sue for damages, or recover in a summary way under the <i>Justices Act 1886</i>.</del> Power to commence proceedings against a person who has injured one of Council's official traffic signs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 100           | Power to remove and detain at a place for safe keeping any vehicles, trams and animals and any goods, equipment or thing contained in, on or about the vehicle, tram or animal, where the requirements of section 100(1) are satisfied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 100(1)        | Power to consider on reasonable grounds that a vehicle, tram or animal in Council's area has been abandoned on a road, other than a busway, by the person who last drove or used it, or that:<br>(a) a vehicle, tram or animal in Council's area has been:<br>(i) left on a road unattended whether temporarily or otherwise for a time or in a place, condition, way or circumstances where its presence is hazardous; or<br>(ii) found on a road in a place, condition, way or circumstances where its presence is hazardous or in contravention of the TORA; and<br>(b) the driver of the vehicle, tram or animal:<br>(i) can not readily be located; or<br>(ii) has failed to immediately remove the vehicle, tram or animal when required to do so. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 100(1)(b)(ii) | In the specified circumstances, the power to require a person to immediately remove a vehicle, animal or tram.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995 | 100(3)        | In the specified circumstances, the power to remove a vehicle, tram or animal from a road and detain it at a place for safe keeping.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(4)     | In the specified circumstances, the power to cause notice in writing to be given to the owner of a vehicle, tram or animal, if the owner can be ascertained, of the removal and of the place at which the vehicle, tram or animal is then detained.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(6)(a)  | In the specified circumstances, power to advertise that the local government will offer the vehicle, tram or animal for sale by public auction.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(6)(b)  | In the specified circumstances, the power to offer a vehicle, tram or animal for sale by public auction.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(6)(c)  | In the specified circumstances, the power to dispose of a vehicle, tram or animal in such manner and on such terms as you determine.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(8)     | Power to deal with any goods, equipment or thing contained in, on or about a vehicle, tram or animal at the time of its removal in the same manner as the vehicle, tram or animal may be dealt with under section 100 of the TORA.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(9)     | Power to direct how any perishable goods in or on a vehicle, tram or animal at the time of its removal may be disposed of.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 100(10)(b) | Power to be satisfied:<br>(a) of an applicant's ownership or of the applicant's right to possession of a vehicle, tram or animal;<br>(b) if an applicant is a person acting on behalf of an owner - of the applicant's authority to act on behalf of the owner.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 101(1)     | <del>Power to regulate parking in the local government area:</del><br>(a) on a road, other than a declared road; or<br>(b) on a declared road, with the chief executive's written agreement; or<br>(c) on an off street regulated parking area. Power to regulate parking in its area on a road (other than a declared road), on a declared road (with the chief executive's written permission) or on an off-street regulated parking area. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 102(1)     | <del>Power to regulate parking by installing official traffic signs indicating how parking is regulated.</del> Power to regulate parking by installing official traffic signs indicating how parking is regulated.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 104        | Power to exercise control over land for use as an off street parking area under an arrangement with a person who owns or has an interest in the land.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 105(5)     | Power to install a parking meter or parkatarea for a designated parking space if it is installed in a way specified by the MUTCD or approved by the chief executive.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 109(1)     | Power to enter into an agreement with the commissioner of police in respect of annual or periodical payments to the commissioner of police for costs incurred in the carrying out of duties by police officers enforcing parking regulations.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 166A(3)    | Power to approve certain persons as toll officers for a local government tollway.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management) Act 1995                                                                                                      | 166A(3)(B) | Power to consider an employee, of the contractor, has the necessary expertise for these sections.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021</b><br><b><u>The Purpose of this Act</u></b><br>An Act to: |            |                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 11(1)     | Power to comply with a defect notice.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 13(1)     | Power to sign a clearance declaration.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 14(1)     | Power to sign a clearance declaration.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 15(3)     | Power to apply to the chief executive to extend the period for complying with a defect notice.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 21        | Power to apply to the chief executive for approval to modify a light vehicle.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 22        | Power to apply to the chief executive for approval of an interstate modification of a light vehicle.                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 58        | Power to apply to the chief executive for a safe movement permit.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 71        | Power as the owner of a registered COI vehicle to obtain a certificate of inspection for the vehicle.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 73(3)     | Power to apply to the chief executive to extend the time to obtain a certificate of inspection.                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 75(1)(b)  | Power to give the acquirer the inspection certificate for the vehicle or the unique number for the certificate.                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 88(1)(a)  | Power to ask the proprietor of the AIS where the inspection report was issued to arrange for the vehicle to be reinspected.                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 94        | Power to ask the proprietor of the AIS where the inspection report was issued to again inspect the vehicle for a replacement inspection certificate. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 96 and 97 | Power to ask an authorised officer for a certificate of inspection to be issued for a vehicle and to pay the relevant fee.                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 103(1)    | Power to apply to the chief executive for approval to remove an identification plate or modification plate from a light vehicle.                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management - Vehicle Standards and Safety ) regulation 2021                                                                  | 107(3)    | Power to give the decision-maker the information the decision-maker reasonably needs to decide the application.                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015</b><br><b><u>The Purpose of this Act</u></b><br>An Act to: |           |                                                                                                                                                      |                         |                                                                |
| Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015                                                               | 125(1)    | Power to apply to an authorising officer for a special event permit for an event.                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015                                                               | 127       | Power to ensure the conditions of a special event permit are complied with.                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015                                                 | 128(1)         | Power to apply to an authorising officer for a special circumstances permit (e.g. to breach a provision of the Queensland Road Rules to serve an infringement notice).                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015                                                 | 132(1)         | Power to apply to the chief executive for a permit under section 132.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015                                                 | 133(a)         | Power to apply to the chief executive for written consent to drive a vehicle over the bridge or culvert.                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</b><br><b><u>The Purpose of this Act</u></b><br>An Act to: |                |                                                                                                                                                                                                                                                                |                         |                                                                |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 13(1)          | Power to apply to the chief executive for an authorisation to use either of the following on a road:-                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 19(1)          | Power to apply to the chief executive to register a vehicle eligible for registration under section 18 in Council's name and pay the relevant fees.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 32(1)          | Power to apply to the chief executive to renew vehicle's registration and pay the relevant fees.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 42             | Power, as an acquirer of a registered vehicle, to apply to the chief executive to transfer the vehicle's registration to the acquirer and pay the relevant fees.                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 44             | Power, a disposer of a registered vehicle, to:- (a) apply to the chief executive to transfer the vehicle's registration to the acquirer of the vehicle; or (b) give the chief executive a disposal notice                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 45(2)          | Power, as an acquirer of a registered vehicle in the circumstances set out in subsection 45(1), to give a statement to the chief executive to the effect that the acquirer can not state the full name and address, or include the signature, of the disposer. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 49             | Power, as a person who acquires a registered vehicle under a legal process, to give the chief executive notice of the acquisition and any other information required to accompany the notice.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 52             | Power, as a registered operator of a vehicle, to cancel the vehicle's registration and give any other information required to cancel the registration.                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 68             | Power, as a registered operator of a vehicle, to give the chief executive officer notice of the change and written evidence, satisfactory to the chief executive, of the change.                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 69             | Power to give the chief executive officer notice of the modification.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 73             | Power to apply to the chief executive for an unregistered vehicle permit and pay the relevant fees.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 123            | Power to apply to the chief executive for a replacement number plate and pay the relevant fees.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021                                                               | 123(3)(a)(iii) | Power to give the chief executive a statement giving details of the destruction, loss or theft.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                 |           |                                                                                                                                                                                                                                                                 |                         |                                                                |
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| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2022 | 123(3)(b) | Power to give the chief executive a statement about the unlawful copying.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 124       | Power to apply to the chief executive for a replacement number plate.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 124(3)(b) | Power to give the chief executive a statement about the unlawful copying.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 125(4)(b) | Power to give the chief executive notice of the loss, theft or destruction.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 126(3)(a) | Power to give the chief executive notice of the loss, theft or destruction.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 127(5)    | Power to give the chief executive notice of the loss, theft or destruction.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 142(2)    | Power, in the circumstances listed in subsection 142(1), to apply to the chief executive for approval to attach only 1 of the number plates to the vehicle.                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 151(2)    | Power, in the circumstances set out in subsection 151(1) to give the chief executive the notifiable information for the vehicle.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 152(2)    | Power, in the circumstances set out in subsection 152(1), to change the notifiable information previously given to the chief executive.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 153(2)    | Power, in the circumstances set out in subsection 153(1), to apply to the chief executive to correct the notifiable information previously given and give written evidence, to the satisfaction of the chief executive.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 155(2)    | Power, in the circumstances set out in subsection 155(1), to give notice of the repair.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 156(3)    | Power to comply with a requirement to give the chief executive other information.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 195(3)    | Power to comply with request for information from the chief executive.                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 202(1)    | Power, as an eligible person, to request an extract from the register about a vehicle, and pay the relevant fee to, the chief executive.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 203(1)    | Power, as client user, to request an extract from the register about a vehicle, and pay the relevant fee to, the public access provider.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 204(1)    | Power, as a local government toll road operator, to enter a written arrangement with the chief executive for the chief executive to give an extract from the register of information about a vehicle to an entity or person listed in section 204(1) or 204(2). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 | 206(1)    | Power to request vehicle-related information, and pay the relevant fee to, the information provider.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Trust Act 1973</b><br><b><u>The Purpose of this Act</u></b><br>An Act to:    |           |                                                                                                                                                                                                                                                                 |                         |                                                                |
| Trust Act 1973                                                                  | 116       | Power, where appointed trustee for certain purposes, to administer trust property.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                           |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
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| <b>Water Fluoridation Act 2008</b><br><b>The Purpose of this Act</b><br>An Act to:        |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Water Fluoridation Act 2008                                                               | 7(1) and (2) | Power to decide that fluoride be added to the water supply and to give the requisite notice (if applicable) to the water supplier.                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Act 2008                                                               | 7(3) and (4) | Power to decide that fluoride not be added to the water supply and to give the requisite notice (if applicable) to the water supplier.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Act 2008                                                               | 13(2)        | Power to give the chief executive notice stating the Council has made a fluoridation decision and to publish that notice.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Act 2008                                                               | 13(3)        | Power to give the chief executive a fluoridation notice and to publish that notice.                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Water Fluoridation Regulation 2020</b><br><b>The Purpose of this Act</b><br>An Act to: |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Water Fluoridation Regulation 2020                                                        | 6(2)         | Power, as a public potable water supplier, to ask the manufacturer, importer or supplier of the fluoride compound for a copy of a batch analysis certificate.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 6(3)         | Power, as a public potable water supplier, to:-(a)send a sample of the fluoride compound to an accredited laboratory for analysis to determine the concentrations of any impurities in the fluoride compound; and<br>(b)obtain the results of the analysis.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 9(1)         | Power, as a public potable water supplier, to give the chief executive a notice if its automatic fluoride dosing equipment has not been in operation for a continuous period of 14 days.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 10(1)        | Power, as a public potable water supplier, to give the chief executive a notice if its automatic fluoride dosing equipment resumes operation after it has been out of operation for a continuous period of 14 days.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 15(1)        | Power, as a public potable water supplier who uses naturally occurring fluoride, to give the chief executive a notice if its water blending equipment has not been in operation for a continuous period of 14 days.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 16(1)        | Power, as a public potable water supplier who uses naturally occurring fluoride, to give the chief executive a notice if its water blending equipment resumes operation after it has been out of operation for a continuous period of 14 days.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 19           | Power, as a public potable water supplier, to carry out a prescribed test and keep the results of each prescribed test for at least 5 years.                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 20           | Power, as a public potable water supplier, to : (a)divide a sample collected under section 19(1)(a) into 2 parts;<br>(b)measure the concentration of 1 part of the sample using an approved method;<br>(c)send the other part of the sample to an accredited laboratory to measure the concentration of fluoride in the part using an approved method;<br>(d)obtain the results of the analysis performed under subsection 20(1)(c); and<br>(e) keep the results of the analysis for at least 5 years. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 21(2)        | Power, as a public potable water supplier, to comply with a request of the chief executive under subsection 21(1) and notify the chief executive of the results of the additional test.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 22(2)        | Power, as a public potable water supplier who adds a fluoride compound to the potable water supply, to record each day:- (a)the volume of water to which the fluoride compound has been added;<br>(b)the amount of the fluoride compound the water supplier has added for the day, even if the amount is zero;<br>(c)the calculated fluoride concentration of the fluoridated water;<br>(d)the fluoride concentration of the fluoridated water, measured by a prescribed test.                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Fluoridation Regulation 2020                                                        | 23           | Power, as a public potable water supplier, to prepare a report each quarter stating the matters prescribed in subsection 23(1) for the quarter and give the report to the chief executive.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Fluoridation Regulation 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 24(2)            | Power, as a public potable water supplier, to give the chief executive supporting information for a fluoridation notice to the chief executive under section 13(3)(a) of the Act.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Waste Reduction &amp; Recycling Act 2023</b><br><b><u>The Purpose of this Act</u></b><br>An Act to:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5(b)             | Power, where Council has, by resolution, designated areas to conduct general waste or green waste collection, to decide the frequency of the collection of general waste or green waste in the designated areas.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 56               | Power to prepare an emergency plan and keep it up to date.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 83(1)            | Power as a local government recycling provider who operates or provides a kerbside recycling collection service to give the chief executive the information prescribed in subsection 83(1) for the financial year                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 83(2)            | Power as a local government recycling provider who operates or provides a recycling service other than a kerbside recycling collection service to give the chief executive information about the percentage of households within the service area with access to the service.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Waste Reduction &amp; Recycling Act 2011</b><br><b><u>The Purpose of this Act</u></b><br>An Act to: <ul style="list-style-type: none"> <li>a) To promote waste avoidance and reduction, and resource recovery and efficiency actions;</li> <li>b) To reduce the consumption of natural resources and minimise the disposal of waste by encouraging waste avoidance and the recovery, re-use and recycling of waste;</li> <li>c) To minimise the overall impact of waste generated and disposal;</li> <li>d) To ensure a shared responsibility between government, business and industry and the community in waste management and resource recovery;</li> <li>e) To support and implement national frameworks, objectives and priorities for waste management and resource recovery.</li> </ul> |                  |                                                                                                                                                                                                                                                                                                                   |                         |                                                                |
| Waste Reduction & Recycling Act 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 27A(1)           | Power to form a reasonable belief:<br>(a) there is or will be a serious local event in the local government's local government area; and<br>(b) an exemption from the levy on types of waste generated as a result of the serious local event and delivered to particular waste disposal sites should be allowed. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 27A(2)           | In the specified circumstances, the power to give to the Chief Executive a notice, as soon as practicable, where the circumstances of section 27A(1) apply, to notify the chief executive of the matters listed in section 27A(2) of the specified matters.                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 27A(2)(a) to (c) | In the specified circumstances, the power to give to the Chief Executive a notice, as soon as practicable of the specified matters.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 28(1)            | Power to apply to the Chief Executive for approval of waste, identified in the application (an <i>exempt waste application</i> ), as exempt waste.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

| Waste Reduction & Recycling Act 2011 | 28(3A)       | <del>Power to make an application about serious local event waste generated in the local government area.</del> Power to make an exempt waste application for serious local event waste.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
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| Waste Reduction & Recycling Act 2011 | 29(1)        | In the specified circumstances, the power to provide the Chief Executive with the further reasonable information or documents sought.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 29(2)        | In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 31(3)        | In the specified circumstances, the power to ask for or agree to conditions being imposed on the approval.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 33(1)        | In the specified circumstances, the power to agree to amendment of the approval.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 34(3)(e)     | In the specified circumstances, the power to make written submissions to show why the action proposed by the Chief Executive should not be taken.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 40(2)        | In the specified circumstances, the power to agree to a method of working out the waste that is taken to have been generated outside the non-levy zone and the total amount of that waste.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 42(2)        | In the specified circumstances, the power to make a reasonable estimate of the amount of each type of waste included in the mixed waste using the information given to the operator under section 53.                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 44(1)        | Power to apply to the Chief Executive for approval of a discounted rate for the waste levy for residue waste identified in the application (a <i>residue waste discounting application</i> ).                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 45(2)        | In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 47(3)        | In the specified circumstances, the power to agree to or ask for a condition to be imposed on the approval.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 49(1)        | In the specified circumstances, the power In the specified circumstances, the power to agree with the Chief Executive to the amendment of the approval.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 50(3)(e)     | Power to make written submissions to show why the proposed action should not be taken.                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 53(2)        | In the specified circumstances, the power to form a belief regarding what is reasonably required from the person who delivers waste to a waste disposal site to identify:<br>(a)how much of the waste is exempt waste and how much of it is leviable waste; and<br>(b)for each type of waste required to be measured by the operator under section 59 – how much waste there is; and<br>(c)whether the waste was generated in the waste levy zone, the non-levy zone or outside Queensland. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 53(5)        | In the specified circumstances, the power to ask a person for information in the approved form.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 54(2)        | In the specified circumstances, the power is to form a view about what is reasonably required to identify:<br>(a)how much of the waste is exempt waste and how much of it is leviable waste; and<br>(b)whether the waste was generated in the waste levy zone or outside Queensland.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 54(4)        | Power to require a person to give the delivery information to the operator or entity in the approved form.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 60(3)        | In the specified circumstances, the power to agree with the Chief Executive how to measure and record a particular amount of waste or other material                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 64(3)(f)(i)  | In the specified circumstances, the power to approve a person to erase or destroy a recording.                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 64(4)(b)     | In the specified circumstances, the power to destroy a recording.                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 64(5)(a)(ii) | Power to approve a person to operate a monitoring system.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Waste Reduction & Recycling Act 2011 | 72C(1)     | Power to apply to the Chief Executive to enter into a waste levy instalment agreement for a waste levy amount the operator must pay the State.                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72D(1)     | Power to apply to the Chief Executive for an amendment of the waste levy instalment agreement in the prescribed manner.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72G(1)     | In the specified circumstances, the power to apply to the Chief Executive for an extension of time to pay the waste levy amount.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72H(1)     | In the specified circumstances, the power to apply to the Chief Executive for an extension of time to submit a waste data return and pay a waste levy amount.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72L(1)     | In the specified circumstances, the power to apply to the Chief Executive for relief.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72M(2)     | In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents requested by the Chief Executive.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72R        | In the specified circumstances, the power to declare an area within the site a <u>resource recovery area</u> .                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72S(1)     | In the specified circumstances, the power to give the Chief Executive notice of a proposed resource recovery area at least 20 days before using the area as a resource recovery area.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72U(1)     | In the specified circumstances, the power to amend the area's declaration as resource recovery area by giving the Chief Executive notice of the proposed amendment at least 20 days before the amendment is to take effect.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72V(1)     | In the specified circumstances, the power to cancel the area's declaration as a resource recovery area by giving the Chief Executive notice of the proposed cancellation at least 30 days before the cancellation is to take effect.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 72W(2)(e)  | In the specified circumstances, the power to make written submissions to show why the proposed action should not be taken.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99V(1)     | Power to pay refund amounts for containers presented at the container refund point in one of the manners set out in section 99V.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZA(3)(a) | Power to ask the Organisation, in writing, to enter into a container collection agreement for the purpose of the person operating a container refund point.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZB(1)    | Power to claim a collection amount from the Organisation for containers collected.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZB(4)    | Power to accept an information notice from the Organisation.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZF(4)(a) | Power to ask the Organisation, in writing, to enter into a material recovery agreement for the purpose of claiming recovery amounts for containers.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZH(1)    | In certain circumstances, the power to claim the recovery amount for a quantity of containers from the Organisation of the operator.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 99ZY(2)    | Power to apply to the chief executive for an exemption (an extraordinary circumstances exemption).                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 110(1)     | Power to hold a belief on reasonable grounds that documents have been distributed by being placed in or on motor vehicles, or attached to buildings or other fixed structures in contravention of s109.                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 110(2)     | Subject to s110(1), power to give a notice to a person who is an adult if on the reasonable belief that the person:<br>a) authorised or arranged for the distribution of the documents; or<br>b) authorised or arranged for the printing of the documents; or<br>c) placed or attached any of the documents. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 111(1)     | Power to hold a belief on reasonable grounds that advertising material has been distributed in an area by being delivered to premises in contravention of the unlawful delivery provision or the secure delivery provision.                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                      |             |                                                                                                                                                                                                                                                                                                              |                         |                                                                |
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| Waste Reduction & Recycling Act 2011 | 111(2)      | Subject to s111(1), power to give a notice to a person who is an adult if on the reasonable belief that the person:<br>a) authorised or arranged for the distribution of the documents; or<br>b) authorised or arranged for the printing of the documents; or<br>c) placed or attached any of the documents. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 112(3)      | In the circumstances and subject to s112(4), power to direct a responsible entity to collect material from premises within a period of time.                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 128(3)(c)   | Power to make written submissions.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 168         | Power to apply to the Chief Executive to amend an end of waste code.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173B(1)     | Power to give the Chief Executive a notice that Council intends to become a registered resource producer for the code.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173B(3)     | Power to give the Chief Executive notice, in the approved form, that it is no longer a registered resource producer for an end of waste code.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173D(1)(e)  | Power to make a written submission to the Chief Executive about why the proposed action should not be taken.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173I(1)     | Power to apply to the Chief Executive for an end of waste approval for one kind of waste to be used as a resource.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173J(2)     | Power to agree to extend the stated period.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173L(1)     | Power to apply to the Chief Executive, on 1 occasion, to extend the approval.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173M(1)     | Power to apply to the Chief Executive to amend the approval.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173O(1)     | Power to apply to the Chief Executive to transfer the approval to another person.                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173O(2)     | Power to consent to a proposed transfer.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173P(1)     | Power to apply to the Chief Executive to extend an end of waste approval.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173T(3)     | Power to agree to extend the stated period.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173ZB(3)(f) | Power to, within a stated period (the show cause period), make a written submission to the Chief Executive about why the proposed action should not be taken.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173ZE       | Power to surrender the approval by giving the Chief Executive a notice about the surrender.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 173ZF(1)    | Power to provide Chief Executive with information about an approval.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 175         | Subject to conditions, power to consider an application for an internal review of a decision.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 176(2)      | Power to extend the time for making an internal review application.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Waste Reduction & Recycling Act 2011 | 177(2)    | Power to apply for a stay of an original decision.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 178(1)(a) | Power to conduct an internal review of the decision the subject of the application.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 178(1)(b) | Power to make a decision to:<br>i) confirm the original decision; or<br>ii) amend the original decision; or<br>iii) substitute another decision for the original decision.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 183(1)    | Power to appoint an authorised person.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 187       | To issue an identify card to an authorised person.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 246(1)    | Power to reasonably believe a person has contravened a prescribed provision.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 246(2)    | Power to give a person a show cause notice, subject to subsection (3).                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 246(3)    | Power to reasonably consider that it is not appropriate in the circumstances to give the show cause notice.                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 248(1)    | Subject to s246 (2) and subject to holding a reasonable belief that a person has contravened, or is contravening, a prescribed provision, power to give a compliance notice to a person requiring the person to do either or both of the following –<br>a) to refrain from contravening the prescribed provision;<br>b) to remedy the contravention in the way stated in the notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 249(2)    | Power to give a compliance notice if the Chief Executive:<br>a) has considered all submissions made by the person about the show cause notice within the period state in that notice; and<br>b) still believes it is appropriate to give a compliance notice.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 253(1)    | Subject to holding a reasonable suspicion that a person is contravening or has contravened a prescribed provision, power to give a notice requiring a person to commission a waste audit of the matter and to provide a waste report on the audit.                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 256(1)    | Power to make and provide a statutory declaration.                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Waste Reduction & Recycling Act 2011 | 260(2)    | Power to carry out work or take any other action reasonably necessary to fulfil the requirements of the order.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 261(1)    | Power to bring a proceeding in the Magistrates Court for an order to remedy or restrain an offence against this Act, or a threatened or anticipated offence against this Act.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 264(2)(c) | Power to keep documents under this Act in accordance with this section.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 270       | Power to approve forms for use under this Act.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 278(1)    | Power to make a residue waste discounting application.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 279(3)    | Power to agree to a later date for the provision of further information.                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 281(3)    | Power to agree to or ask for a condition to a grant of application.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 287(1)    | Power to make a transition period exempt residue waste application.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 290(3)    | Power to agree to or ask for a condition to a grant of application.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 293(3)(e) | Power to make written submissions.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 308(2)    | Power to, before the collection transition day, deal with or do the specified things in relation to a container that does not display the refund marking.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 310(1)    | In the specified circumstances, the power to apply to the Chief Executive for an approval that residue waste identified in the application (a <i>transition period exempt residue waste application</i> ) is exempt waste for the transition period. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 313(3)    | In the specified circumstances, the power to agree to or ask for a condition.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 315(3)(e) | In the specified circumstances, the power within a stated period to make written submissions to show why the proposed action should not be taken.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 317(2)    | In the specified circumstances, the power to apply to the Chief Executive for an exemption during the transition period from the requirements under section 57.                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011 | 320(3)    | In the specified circumstances, the power to ask for or agree to a condition with the Chief Executive.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Waste Reduction & Recycling Act 2011                                                                                                                                                            | 322(a)      | In the specified circumstances, the power to give the Chief Executive notice that it is not practicable to use the weighbridge to measure and record waste or other material delivered to the site.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Act 2011                                                                                                                                                            | 325(a)      | In the specified circumstances, the power to give the Chief Executive written notice of a proposed alternative methodology for measuring and recording waste at the site.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Waste Reduction &amp; Recycling Regulation 2011</b>                                                                                                                                          |             |                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                     | 7(b)        | Power to decide the frequency of general waste or green waste collection in the designated areas.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Waste Reduction & Recycling Regulation 2011                                                                                                                                                     | 11J(1)(b)   | In the circumstances, the power to give the chief executive a report that complies with subsection (2) within 2 months after each reporting period ends.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Water Act 2000</b><br><b>The Purpose of this Act</b><br>An Act to provide for the sustainable management of water and the management of impacts on underground water and for other purposes. |             |                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Water Act 2000                                                                                                                                                                                  | 25C(d)(iii) | Power, as a service provider directed to impose water restrictions under section 25D, to provide the Minister with a response stating the way it intends to ensure the restrictions are complied with.                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25C(d)(v)   | Power, as a service provider directed to achieve outcomes, to provide the Minister with a response stating: 1. its intended actions to achieve those outcomes; and 2. if the actions include restrictions; how it intends to ensure compliance with the restrictions.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25E         | Power, as a service provider, to comply with a direction given under a water supply emergency declaration.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25O         | Power, as a service provider and to the extent stated in a declaration or regulation, to recover, as a debt due, from Council's customers or other service providers:<br>(a) contributions made by the State; and<br>(b) costs in section 25O(1) Water Act 2000 to the extent approved by the Minister; and<br>(c) the rate of return. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25R         | Power, as a service provider, to apply to the Minister for compensation for loss or damage because of actions taken under Chapter 1A, Part 1 <i>Water Act 2000</i> and to provide other relevant information required by the Minister.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25T         | Power, as a service provider who has made an application under section 25R, to provide the information the Minister requires to decide the application.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25Y         | Power, as a service provider, to comply with a notice requiring information issued by the chief executive.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25ZA(1)     | Power, as a service provider, to apply for written approval to restrict the use of subartesian water by a customer of the water service provider in an area if the water is taken, other than for stock purposes, for a purpose mentioned in subsections 25ZA(1)(a) or (b).                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 25ZE        | Power, as a water service provider in the circumstance provided in subsection (1), to impose a restriction on the use of subartesian water by a customer of the water service provider in an area.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 30(3)(d)    | Power, as a person who is completing works that have been started, to give the chief executive notice about the works by the day stated in the moratorium notice.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 33(2)       | Power, as an owner of land, to stop construction of the work by the completion day and apply to the Minister for an extension of the completion day.                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 33(2)(b)    | In certain circumstances, power to apply to the Minister for an extension of the completion date.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 35          | Power, as person who is authorised, or has an entitlement to take or interfere with water, to provide information requested by the chief executive under section 35.                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000                                                                                                                                                                                  | 36          | Power, as an owner of land, to give the chief executive an owner's notice.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Act 2000 | 40B(3)   | Power, as a resource operations licence holder, to consult with the chief executive about the proposed temporary release of water from the reserve.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 44       | Power to respond to a notice of public consultation on a proposed water plan.                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 46       | Power to make a submission on a draft water plan.                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 46(2)(c) | Power to make submission about the draft plan.                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 54       | Power to make a submission in response to a notice of the Minister's intention to postpone the expiry of a water plan.                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 54(2)(c) | Power to make submission about intended postponement.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 61       | Power to make submissions in response to a notice of the making of a draft water use plan.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 61(2)(c) | Power to make submissions about draft plan.                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 69(2)(c) | Power to consult with the chief executive about the amendment or replacement of a water management protocol.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 72       | Power to make submissions in response to a notice of the making of a draft water entitlement notice.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 72(2)(c) | Power to make submissions about draft water entitlement notice.                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 73(1)(a) | In certain circumstances, power to give notice to the Chief Executive.                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 73(1)(b) | Power to give notice.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 73(1)(c) | In certain circumstances, power to give notice.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 73(1)(c) | Power to give consent.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 93       | Power to take water for any of the purposes referred to in section 93.                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 94       | Power to interfere with water for any of the purposes referred to in section 94.                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 96       | Power as owner of land to take water for stock or domestic purposes.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 97(1)    | Power to take overland flow water that is not more than the volume necessary to satisfy the requirements of:-<br>(a) an environmental authority; or<br>(b) a development permit for carrying out an environmentally relevant activity.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 97(2)    | Power to interfere with the flow water by impoundment if the interference is not more than is necessary to satisfy the requirements of an environmental authority.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 99(1)    | Power to take water to operate public showers or toilets. Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 99(2)    | In certain circumstances, power to take water to construct or maintain infrastructure, and power to comply with any conditions attaching to that take. Power, as a constructing authority, to take water to construct or maintain infrastructure                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 101(1)   | In certain circumstances, power to take or interfere with water. Power, subject to any relevant alteration or limitation prescribed under a moratorium notice, water plan or a regulation under section 1046 to:- (a)take water to carry out an activity prescribed by regulation;<br>(b)take overland flow water;<br>(c)take or interfere with underground water;<br>(d)take water that has been collected in a dam other than a dam across a watercourse or lake. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Act 2000 | 102(1)                  | <del>In certain circumstances, power to take or interfere with water.</del> Power to, in a water plan area, subject to any relevant alteration or limitation prescribed under a moratorium notice:-<br>(a)take water up to a volume stated in the water plan for the area;<br>(b)take water if doing so is necessary to carry out an activity stated in the water plan for the area;<br>(c)interfere with water to the extent stated in the water plan for the area.        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 102(3)                  | <del>In certain circumstances, power to take or interfere with water.</del> Power to, where there is no water plan or where the water plan for the area does not provide for the taking or interfering with water up to a volume stated in the plan, subject to any relevant alteration or limitation prescribed under a moratorium notice:-<br>(a) take water up to a volume prescribed by regulation;<br>(b) interfere with water to the extent prescribed by regulation. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 103                     | Power, as an owner of land, to take water from a watercourse, lake or spring for stock or domestic purposes in the circumstances described in subsections (a) or (b).                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 107                     | Power, as an owner of a parcel or parcels of land, to apply for a water licence for the parcel or parcels.                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 107(4)                  | <del>Power to apply for a water licence.</del> Power, as a prescribed entity, to apply for a water licence for taking water or interfering with the flow of water.                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 108                     | Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 108(1)                  | Power to apply for a transmission water licence.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 111                     | Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 112                     | Power to public a copy of the public submissions notice in compliance with a notice received from the chief executive.                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 112(3)                  | Power to:<br>a) publish information in a specified way; and<br>b) publish a notice.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 112(6)                  | <del>Power to give the Chief Executive evidence of the publication.</del> Power to give the chief executive evidence of the publication.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 121.122,123,126 and 127 | Power to apply for 1 or more dealings with a water licence, take all steps to progress the application and give notice of the application (if required).                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 121(1)                  | In the specified circumstances, the power to apply for one or more dealings with a water licence                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 123(2)                  | Power to give notice of the application to certain entities.                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 123(5)                  | Power to give the Chief Executive a copy of the notice.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 125                     | Power to apply to have a water licence reinstated.                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 126(2)                  | Power to apply to relocate the water licence or part of the water licence                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 128                     | Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 134                     | Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 134(4)                  | Power to make a submission about the proposed amendment of a water licence                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 136                     | Power to surrender a water licence.                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 136(1)                  | Power to surrender a water licence.                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 137                     | Power to apply for a water permit for an activity.                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                |            |                                                                                                                                                                                                                                                               |                         |                                                                |
|----------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Water Act 2000 | 137A       | Power, if the chief executive requires, to give additional information about an application.                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 137(1)     | Power to apply for a water permit                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 137A(1)(a) | Power to give additional information to the Chief Executive upon request, within the reasonable period stated in the requirement.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 137A(1)(b) | Power to verify by statutory declaration any information included in the application or any additional information required under section 137A(1)(a).                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 146(2)     | Power to enter into a supply contract for the allocation.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 147(4)     | <del>Power to enter into a supply contract for the allocation.</del> Power, as an allocation holder and as a resource operations licence holder to enter a supply contract for the allocation.                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 149        | <del>Power to require allocation holder to give reasonable security for supplying and storing the allocation.</del> Power, as a licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 151        | Power to respond to a requirement from the chief executive to give additional information about the correction and to verify the information by statutory declaration.                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 154(2)     | <del>Power to agree the obligation has been satisfied.</del> Power, as a licence holder in a circumstance prescribed in subsection (1), to agree that the obligation on the water allocation holder to pay a charge has been satisfied.                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 154(3)     | <del>Power to give the Chief Executive notice in the approved form.</del> Power, as a licence holder in a circumstance prescribed in subsection (1), to give notice in the approved form to the chief executive of an agreement reached under subsection (2). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 155        | Power, as an allocation holder in a circumstance prescribed in subsection (1), to give a disclosure statement and acknowledgement notice for the water allocation before entering a contract for the transfer or lease of the water allocation.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 155(2)     | Power to give the transferee or lessee under the contract a disclosure statement and an acknowledgement notice.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 155(3)(b)  | Power to prepare specified document and give the document to the allocation holder.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 155(4)     | Power to ensure the matters stated in the document mentioned in subsection 3(b) are the matters that the transferee or lessee reasonably need to be aware of before entering into a contract.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 155(5)     | Power to terminate the contract.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 157        | Power, as a water allocation holder who proposes to transfer or lease a water allocation not managed under a resource operations licence, to give the chief executive notice of the proposed transfer or lease.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 157(1)     | Power to give Chief Executive a notice of the proposed transfer or lease.                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 159        | Power, as a water allocation holder, to apply to the chief executive for a water allocation dealing, other than a transfer or lease, under the water allocation dealing rules and to take all steps to comply with the rules.                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 159(1)     | Power to apply to the Chief Executive for a water allocation dealing other than a transfer or lease, under the water allocation dealing rules.                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 161        | Power, as a water allocation holder given a certificate under sections 157 or 159, to lodge it with the registrar.                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 161(1)     | Power to lodge a Certificate with the Registrar.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 162(1)     | Power to agree to surrender a water allocation.                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 162(2)     | <del>Power to consent to the surrender.</del> Power, as the holder of a water allocation managed under a resource operations licence or a distribution operations licence, to consent to the surrender of the water allocation with or without conditions.    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                |           |                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
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| Water Act 2000 | 162(3)    | Power, as the holder of a resource operations licence or distribution operations licence, to otherwise agree with the chief executive about the liability for fees under the supply contract or distribution arrangements.                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 161(3)    | Power to agree with the Chief Executive about fees.                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 164(2)    | Power, as the holder of water allocation, to respond to a show cause notice as to why the allocation should not be forfeited.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 164(3)    | Power to make submissions.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 166(1)(b) | Power to exercise a power of sale.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 166(1)(c) | Power to exercise a power of sale.                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 166(5)    | <del>Power to give notice of the proposed exercise of the power.</del> Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to give notice of the proposed exercise of the power to any person having a registered interest in the water allocation.                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 166(6)    | Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to apply an amount received on the sale of the water allocation in the way mentioned in section 164(7).                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 175       | Power to search and obtain copies of documents in the water allocations register and pay any fees associated with the request.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 178       | Power, as a nominator, to give the chief executive notice in the approved form nominating a nominee to be the holder of a distribution operations licence.                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 178(1)    | Power to give Chief Executive a notice in the approved form.                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 181(1)    | Power, as an entity mentioned in section 176(2) to apply for a resource operations licence for existing or proposed water infrastructure.                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 181(2)    | <del>Power to apply for a distribution operations licence for existing or proposed water infrastructure.</del> Power, as an entity mentioned in section 177(2) to apply for a distribution operations licence for existing or proposed water infrastructure.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 181(3)    | Power, as the holder of a resource operations licence or a distribution operations licence, to consult with the chief executive about a proposed amendment of the licence.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 183(5)    | In certain circumstances, power to ask the Chief Executive, in writing, to refer the proposed change to the rules of a resource operations licence to a referral panel.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 183(6)    | Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 184(1)    | <del>Power to apply to amend the licence.</del> Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend the licence and pay any fee associated with the application.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 184(6)    | <del>In certain circumstances, power to ask the Chief Executive, in writing, to refer to the proposed changes to the rules of a resource operations licence to a referral panel.</del> Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 186       | <del>Power to agree to an amendment.</del> Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive about the amendment of the licence.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 187       | <del>Power to apply to the Chief Executive to transfer all or part of the licence to a transferee that can hold the licence.</del> Power, as the holder of a resource operations licence or the holder of a distribution operations licence or the current infrastructure owner, to apply to the chief executive to transfer the licence and pay any fee associated with the application. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 187(1)    | Power to apply to the Chief Executive to transfer all or part of the licence to a transferee that can hold the licence.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                |                |                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                |
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| Water Act 2000 | 187(2)         | Power to apply, with or without the consent of the approved nominee, to transfer all or part of the licence.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 188            | Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 188(2)(a)(i)   | Power to provide written consent to an application.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 188(2)(a) (ii) | Power to provide written consent to an application.                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 189            | Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 193            | Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amalgamate the licence with another licence in the same water supply scheme and pay any fee associated with the application.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 193(1)         | Power to apply to the Chief Executive to amalgamate licences.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 193(2)         | Power to apply to the Chief Executive to amalgamate licences.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 193(4)         | Power to provide written consent to the amalgamation.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 195(1)         | Power, as the holder of a resource operations licence or distribution operations licence, or the water infrastructure owner, to respond to a show cause notice issued by the chief executive about the proposed cancellation of the licence.                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 195(2)         | Power to make submissions                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 196            | Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive that the licence is no longer required and that it can be cancelled.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 197            | Power, as the holder of a resource operations licence or a distribution operations licence, to prepare the operations manual and submit it together with the sufficient information to the chief executive for approval.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 197(2)         | Power to prepare an operations manual and submit it to the Chief Executive for approval together with sufficient information.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 198(3)         | <del>Power to publish the approved operations manual on the holders website.</del> Power, as the holder of a resource operations licence or a distribution operations licence, to publish the approved operations manual on Council's website.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 199(3)         | <del>Power to apply in writing to the Chief Executive to have certain matters referred to a referral panel.</del> Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to have those parts of the operations manual that were not approved referred to a referral panel. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 200(1)         | <del>Power to apply to Chief Executive to amend or replace an operations manual.</del> Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend or replace an operations manual.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 200(4)         | Power, as the holder of a relevant licence, to apply to the chief executive to amend the relevant licence.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 200(6)         | <del>Power to publish the statement of changes made to the manual.</del> Power, as the holder of the licence, to publish a statement of the changes made to the operations manual                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 201            | Power, in the circumstances prescribed in subsections (1) or (3), to review the operations manual and apply to the chief executive to amend it.                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 201(2)         | Power to apply to the Chief Executive in writing to amend the manual.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 201(4)         | Power to review the manual as required by the Chief Executive and apply to the Chief Executive in writing to amend it.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                |                    |                                                                                                                                                                                                                                              |                         |                                                                |
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| Water Act 2000 | 203(2)             | Power, as an entity referred to in subsection (1), to give an authorised person free and uninterrupted access to the water infrastructure to which the licence applies and any records relating to the water infrastructure.                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 203B(1)(a) and (b) | In certain circumstances, the power to take stated reasonable action or not to take the stated action within or for a stated reasonable period.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 203D               | <del>Power to decide there is a reasonable excuse not to comply with a direction.</del> Power, as a relevant entity given a direction under section 203B(1), to comply with the direction.                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 203G(3)            | Power to be consulted by the official in preparing the report                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 203G(4)            | Power to give to the official information the official reasonably requires for preparing the report required under section 203G(2)                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 206                | Power to apply for an operations licence.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 206(1)             | Power to apply for an operations licence.                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 207                | Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 211                | Power to apply to the chief executive to amend an operations licence.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 211(1)             | Power to apply to amend an operations licence.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 212                | Power, as the holder of an operations licence, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of the licence.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 212(3)             | Power to make submissions.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 213(4)             | Power, as the holder of an operations licence, to consent to a different day being stated in the operations licence.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 213(5)             | Power, as a licensee or a new water entitlement holder, in circumstances where subsection (2) applies, to consent to the amendment including the new holder instead of the previous holder.                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 213(1)(a)          | Power to give the Chief Executive notice in an approved form when the holder no longer wishes the holder's water to be taken under an operations licence.                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 215                | Power, as a licensee, to apply to transfer the operations licence and pay any fee associated with the application.                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 215(1)             | Power to apply to transfer the operations licence.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 216                | Power, as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 216(1)             | Power to surrender an operations licence by giving the Chief Executive a notice of surrender.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 218                | Power to apply to the chief executive for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring.                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 218(1)             | Power to apply to the Chief Executive for a Riverine Protection permit.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 218(3)             | <del>Power to provide written consent to an application.</del> Power as the registered owner of land to consent to the making of an application for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 219                | Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 222                | Power, as a permittee, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of a riverine protection permit.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Act 2000 | 223(1)  | Power to make submissions.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 225(5)  | Power, as an owner of land to comply with a notice issued by the chief executive pursuant to subsection (3).                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 227     | Power to apply for an allocation of quarry material.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 227(1)  | Power to apply for an allocation of quarry material.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 228     | Power to comply with a requirement of the chief executive to give additional information about the application, to pay the chief executive the reasonable amount and to verify the information by statutory declaration. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 235     | Power, as an allocation notice holder, to apply to transfer all or part of the allocation to another person and pay any fee associated with the application.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 235(1)  | Power to apply to transfer all or part of the allocation to another person.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 236     | Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 236(1)  | Power to apply to renew the allocation notice before it expires.                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 237     | Power, as an allocation holder, to respond to a show cause notice issued by the chief executive about the proposed amendment, suspension or cancellation of the allocation notice.                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 238(1)  | Power to make submission.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 239     | Power, as an allocation holder, to surrender the allocation notice by giving the chief executive a notice of surrender.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 239(1)  | Power to surrender the allocation notice by giving the Chief Executive notice of its surrender.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 240     | Power, as an allocation holder, to pay the royalty or price payable for quarry material removed under the allocation notice.                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 345     | Power to make written submissions in response to a notice published pursuant to section 345 of the <i>Water Act 2000</i>                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 354     | Power to prepare a draft water security program                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 357(4)m | Power to prepare a revised draft water security program                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 357(6)  | Power to decide not to prepare a revised draft water security program                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 358     | Power to finalise a water security program                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 359     | Power to review a water security program                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 360     | Power to amend a water security program                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 360H    | Power, as a bulk water party, to amend a bulk water supply agreement                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 360I    | Power, as a bulk water party to an amended bulk water supply agreement, to respond to Minister's notice under section 360I                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 360U    | Power, as a code regulated entity to make submissions to the Minister about the making or amending of the bulk water code                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 382     | Power to make a submission to the responsible entity about a proposed underground water impact report or final report and give a copy of the submission to the chief executive.                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 404     | Power, as an owner of land, to comply with any reasonable request by the holder made under subsection (1).                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
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| Water Act 2000 | 406       | Power, as an owner of a water bore the holder reasonably believes has an impaired capacity, to negotiate and enter into an agreement with the holder about the matters listed in subsection (2).                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 416       | Power, as an owner of a water bore, to comply with any reasonable request by the tenure holder made under subsection (1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 423       | Power, as an owner of a water bore for which a responsible tenure holder has undertaken a bore assessment under division 2, to negotiate and enter into make good agreement for the bore.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 423A      | Power, as an owner of a water bore who has entered a make good agreement for the bore, to terminate the agreement within the cooling off period by giving written notice to the responsible tenure holder for the water bore.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 424       | Power, as a party to a make good agreement, in the circumstances specified in subsection (1), to:- give a notice under subsection (2); and (b) negotiate a variation of a make good agreement for the water bore.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 426(2)(a) | <del>Power to ask the Chief Executive to direct an authorised officer to call a conference to negotiate a resolution of the dispute.</del> Power, as a party to a dispute referred to in section 425, to give the other party and the chief executive a conference election notice.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 426(2)(b) | <del>Power to call for the other party to agree to a non-binding alternative dispute resolution process (an ADR) to seek to negotiate a resolution of the dispute.</del> Power, as a party to a dispute referred to in section 425, to give the other party an ADR election notice.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 426(6)    | <del>Power to accept or refuse the type of ADR and the ADR facilitator, proposed in the notice.</del> Power, as a party to a dispute referred to in section 425 who is given an ADR election notice, to accept or refuse the type of ADR and the ADR facilitator proposed in the notice.                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 426(7)    | <del>Power to make another proposal, or obtain a decision from the Land Court or a prescribed ADR institute, about the matter not accepted.</del> Power, as a party to a dispute referred to in section 425 who has given an ADR election notice and where the party given the ADR election notice has not accepted the type of ADR or ADR facilitator under section 426(6), to make another proposal, or obtain a decision from the Land Court or prescribed ADR institute about the matter not accepted, and, for a decision from the Land Court or prescribed ADR institute, give the other party notice of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 426(9)    | Power, as a party to a dispute referred to in section 425 and who is the resource tenure holder, to bear the costs of the ADR facilitator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 427(2)    | <del>Power to use all reasonable endeavours to resolve the dispute within 30 business days after the notice is given (also the usual period).</del> Power, as a party to a dispute referred to in section 425 and where an ADR election notice has been given under section 426(2)(b), to use all reasonable endeavours to resolve the dispute.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 427(3)    | <del>Power within the usual period, to ask the other party to agree to a longer period to apply instead of the usual period.</del> Power, as a party to a dispute referred to in section 425 and where a conference election notice or an ADR election notice has been given, to ask for and agree to a longer period to apply instead of the usual period.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 429(1)    | Power, as a party to a dispute referred to in section 425, to attend a conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 429(3)    | Power, as a party to a dispute referred to in section 425, to seek the authorised officer's approval for someone else to be present at the conference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 429(4)    | Power, as a party to a dispute referred to in section 425, to agree to the other party being represented by a lawyer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 430       | Power, as a party who attended the conference where the other party did not attend, to apply to the Land Court for Council's costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433       | Power, as a party to a dispute referred to in section 425, to negotiate an agreement about the matters the subject of the conference and to sign the agreement on Council's behalf.                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                |               |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
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| Water Act 2000 | 433A(2)       | <del>Power to give a notice (an arbitration election notice) to the other party requesting the other party participate in an arbitration to decide the dispute.</del> Power, as a party to a dispute referred to in section 425 where a conference election notice or ADR election notice has been given and the dispute has not resolved by the end of the period under section 427(2) or (4), to give an arbitration election notice. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433A(4)       | <del>Power within 15 business days after the notice is given, to accept or refuse the request for arbitration.</del> Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to accept or refuse the request for arbitration.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433A(5)       | <del>Power within 10 business days after the acceptance, to jointly appoint the arbitrator proposed under subsection (3)(b), or another arbitrator, to conduct the arbitration.</del> Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to jointly appoint an arbitrator.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433A(6)       | Power, as a party to a dispute referred to in section 425, the party giving an arbitration election notice and where the parties do not jointly appoint an arbitrator under section 433A(5), to require a prescribed arbitration institute to appoint an arbitrator.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433E          | Power, as a party to a dispute referred to in section 425 that is the subject of arbitration, to pay the fees and expenses of the arbitrator as required by section 433E.                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 433E(2)       | In the specified circumstances, the power to agree with the other party in relation to liability for arbitration fees and expenses.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 434(3)        | Power to apply to the Land Court to decide the matter the subject of the election notice. Power, as party to the dispute or who attended the conference or ADR under section 425 of the Water Act 2000, to apply to the Land Court to decide the matter the subject of the election notice issued under section 425 of the Water Act 2000.                                                                                              | Chief Executive Officer |                                                                |
| Water Act 2000 | 434(4)        | Power to apply to the Land Court to decide the matter the subject of the election notice.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 454           | Power, as an owner of a water bore, to comply with a requirement of the chief executive to give the information referred to in subsection (2).                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 556           | <del>Power to make written submissions on the proposed amendment to the chief executive.</del> Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 598A          | <del>Power to make written submissions on the proposed change to the chief executive.</del> Power to make a submission in response to a proposal to change the composition of the board of a water authority.                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 692           | Power, as a landholder who receives a notice from the chief executive, to make a submission regarding a proposed amalgamation or dissolution of water authorities.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 695A          | Power, as a relevant registered owner of land in the authority area, to enter a closed water activity agreement.                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 700A(2)       | Power to comply with a requirement of the Minister made under this subsection.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 700A(1)(a)(i) | <del>Power to agree in writing to a proposed transfer by the water authority to the local government of all or part of the authority's functions and on how to implement the proposed transfer.</del> Power to agree in writing with the water authority to a proposed transfer by the water authority to the local government of all or part of the authority's functions and on how to implement the proposed transfer.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 700A(1)(b)    | <del>Power to notify the Minister of an agreement regarding the proposed transfer and ask in writing for the Minister's approval of the proposed transfer.</del> Power, together with a water authority, to notify the Minister of their agreement about the proposed transfer and on how it is to be implemented and ask for the Minister's approval of the proposed transfer.                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 779           | Power to make written submissions about the show cause notice.                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000 | 862           | Power, as interested person who has been given an information notice or compliance notice by the chief executive, to apply for an internal review of the original decision to give the notice.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                              |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
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| Water Act 2000               | 862(1)       | Power to may apply for a review (an <i>internal review</i> ) of particular original decisions.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 863(3)       | Power to give any other person who was given an information notice about the original decision the notice of the application (the <i>submitter notice</i> ) and a copy of the application and supporting documents.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 877          | <del>Power to appeal against or apply for a review of the review decision.</del> Power, as interested person who applied for an internal review under section 862 of the Water Act 2000, to appeal against, or apply for a review of, the review decision.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 877(1)       | Power to appeal against or apply for a review of the review decision.                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 966(2)(a)    | Power, as lessee of the leased land, to provide written consent to arrangements about the route the person may use across the lessee's land for the removal of the quarry material.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 972J(2)      | Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972H(2) and to comply with any notice issued pursuant to section 972H(3).                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 988          | Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 992C         | Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 1010A(2)     | Power, as a client, to consent to the disclosure of commercially sensitive information.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 1273A        | Power, as an owner of land to which the expired licence attached, to apply to the chief executive:- (a) to reinstate the licence and make a validating declaration; or (b) to replace the licence and make a validating declaration.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 1273B        | Power, as holder of the new licence, to request the chief executive to make a validating declaration in relation to the licence.                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Act 2000               | 1288         | Power, as a holder of a distribution operations licence or a resource operations licence, to consent to the chief executive amending the licence without complying with the provisions of chapter 2, part 3, division 5, subdivision 2.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Water Regulation 2016</b> |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
| Water Regulation 2016        | 34           | Power to apply to the chief executive to relocate a water licence.                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 34(1)        | Power to apply to the Chief Executive for a transfer, amendment or amalgamation of an original license.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 34(3)(b)(i)  | <del>Power to give a statutory declaration in the manner required.</del> Power, as the holder of the water licence to be relocated, to swear the statutory declaration required in subsection (3)(b)(i).                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 34(3)(b)(ii) | <del>Power to give written consent to proposed transfer, amendment or amalgamation.</del> Power, as an interested entity, to provide written consent to the proposed relocation.                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 37           | Power, as an applicant under section 34, to give the chief executive a transfer notice.                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 37(2)        | Power to give the Chief Executive notice in the approved form (a transfer notice).                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 38 (2)       | Power, as a proposed transferee, to give the chief executive a document evidencing ownership of land to which the new licence will attach.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016        | 58(1)        | <del>Power to apply to the Chief Executive for a seasonal water assignment for the water allocation for the water year, or a shorter period prescribed by a water management protocol in which the application is made.</del> Power, as the holder of a water allocation, to apply to the chief executive for a seasonal water assignment for the water allocation for the water year in which the application is made and to pay the application fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Regulation 2016 | 58(2)     | Power to apply to the Chief Executive for a seasonal water assignment for the water allocation for the water year, or a shorter period prescribed by a water management protocol in which the application is made. Power, as the holder of a seasonal water assignment notice, to apply to the chief executive for a seasonal water assignment for the seasonal water assignment notice for the water year in which the application is made and to pay the application fee. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 61(2)     | In certain circumstances, power to enter into an arrangement for a seasonal water assignment in relation to the allocation.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 61(2)(a)  | Power to consent to the arrangement for a seasonal water assignment.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 61(2)(b)  | Power to consent to the arrangement for a seasonal water assignment                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 63        | Power to apply for a water allocation in the approved form.                                                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 64(2)     | Power to comply with a notice issued by the chief executive under subsection (2).                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 65        | Power to give the chief additional information required under subsection (1) and to verify the information by statutory declaration.                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 65(5)(a)  | Power to give the chief executive evidence of the publication.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 66(3)     | Power, where Council has made an application under section 63, to pay the estimated cost to the chief executive.                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 108       | Power to comply with a meter notice issued by the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 110A      | Power to give the Chief Executive a written notice stating the meter is a faulty meter and information about water taken through the works.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 110A(3)   | Power, as a relevant person in the circumstances specified in subsection (1) (excluding a person given a notice under section 110AA), to give the chief executive a written notice stating the meter is a faulty meter.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 110A(4)   | Power, as a relevant person in the circumstances specified in subsection (1), to give the chief executive all the information stated in subsection (4) before the expiry date.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 110A(5)   | Power, as a relevant person in the circumstances specified in subsection (1), to give the chief executive all the information stated in subsection (4) before the expiry date.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 110A(6)   | Power, as a relevant person in the circumstances specified in subsection (1), to request the expiry date be extended.                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 112       | Power to arrange for a validation inspection to be carried out on a meter and to give a copy of the validation certificate to the chief executive.                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 112A(5)   | Power, as a holder or owner mentioned in section 112(1), to comply with a notice issued by the chief executive under subsection (3) before the expiry date.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 112A(6)   | Power, as a holder or owner mentioned in section 112(1), to request the expiry date be extended.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 113(3)    | Power to comply with a notice from the chief executive requiring Council to read a meter, provide the meter reading to the chief executive and notify the chief executive about whether or not the meter is faulty.                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 113(1)(a) | Power to give a notice to the Chief Executive of the reading of the meter.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 113(1)(b) | Power to give a notice to the Chief Executive of the reading of the meter and notify the Chief Executive about whether or not the meter is a faulty meter.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 114(a)    | Power to make an application to the Chief Executive to read a meter.                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 114(b)    | Power to give the Chief Executive notice that the owner has decided to stop using the works                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 115       | Power to pay a meter operating charge to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016 | 116       | Power to pay a meter use charge to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Regulation 2016                                                                                                                                                              | 117(1)             | Power to give the chief executive a notice that Council has decided to stop using an approved meter.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016                                                                                                                                                              | 117(3)             | Power to pay the metering exit charge.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016                                                                                                                                                              | 119(3)             | <del>Power to give written notice to the Chief Executive of refusal to accept the transfer.</del> Power, after receiving a transfer notice, to give written notice to the chief executive that Council is refusing to accept the transfer     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016                                                                                                                                                              | 131(2)(b)          | Power as a licensee to pay the water licence fee stated in the notice received from the chief executive.                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Regulation 2016                                                                                                                                                              | 134(1)(d)          | Power to pay a charged levied by a notice received from the chief executive pursuant to this section.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Water Supply (Safety &amp; Reliability) Act 2008</b><br><b>The Purpose of this Act</b><br>The purpose of this Act is to provide for the safety and reliability of water supply. |                    |                                                                                                                                                                                                                                               |                         |                                                                |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 13                 | Power, as a responsible entity, to respond to a notice to give information received from the regulator.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 20(1)              | Power to apply for registration as a service provider.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 20 and 21(1)       | Power, as a local government that owns infrastructure for supplying water or sewerage services, to apply for registration as a service provider.                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 21(1)(c)(ii)       | Power to give written consent.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 21(2)              | Power, as an applicant under section 20 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to give additional information to the regulator about the application.                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 23                 | Power, as a service provider, to apply to change the service provider's details of registration in the service provider register.                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 23A                | Power, as a service provider, to review the service provider's registration details in the service provider register and notify the regulator of any changes in the details.                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 23(1)              | Power to apply to change the service provider's details of registration in the service provider register                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 23A(2)             | In the specified circumstances, power to give the regulator notice of the change in the approved form.                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 25A                | Power, as a current infrastructure owner, to give to the regulator notice of the transfer of the ownership of infrastructure for the relevant service or notice of transfer of the registration as service provider for the relevant service. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 25A(1)             | In the specified circumstances, power to give the regulator notice (the transfer notice) of the proposed transfer.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 25A(3)             | Power, to respond to the regulator's request to give additional information about a transfer notice.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 26(2) and 26(7)(b) | <del>Power to give notice of the possible stoppage.</del> Power, as service provider, to give notice to the regulator that the service provider is likely to stop supplying a registered service.                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 26(4)              | Power, as service provider, to respond to a request by the regulator for additional information about a possible stoppage.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 26(8)              | <del>In the specified circumstances, power to give notice of the stoppage.</del> Power, as service provider, to give notice to the regulator that the service provider has stopped supplying a registered service.                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 28                 | Power, as service provider, to apply to the regulator to cancel the registration as a service provider if the service provider is not supplying, and does not intend to start supplying, the service for which the provider is registered.    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 28(1)              | In the specified circumstances, power to apply to the regulator to have the provider's registration cancelled.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                       | 28(4)              | Power, as applicant, to respond to a request by the regulator for additional information about a cancellation of registration as a service provider.                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 28(4)(b) | In the specified circumstances, power to verify information included in the application, or the additional information provided under section 28(4(a), by statutory declaration.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 33(2)    | <del>In the specified circumstances, power to give a person a notice asking the person to state, within a reasonable time stated in the notice, why the person's unauthorised connection should not be disconnected.</del> Power, as service provider, to give a person a notice requiring them to provide a reason why Council should not disconnect their unauthorised connection.                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 33(4)    | <del>In the specified circumstances, power to be satisfied regarding whether an unauthorised connection should be disconnected.</del> Power, as service provider, to consider a response provided to a notice issued pursuant to section 33(2).                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 33(4)(b) | Power, as service provider, to recover from a person, as a debt, Council's costs in disconnecting the unauthorised connection, and the value of any service used by the person through the connection.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 34(2)    | Power, as service provider, to give a person a notice requiring them to rectify equipment or remove vegetation or other things.                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 34(3)    | Power, as service provider, to recover from an owner as a debt, Council's costs in doing the work required to be done in a notice issued under section 34(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 35       | Power, as service provider, to install or approve the installation of a meter and to decide the position of the meter, on infrastructure supplying water to premises.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 35(1)    | Power to decide the position of a meter on infrastructure supplying water to premises, and to approve the installation of that meter in the position decided.                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 36(2)(b) | <del>In the specified circumstances, power to give an occupier at least 14 days notice of the entry and the purpose of the entry.</del> Power, as service provider, to give a person an entry notice.                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 36(2)(c) | In the specified circumstances, the power to decide that urgent action needs to be taken to protect the service providers infrastructure at the place.                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 40(2)    | Power, as service provider, to recover from a person as a debt, the amount of the loss or reasonable cost of repairing damage to Council's infrastructure caused by the person.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 41(1)    | <del>Power to consider it necessary, to restrict:</del><br><del>(a) the volume of water taken by or supplied to a customer or type of customer; or</del><br><del>(b) the hours when water may be used on premises for stated purposes; or</del><br><del>(c) the way water may be used on premises.</del> Power, as water service provider, to restrict: (a) the volume of water taken by or supplied to a customer or type of customer; or (b) the hours when water may be used on premises for stated purposes; or (c) the way water may be used on premises. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 41(3)    | Power to apply a restriction imposed under section 41(1) to water taken from a rainwater tank connected to the service provider's reticulated supply.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 43(1)    | <del>Power to give notice of a service provider water restriction to anyone affected by it in the way you consider appropriate having regard to the circumstances in which the service provider water restriction is imposed.</del> Power, as a water service provider, to give notice of a service provider water restriction imposed by the service provider to anyone affected by it.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                         |                                                                |
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| Water Supply (Safety & Reliability) Act 2008 | 44(1)    | <del>Power to shut off a water supply to premises for a time reasonably necessary for work to be performed on the service provider's infrastructure, including a property service. Power, as a water service provider, to shut off water supply to premises for the time reasonably necessary to perform work on the infrastructure.</del>                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 44(2)    | <del>In the specified circumstances, power to give to anyone likely to be affected by shutting off the water supply at least 48 hours notice of the intention to shut off the water supply, advising the reasons for shutting it off, and for how long it will be shut off. Power, as a water service provider, to give notice of shut off of water supply to anyone likely to be affected by it.</del>                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 44(3)    | <del>In the specified circumstances, power to shut off water supply, without notice, if there is:</del><br>(a) a serious risk to public health;<br>(b) a likelihood of serious injury to persons or damage to property; or<br>(c) another emergency. Power, as service provider, to shut off water supply without notice if there is: (a) a serious risk to public health;<br>(b) likelihood of serious injury to persons or damage to property; or<br>(c) another emergency. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 44(4)    | In the specified circumstances power to give, to anyone likely to be affected by the action:<br>(a) notice of the action; and<br>(b) the reasons for the action; and<br>(c) if the action is continuing when the notice is given - notice about how long the action will continue.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 45       | Power, as service provider, to appoint an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 45(1)    | Power to appoint a person to be an authorised person if:<br>(a) satisfied the person has the necessary expertise or experience to be an authorised person; or<br>(b) the person has satisfactorily finished training approved by the service provider.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 45(2)    | Power to be satisfied that the person:<br>(a) can perform the functions of an authorised person safely; and<br>(b) can, while performing those functions, mitigate any risks to public health and safety.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 46       | Power, as service provider, to issue an identity card to an authorised person.                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 52(1)    | Upon written direction of the chief executive, power to give a customer, or type of customer, a written notice:<br>(a) to prepare a plan (a water efficiency management plan); and<br>(b) to give it to the water service provider within the reasonable time stated by the chief executive.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 52(2)    | Upon written direction of the chief executive, under section 52(1) power to give a customer, or type of customer, a written notice: (a) to prepare a plan (a water efficiency management plan); and (b) to give it to the water service provider within the reasonable time stated by the Chief Executive.                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 52(3)    | Power, as service provider, to give a customer, or type of customer, a written notice to prepare a plan and to give it to Council within a reasonable period.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 52(3)(a) | In the specified circumstances, power to give a customer, or type of customer, a written notice, to prepare a plan (also a water efficiency management plan).                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 52(3)(b) | Power to decide the reasonable period within which the customer, or type of customer, must provide the plan (also a water efficiency management plan).                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 54(1) | <del>For deciding whether or not to approve a water efficiency management plan, power to require the customer to give additional information about the plan within a reasonable period. Power, as service provider, to require the customer to give additional information about the plan within a reasonable period, for deciding whether or not to approve a water efficiency management plan.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 54(2) | <del>Power to approve, with or without conditions, or refuse to approve a water efficiency management plan:<br/>(1) if additional information is not required — within 60 business days after receiving the plan; or<br/>(2) if additional information is required — within 60 business days of when the information is received or should have been given, whichever is earlier. Power, as service provider, to approve or refuse a water efficiency management plan.</del>                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 54(3) | <del>In the specified circumstances, power to give the customer an information notice.</del> Power, as service provider, to give an information notice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 54(5) | <del>Power to extend the period of 20 business days mentioned in section 54(4). Power, as service provider, where the water efficiency management plan is not approved, to extend the 20 business day period within which the customer must amend the plan to address the reasons for the decision and give the revised plan to Council under section 54(4) of the Water Supply (Safety and Reliability) Act 2008.</del>                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 54(7) | Power, as service provider, to recover from the customer, as a debt, an application fee for the approval of a water efficiency management plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 56(3) | Power, as service provider, to give the chief executive:-<br>a) a copy of an approved water efficiency management plan; or<br>b) information about a plan that has not yet been approved; or<br>c) a report summarising progress by the water service provider's customers in achieving water savings and efficiencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 57(2) | <del>Upon the direction of the chief executive, power to give a customer, or type of customer, a written notice requiring the customer to:<br/>(a) amend an approved water efficiency management plan and give it to the water service provider within the reasonable time stated by the chief executive; or<br/>(b) prepare a new water efficiency management plan and give it to the water service provider within the reasonable time stated by the chief executive. Power, as a service provider, to comply with a written direction of the Chief Executive</del>                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 58(1) | Power to be satisfied that:<br>(a) for a customer, or a type of customer, production output or water consumption has increased significantly; or<br>(b) the cost effectiveness of implementing an approved water efficiency management plan is likely to have changed significantly; or<br>(c) there is or there is likely to be a severe water supply shortage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 58(2) | <del>Subject to being satisfied under section 58(1), power to give the customer a written notice requiring the customer to:<br/>(a) amend the plan and give it to the water service provider within the reasonable time stated by the water service provider; or<br/>(b) prepare a new water efficiency management plan and give it to the water service provider within the reasonable time stated by the water service provider. Power, as a service provider, to give a customer a written notice requiring the customer to:-a) amend the plan and give it to the water service provider within the reasonable period stated by the water service provider; or<br/>b) prepare a new water efficiency management plan and give it to the water service provider within the reasonable period stated by the water service provider.</del> | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Water Supply (Safety & Reliability) Act 2008 | 60      | Power, as a service provider, to give a customer a notice to comply with a water efficiency management plan.                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 60(1)   | Power to be satisfied or reasonably believe that a customer to whom an approved water efficiency management plan applies has not complied with the plan.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 60(2)   | In the specified circumstances, power to give the customer a notice, requiring the customer to comply with the plan within the reasonable time stated in the notice.                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 61      | Power, as a service provider, to require a customer to review a water efficiency management plan.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 61(1)   | Power to ensure a customer to whom an approved water efficiency management plan applies reviews the plan when the water service provider considers it appropriate.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 95      | Power, as a drinking water service provider, to prepare a drinking water quality management plan.                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 95(1)   | Power to apply to the regulator for approval of a drinking water quality management plan.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 96      | Power, as a drinking water service provider, to provide information requested by the regulator.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 99A     | Power, as a drinking water service provider, to amend, with the agreement of the Regulator, a drinking water quality management plan.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 99A(1)  | In certain circumstances, power to agree with the regulator to amend the providers approved drinking water quality management plan.                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 100     | Power, as a drinking water service provider, to apply to amend a drinking water quality management plan.                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 100(2)  | Power to apply to the regulator for approval of a proposed amended drinking water quality management plan.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 101     | Power, as drinking water service provider, to make submissions in response to a show cause notice issued by the regulator regarding proposed amendments to the drinking water quality management plan.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 101(4)  | Power, as drinking water service provider, to comply with a notice issued by the regulator pursuant to section 101(3)(a) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 102     | Power, as drinking water service provider, to notify the regulator any noncompliance with the water quality criteria relating to the service and the circumstances that gave rise to the noncompliance.                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 102(3)  | Power to give the regulator notice of the following in the approved form:<br>(a) the noncompliance and the circumstances that gave rise to the noncompliance;<br>(b) any action taken, or to be taken, by the provider to correct the noncompliance; and<br>(c) the measures the provider will take to prevent the noncompliance in the future.                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 102A(2) | In the specified circumstances, power to immediately inform the regulator of the prescribed incident.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 102A(3) | In the specified circumstances, power to give the regulator notice of the following in the approved form:<br>(a) the prescribed incident and the circumstances that gave rise to the incident;<br>(b) any action taken, or to be taken, by the provider relating to the prescribed incident; and<br>(c) the measures the provider will take to prevent the prescribed incident happening again in the future. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 103       | Power, as drinking water service provider that obtains water for the drinking water service from a water storage or other infrastructure not part of a water service for which there is a drinking water quality management plan, to give notice to the owner of the water storage or other infrastructure asking for information reasonably required about the quality of the water. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 103(2)    | Power to give a notice to the owner of water storage or other infrastructure to ask the owner to give the drinking water service provider information reasonably requested about the quality of water in the water storage or infrastructure.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 106(1)    | Power, as a service provider, to review a drinking water quality management plan, in accordance with the notice given by the regulator under section 99.                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 107(2)    | Power, as a service provider, to amend a drinking water quality management plan to reflect the changes to the operation of the water service and to apply to the regulator to approve the amended plan.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 107(2)(b) | In the specified circumstances, power to apply to the regulator for approval of an amended plan.                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 108       | Power, as a service provider, to arrange for an auditor to prepare a drinking water quality management plan audit report and to give it to the regulator.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 109(1)    | Power to sign a statutory declaration on behalf of the service provider.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 110(7)    | Power, as a service provider, to comply with an information notice given by the regulator pursuant to section 110(6).                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 112       | Power, as a service provider, to give access to the service provider's infrastructure and records relating to the infrastructure to the auditor and any person employed or authorised by the auditor.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 115(1)    | Power, as a service provider, to give access to the service provider's infrastructure and records relating to the infrastructure to the auditor and any person employed or authorised by the auditor.                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 115(3)    | <del>Power to consider submissions made to the provider about the proposed customer service standard.</del> Power, as a service provider who does not have service contract with all of its customers, to consider all submission made in response to the proposed customer service standard and prepare a final customer service standard.                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 119       | Power, as a service provider, to revise a customer service standard if required to by the regulator under section 118 of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 120       | Power, as a service provider, to review a customer service standard.                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142(2)    | Power, as a relevant service provider, to prepare a drinking water service annual report for the financial year and give a copy to the regulator.                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142(2)(a) | Power to prepare a drinking water quality management plan report.                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142(2)(b) | Power to give the regulator a copy of the drinking water quality management plan report.                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142A(2)   | Power, as a relevant service provider, to prepare a performance report for each financial year and give a copy to the regulator.                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142B(2)   | Power, as a relevant service provider, to prepare a system operating plan report for each financial year and give a copy to the regulator.                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 142C(2)   | In the specified circumstances, power to provide written agreement to a drinking water quality management plan report.                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 144(2)    | Power, as service provider providing a retail water service, to fix a meter and/or seal to a private fire fighting system.                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 145(1)    | Power to permit a person to take water from a fire fighting system or a service provider's hydrant.                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 162       | Power to publish notice of the making or amendment of a declaration under section 161 on Council's website ,and to make the notice available for inspection and purchase.                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
|----------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Water Supply (Safety & Reliability) Act 2008 | 163       | Power, as a service provider, to:-<br>a)keep a map of the service area;<br>b)update the map, at least annually.                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 165       | Power, as service provider, to recover from a customer the reasonable costs of complying with its obligations under section 164 of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 166(3)    | <del>In the specified circumstances, power to impose conditions on the installation of water storage tanks and pumps.</del> Power, as service provider, to impose conditions on the installation of water storage tanks and pumps, where the customer wants to connect to Council's water supply services.                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 167(2)    | <del>In the specified circumstances, power to advise an owner of any work that is considered reasonably necessary to be carried out on premises and any reasonable connection fee to enable the premises to be connected to the infrastructure.</del> Power, as service provider, to advise the owner of premises of any work the service provider considers reasonably necessary to be carried out on the premises and any reasonable connection fee to enable the premises to be connected to the service provider's infrastructure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 168       | Power, as service provider, to issue a notice to the owner of premises in Council's service area, requiring the owner to carry out works for connecting the premises to a registered service.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 168(1)    | Power to, by notice given to the owner of premises in the service area, require the owner to carry out works for connecting the premises to a registered service.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 168(2)(c) | In the specified circumstances, power to agree to an extension of the period within which the work must be completed.                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 169(1)    | <del>Power to give a notice to an owner or occupier of domestic premises not to contravene a restriction or to pay a rate or charge for a service.</del> Power, as service provider, to issue a notice to an owner or occupier, requiring them to stop contravening a restriction or pay the rate or charge for the service.                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 169(2)    | <del>Power to decide the minimum level of water necessary for the health and sanitation purposes of the owner or occupier.</del> Power, as service provider, to reduce the water supply to premises to the minimum level necessary for health and sanitation purposes, where the circumstances described in section 169(1) of the <i>Water Supply (Safety and Reliability) Act 2008</i> apply.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 180       | Power, as sewerage service provider, to give a person a trade waste approval or a seepage water approval with or without conditions.                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 180(1)    | In the specified circumstances, power to give a person an approval to discharge trade waste (a <i>trade waste approval</i> ) into Council's sewerage infrastructure.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 180(3)    | Power to consider the effect of the proposed discharge on any existing or potential re-use of waste water or sludge.                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 180(4)    | Power to be satisfied:<br>(a) having regard to the amount, type and strength of the proposed discharge, the discharge will not harm the sewerage or the health and safety of anyone working on the sewerage; and<br>(b) the sewage treatment plant to treat the discharge is capable of treating the discharge to an acceptable standard.                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 180(5)    | In the specified circumstances, power to be satisfied the proposed discharge into the sewerage is consistent with the plan.                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                         |                                                                |
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| Water Supply (Safety & Reliability) Act 2008 | 181(1) | Power to give a trade waste approval on conditions.                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 182    | <del>Power to suspend or cancel a trade waste approval (the proposed action) if satisfied any of the specified circumstances applies.</del> Power, as sewerage service provider, to suspend or cancel a trade waste approval or seepage water approval.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 183    | <del>Power, as sewerage service provider, to give the approval holder a show cause notice about the proposed action.</del>                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 183(1) | In the specified circumstances, power to give an approval holder a show cause notice about the proposed action.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 183(2) | Power to consider submissions made in response to a Show Cause Notice, to be satisfied the proposed action should be taken, and then to:<br>(a) if the proposed action was to suspend the approval for a stated period - suspend the approval for not longer the proposed suspension period; or<br>(b) if the proposed action was to cancel the approval - either cancel the approval or suspend it for a period.                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 183(3) | In the specified circumstances, power to give the approval holder an information notice about the decision.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 183(4) | Power to consider any submissions and, if not satisfied the proposed action should be taken, the power to give the approval holder a notice about the decision.                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 184    | Power, as sewerage service provider, to immediately suspend or cancel a trade waste approval or seepage water approval if urgent action is necessary in the interests of public health or safety, to prevent environmental harm, or to prevent damage to the sewerage system or the sewerage service provider has been given a regulator notice prohibiting the sewerage service provider from giving the trade waste approval or seepage water approval. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 184(1) | In the specified circumstances, power to suspend or cancel an approval without giving a show cause notice, if further action is considered necessary:<br>(a) in the interests of public health or safety; or<br>(b) to prevent environmental harm; or<br>(c) to prevent damage to Council's sewerage system.                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 184(2) | In the specified circumstances, power to cancel a trade waste approval given by the sewerage service provider.                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 184(3) | In the specified circumstances, power to give the approval holder an information notice about the action.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 185    | Power, as sewerage service provider, to, by notice given to the approval holder, amend the approval to ensure it is consistent with the conditions mentioned in section 185(1)(a) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 185(2) | Power to give a notice to the approval holder to amend a trade waste approval to ensure that it is consistent with conditions mentioned in section 185(1)(a).                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 191    | <del>Power to give written consent to a person connecting to, or disconnecting from, the service provider's infrastructure.</del> Power, as service provider, to give or refuse written consent for a person to connect or disconnect from Council's infrastructure.                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 192(1) | <del>Power to give written consent to a person interfering with a service provider's infrastructure.</del> Power, as service provider, to give or refuse written consent for a person to interfere with Council's infrastructure.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                |
|----------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Water Supply (Safety & Reliability) Act 2008 | 192(2)    | <del>Power to give written consent to a person building over, interfering with access to, increasing or reducing the cover over, or changing the surface of land in any way causing ponding of water over an access chamber for, a service provider's infrastructure.</del> Power, as a service provider, to give or refuse written consent for a person to:<br>(a)build over;<br>(b)interfere with access to;<br>(c)increase or reduce the cover over; or<br>(d)change the surface of land in a way causing ponding of water over an access chamber for;<br>Council's infrastructure. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 193(1)    | Power to give written consent to a person discharging trade waste into a service provider's infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 193(3)    | <del>Power to give written consent to a person discharging water from an ornamental pond, a swimming pool or the filtration system of a swimming pool into a service provider's infrastructure.</del> Power, as service provider, to give or refuse written consent for a person to discharge water from an ornamental pond, swimming pool or filtration system of a swimming pool into Council's infrastructure.                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 195       | Power, as service provider, to give or refuse written consent for a person to take water from Council's infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 195(1)    | Power to give written approval to a person taking water from a service provider's infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 195(2)    | In the specified circumstances, power to give written approval to a person taking water from a supply pipe on premises for use off the premises.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AA     | Power, as a relevant entity for a recycled water scheme to apply for registration of the scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AA(1)  | Power to apply for registration of the scheme before the deadline.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AB     | Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to give additional information about an application under section 196AA to the regulator and to verify the information in a statutory declaration.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AD     | Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to change the details of the registration that are recorded in the register.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AD(1)  | Power to apply to change the details of the registration recorded in the register.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AE     | Power, as a relevant entity for a recycled water scheme, other than a CSG recycled water scheme, to apply to cancel the registration if recycled water is no longer supplied under the scheme.                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 196AE(1)  | Power to apply to cancel the registration if the recycled water is no longer supplied under the scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 202       | Power, as the relevant entity of a recycled water scheme, to apply to the regulator for approval of a recycled water management plan for the scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 202(1)    | Power to apply to the regulator for approval of a recycled water management plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 203       | Power, as the relevant entity of a recycled water scheme, to respond to the regulator's request for additional information or to verify any information by statutory declaration.                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 203(1)(b) | Power to sign a statutory declaration verifying the information included in the plan, or any additional information given under section 203(1)(a).                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 208(2)               | <del>Power to give regulator notice of a stoppage or proposed stoppage of the production or supply of recycled water, in accordance with the circumstances of that section.</del> Power, as a recycled water provider for a single-entity recycled water scheme, to give the regulator notice of the stoppage or proposed stoppage of production or supply of recycled water.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 208(3)               | Power, as a recycled water provider for a single-entity recycled water scheme, to stop supply of recycled water to the entity if the entity is using the water other than in a way or for the purpose provided for under the recycled water management plan.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 208(5)               | <del>Power to, as soon as practicable, give the regulator notice of the stoppage or proposed stoppage of the production or supply of recycled water under a scheme and otherwise in the circumstances of that section.</del> Power, as a scheme manager for a multiple-entity recycled water scheme, to give the regulator notice of the recycled water provider's stoppage or proposed stoppage of production or supply of recycled water.          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 208(6)               | Power, as a recycled water provider for a multiple-entity recycled water scheme, to stop supply of recycled water to an entity if the entity is using the water other than in a way or for the purpose provided for under the recycled water management plan.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 209                  | Power, as the relevant entity for recycled water scheme, to amend the recycled water management plan with the regulator's agreement.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 209(1)               | Power to obtain the regulator's agreement to amend the recycled water management plan for the scheme.                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 210(3)               | Power, as a recycled water provider for a single-entity recycled water scheme, to make a submission in response to the regulator's show cause notice issued under section 210(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 211(3)               | Power, as the scheme manager or declared entity for a multiple-entity recycled water scheme, to make a submission in response to the regulator's show cause notice issued under section 211(2) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 211(3)(a) and 211(5) | Power, as a scheme manager or declared entity for a multiple-entity recycled water scheme, to amend the manager's scheme manager plan or the entity's scheme provider plan in the way required by a notice issued by the regulator under section 211(3) of the <i>Water Supply (Safety and Reliability) Act 2008</i> and to give a copy of the amended plan to the regulator.                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 212                  | Power, as a relevant entity for the recycled water scheme to apply to the regulator for approval of an amendment to a recycled water management plan.                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 212(2)               | Power to apply to the regulator for approval of the proposed amended recycled water management plan.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 212(3)               | Power to exercise the delegable powers (if any) contained in sections 202(2), (3) and (4), and sections 203 to 208 as if a reference in the sections to:<br>(a) the recycled water management plan were a reference to the amended recycled water management plan; and<br>(b) the plan were a reference to the amended plan.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 213(3)               | Power, as the responsible entity, scheme manager or declared entity for a recycled water scheme, to make submissions in response to the regulator's show cause notice issued under section 213(2)(a) or (b) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 215(1)               | <del>If a recycled water management plan has been suspended, power to apply to the regulator for an approval to resume supply of recycled water under the scheme.</del> Power, as the relevant entity for a recycled water management plan that has been suspended under Chapter 3 Part 2 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to apply to the regulator for approval to resume supply of recycled water under the scheme. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 215(3)               | Power to exercise the delegable powers (if any) contained in sections 202 and 203 as if a reference in the sections to:<br>(a) the recycled water management plan were a reference to the suspended recycled water management plan; and<br>(b) the plan were a reference to the suspended plan.                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 215(4)(c) and 215(4)(d) | Power, as the relevant entity for a recycled water management plan that has been suspended under Chapter 3 Part 2 of the <i>Water Supply (Safety and Reliability) Act 2008</i> , to comply with a direction of the regulator pursuant to section 215(4)(c) or (d) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 215(7)                  | Power to exercise the delegable powers (if any) contained in sections 202(2), (3) and (4), and sections 203 to 208 as if a reference in the sections to:<br>(a) the recycled water management plan were a reference to the amended recycled water management plan; and<br>(b) the plan were a reference to the amended plan.                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 230(2)                  | <del>Power to give a notice to the regulator of a proposed stoppage at least 30 days before the supply of recycled water is stopped.</del> Power, as a recycled water provider for a recycled water scheme that is not a critical recycled water scheme, to notify the regulator of a proposal to permanently stop the supply of water under the scheme. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 230(4)                  | <del>Power to give the regulator notice of the proposed stoppage at least 60 days before supply of the recycled water is stopped.</del> Power, as a relevant entity for a critical recycled water scheme, to notify the regulator of a proposal to permanently stop the supply of water under the scheme.                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 230(6)                  | Power, as the relevant entity for the recycled water scheme, to provide information or to verify information by statutory declaration as required by the regulator under section 230(6) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 230(6)(b)               | Power to sign a statutory declaration verifying the information included in the notice, or any additional information given under section 230(6)(a).                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 230(9)                  | Power, as a relevant entity for a recycled water scheme, to notify the regulator of a stoppage in the supply of recycled water under the scheme.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 237                     | Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to apply to the regulator for approval of a validation program.                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 237(1)                  | Power to apply to the regulator for approval of a validation program.                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 238(1)                  | Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to provide information or information verified by statutory declaration as required by the regulator under section 238(1) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 238(1)(b)               | Power to sign a statutory declaration verifying the information included in the program, or any additional information given under section 238(1)(a).                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 242                     | Power, as the relevant entity for the recycled water scheme that augments the supply of drinking water, to apply to the regulator to amend the approved validation program.                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 242(2)                  | Power to apply to the regulator for approval of the proposed amended validation program.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 242(3)                  | Power to exercise the delegable powers (if any) contained in sections 237(2) and sections 238 to 241 as if a reference in the sections to:<br>(a) the validation program were a reference to the amended validation program; and<br>(b) the program were a reference to the amended program.                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 258(1)                  | Power, as the relevant entity for a recycled water scheme, to review the approved recycled water management plan for the scheme.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 259(2)                  | Power, as a recycled water provider for a single-entity recycled water scheme to amend the approved recycled water management plan for the scheme and apply to the regulator for approval of the amended plan.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 259(2)(b)               | In the specified circumstances, power to apply to the regulator for approval of the amended plan.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 259(3)(a)               | Power, as a scheme manager for a multiple-entity recycled water scheme to amend the manager's scheme manager plan for the scheme.                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 259(3)(b)               | Power, as a declared entity for a multiple-entity recycled water scheme to amend the entity's scheme provider plan for the scheme.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                              |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                |
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| Water Supply (Safety & Reliability) Act 2008 | 259(4)             | <del>In the specified circumstances, power to apply to the regulator for approval of the amended recycled water management plan for the scheme.</del> Power, as a scheme manager for a multiple-entity recycled water scheme to apply to the regulator for approval of the amended recycled water management plan for the scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 259(6)             | Power to exercise the delegable powers (if any) contained in sections 202(2), (3) and (4), and sections 203 to 208 as if a reference in the sections to:<br>(a) the recycled water management plan were a reference to the amended recycled water management plan; and<br>(b) the plan were a reference to the amended plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 260(1) And 260 (2) | Power, as a relevant entity for a recycled water scheme, to arrange for an internal audit report and give it to the regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 261(1) and 261 (2) | Power, as the relevant entity for a recycled water scheme, to arrange for a regular audit report and give it to the regulator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 262(3)             | Power, as recycled water service provider for a single-entity recycled water scheme, to respond to the regulator's show cause notice about a proposed spot audit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 262(3)             | Power, as the scheme manager or declared entity for a multiple-entity recycled water scheme, to respond to the regulator's show cause notice about a proposed spot audit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 262(8) and 262 (9) | Power, as the responsible entity, to comply with the regulator's notice issued pursuant to section 262(8) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 265                | Power, as the relevant entity and any declared entity for a recycled water scheme, to give the auditor, and any person employed or authorised by the auditor, free and uninterrupted access to the infrastructure forming part of the scheme and any records relating to the infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 270(2)             | <del>In the specified circumstances, power to immediately inform the regulator and, if another entity is the responsible entity for the noncompliance, the responsible entity, of the noncompliance and the circumstances that gave rise to the noncompliance.</del> Power, as an alerting entity, to inform the regulator and the responsible entity for the non-compliance that the quality of recycled water produced or supplied under the recycled water scheme for the entity does not comply with the water quality criteria for the recycled water relevant to the scheme.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 270(4)             | <del>Power to give the regulator notice of the following:<br/>(a) the noncompliance and the circumstances that gave rise to the noncompliance;<br/>(b) any action taken, or to be taken, by the entity to correct the noncompliance; and<br/>(c) the measures the entity will take to prevent the noncompliance in the future.</del> Power, as a responsible entity for the non-compliance, to give the regulator notice of the following:-<br>a)the noncompliance and the circumstances that gave rise to the noncompliance;<br>b)any action taken, or to be taken, by the entity to correct the noncompliance;<br>c)the measures the entity will take to prevent the noncompliance in the future.                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 271(2)             | <del>In the specified circumstances, power to immediately inform the regulator and, if another entity is the responsible entity for prescribed incident, the responsible entity, of the prescribed incident.</del> Power, as an alerting entity, to inform the regulator and the responsible entity for the prescribed incident about a prescribed incident.                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 271(4)             | <del>In the specified circumstances, power to give the regulator notice of:<br/>(a) the prescribed incident and the circumstances that gave rise to the prescribed incident;<br/>(b) any action taken, or to be taken, by the entity relating to the prescribed incident; and<br/>(c) the measures the entity will take to prevent the prescribed incident happening again in the future.</del> Power, as a responsible entity for the non-compliance, to give the regulator notice of the following:-<br>a)the prescribed incident and the circumstances that gave rise to the prescribed incident;<br>b)any action taken, or to be taken, by the entity relating to the prescribed incident;<br>c)the measures the entity will take to prevent the prescribed incident in the future. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 273                  | Power, as a relevant entity for a recycled water scheme, to prepare an annual report about the scheme and give it to the regulator.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 274                  | Power, as a relevant entity for a recycled water scheme to augment a supply of drinking water, or a relevant entity for a recycled water scheme to premises by way of a dual reticulation system, to prepare and make publicly available a public report about the scheme.                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 302                  | Power, as recycled water provider or another entity, to respond to a notice issued by the regulator pursuant to this section.                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 303                  | Power, as a recycled water provider, or other entity for a multiple-entity recycled water scheme, to make submissions regarding the regulator's intention to make a declaration that the recycled water scheme is a critical recycled water scheme.                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 303(4)(e)            | Power to give the regulator a notice about who the provider and entities agree is the scheme manager.                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 306                  | Power, as the relevant entity for a critical recycled water scheme, to ask the regulator to review the making of the declaration that the scheme is a critical recycled water scheme, after one year since the declaration was made.                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 306(1)               | Power to considers the scheme should not be a critical recycled water scheme, and to ask the regulator to review the making of the declaration.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 307(2)               | In the specified circumstances, power to give the regulator notice of who is the scheme manager.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 330                  | Power, as sewerage service provider, to comply with a regulator notice.                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 331                  | Power, as a sewerage service provider, to give the regulator a report about the actions taken to comply with a regulator notice.                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 333                  | Power, as a recycled water provider or other declared entity, to give the scheme manager, information the scheme manager reasonably requires to comply with the scheme manager's obligations under the Act.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 333(2)               | In the specified circumstances, power to, by notice, require a recycled water provider or other declared entity for the scheme to give the scheme manager, within a stated reasonable period, information the scheme manager reasonably requires to comply with the scheme manager's obligations under this Act.               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 334,344 and 345      | Power, as the owner of a dam, to have it failure impact assessed, give it to the chief executive and pay the prescribed fee.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 348                  | Power, as the owner of a dam, to pay the cost of preparing and certifying a failure impact assessment where required under section 348.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 349 (2)              | Power, as a dam owner, to give the chief executive additional information about a failure impact assessment.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 351                  | Power, as a dam owner, to comply with an information notice issued by the chief executive pursuant to this section and return the recertified assessment to the chief executive.                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352                  | Power, as a dam owner, to comply with an information notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352F, 352H and 352HA | Power to prepare an emergency action plan for a dam under subdivision 3 and to give it to the chief executive for approval. Power, as the owner of a referable dam, to prepare an emergency action plan for the dam and comply with the requirements of Chapter 4, Part 1, Division 2A, Subdivision 3 when preparing the plan. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352HB                | Power, as a local government, to assess an emergency action plan for consistency with its disaster management plan, consult with the local group for the plan and give the owner of the dam a notice.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352HB(1)             | Power to assess and decide whether the emergency action plan is consistent with its disaster management plan.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352HB(2)             | Power to consult with its local group for the plan.                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352L                 | Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352(2)(c)(ii)        | Power to give an emergency action plan for a dam to the chief executive.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 352N       | Power, as the owner of a referable dam, to keep a copy of the approved emergency action plan for the dam and make it available to an individual:-(a)who has a function under the plan; or (b)who, under the plan, is named and required to be personally notified of a dam hazard event or emergency event.                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352P       | <del>The power, before 1 October each year to:-</del><br><del>(a) review the approved emergency action plan for the dam; and</del><br><del>(b) give to the chief executive:-</del><br><del>(i) a notice stating whether or not the owner proposes an amendment to the plan because of the review; and</del><br><del>(ii) if the owner proposes an amendment – a copy of the plan including the proposed amendment.</del><br>Power, as the owner of a referable dam, to review an emergency action plan for the dam, give the chief executive a notice stating whether or not the owner proposes an amendment of the plan because of the review and if so, a copy of the amended plan. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352O       | Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352R(1)    | Power, as the owner of a referable dam, to apply to the chief executive for a change of substance to an emergency action plan for the dam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352R(2)(c) | Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352Q(1A)   | Power, as the owner of a referable dam, to ask to the chief executive to record the change in ownership of the dam and make other changes to the plan required because of the change in ownership.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352S       | Power, as the owner of a referable dam, to prepare a new emergency action plan for the dam and give it to the chief executive for approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T       | Power, as the owner of a referable dam, to prepare an emergency event report in compliance with Chapter 4, Part 1, Division 2A, Subdivision 9 and give it to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(2)    | Power to prepare a report (an emergency event report) and to give it to the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(2)(a) | Power to consider when the dam hazard giving rise to the event is no longer a material risk to persons or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(2)(b) | Power to agree a further period in writing with the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352U       | Power, as the owner of a referable dam, to comply with a notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352U(3)    | Power to prepare a report (an emergency event interim report) and to give it to the chief executive officer in accordance with section 352U(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 353        | Power, as the owner of a referable dam, to provide the chief executive with information that will help the chief executive to decide what safety conditions are to apply to the dam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 354(3)(b)  | <del>Power to agree with the chief executive, an extended period for deciding safety conditions.</del><br>Power, as the owner of a referable dam, to by written agreement, extend the period within which the chief executive must decide safety conditions for the dam.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 356        | Power, as the owner of a referable dam, to provide the chief executive with information that will help the chief executive to decide what changes should be made to the safety conditions and development conditions that apply to the dam.                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 359        | Power to comply with a compliance notice issued by the chief executive pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 359(3)     | Power to comply with a notice issued under section 359(1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 359(4)     | Power to give to the chief executive officer, a notice that the person intends to remove the dam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

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| Water Supply (Safety & Reliability) Act 2008 | 352P(2)(c) | Power to prepare a new emergency action plan , under subdivision 3, that effectively deals with the emergency condition to give it to the chief executive within the stated period of at least 30 business days.                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352P       | The power, before 1 October each year to:<br>(a) review the approved emergency action plan for the dam; and<br>(b) give to the chief executive:<br>(i) a notice stating whether or not the owner proposes an amendment to the plan because of the review; and<br>(ii) if the owner proposes an amendment – a copy of the plan including the proposed amendment.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352S(2)    | At least one month before the end of an approval period for an emergency action plan power to<br>(a) prepare a new emergency action plan for the dam under subdivision 3; and<br>(b) give it to the chief executive for approval.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(2)    | Power to prepare a report (an <i>emergency event report</i> ) and to give it to the chief executive.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(2)(b) | Power to agree a further period in writing with the chief executive.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352T(3)    | Power to reasonably consider that a hazard no longer poses a risk to the safety of persons or property.                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 352U(3)    | Power to prepare a report (an <i>emergency event interim report</i> ) and to give it to the chief executive officer in accordance with section 352U(2).                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 353(3)     | Power to provide information to the chief executive in response to a notice given under section 353(2).                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 354(3)(b)  | Power to agree with the chief executive, an extended period for deciding safety conditions.                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 356(4)     | Power to provide information to the chief executive in response to a notice issued under section 356(3).                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 366        | Power, as a former owner of a dam, to give the chief executive notice of the change in ownership and give the new owner all relevant documentation for the dam.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 371C       | Power to prepare a flood mitigation manual for a dam under division 2 and to give it to the minister for approval.                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 371H(2)    | Power to prepare a new flood mitigation manual and give it to the minister in compliance with a notice given under section 371H.                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 372(2)     | Power to amend a flood mitigation manual for a dam in compliance with a notice issued under section 372(1).                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 373        | Power to:<br>(a) review and, if necessary, update a flood mitigation manual; and<br>(b) give a copy of it to the minister for the minister's approval under division 3.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 374(2)     | Power to prepare a new flood mitigation manual for a dam and give it to the minister for approval.                                                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 375        | Power to after 1 August and before 1 September each year:<br>(a) prepare a report (an annual preparedness report) under division 6 about the level of preparedness of the dam for a flood event under a flood mitigation manual; and<br>(b) give the report to the chief executive.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 378        | Power to reasonably consider that:<br>(a) an operational strategy under a flood mitigation manual for a dam does not provide or adequately provide for the flood event;<br>(b) to achieve an objective under the flood mitigation manual and to respond effectively to a flood event that is necessary to:<br>(i) disregard an operational procedure under the manual (the existing procedure); and<br>(ii) observe a different operational procedure (the alternative procedure). | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 379        | Power, as a dam owner, to give the chief executive the authorisation request information.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 379(1)     | Power to give the chief executive the information referred to in that section (the <i>authorisation request information</i> ).                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 379(2)          | Power to give the chief executive the authorisation to request information orally.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 379(3)          | Power to give the authorisation request information in writing as soon as practicable after giving the chief executive the information orally.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 381(1)          | Power to make reasonable efforts to contact the chief executive to give the chief executive the authorisation request information for the alternative procedure.                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 381(4)          | Power to, as soon as practicable after failing to contact the chief executive, record the authorisation request information in writing and give it to the chief executive. Power, as a dam owner, to record the authorisation request information in writing and give it to the chief executive where the circumstances in section 381(1) or (2) are satisfied.                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 381(6)          | Power to form the reasonable belief that the chief executive is no longer able to respond to the owner for the purpose of subsection (2).                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 383(2)          | Power to prepare a report (a <i>flood event report</i> ) under division 9 and give it to the chief executive.                                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 383(2)(b)       | Power to agree to a further period in writing with the chief executive.                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 384(3)          | Power to comply with a notice given to the owner of the dam under section 384(2).                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 390(5)          | Power, as a dam owner, to publish a copy of a notice given to the owner under subsection (2) in the gazette.                                                                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399B            | Power, as the owner of a dam to which a resource operations licence applies, to, in the circumstances set out in subsection (1), reduce the full supply level of the dam to the reduced full supply level and give notice of the reduced full supply level.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399C            | Power, as the owner of a dam operating at a reduced full supply level under section 399B for more than 1 year, to give a report to the entities prescribed in subsection (2).                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399B(1)         | Power to form the belief, based on the advice of a registered professional engineer, that there is an unacceptable risk of a failure of a dam if it operates at the full supply level stated in the resource operations licence for the dam.                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399B(2)         | Power to reduce the full supply level of the dam to the level (the reduced full supply level) that lowers the risk of a failure of the dam to a level acceptable to the owner, having regard to the advice of the registered professional engineer.                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399B(4)         | Power to consider and include in a notice: (a) the reasons why it is necessary to operate the dam at the reduced full supply level; and (b) the period for which it is necessary to operate the dam at the reduced supply level.                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399C(3)(a)      | Power to decide and include in a report when the owner intends to allow the dam to return to the full supply level stated in the resource operations licence for the dam.                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 399C(3)(b)      | Power to consider and decide and include in a report: i. the impacts the reduced full supply level has had on the provider's customers since its reduction; ii. the likely future impacts on customers for the period for which the provider proposes to keep the dam at a reduced full supply level; and iii. the impacts the reduced full supply level has had or is likely to have on achieving the water plan outcomes for a water plan under the Water Act. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 446(2)          | Power to make an improvement plan.                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 446 (2)         | Power to prepare an improvement plan in response to an improvement notice issued by the regulator.                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 446 (3)         | Power to respond to a show cause notice issued by the regulator pursuant to this section.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 447             | Power to make an improvement plan.                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 463(1)(d)       | Power to make submissions about the show cause notice.                                                                                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 475(2)(b) and © | Power to start a proceeding for a stated provision.                                                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008 | 475(5)  | Power to give the chief executive notice of the proceeding.                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 476(1)  | Power to consent to a proceeding for an enforcement order being started by a person on the entities behalf.                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 496     | Power to give notice to the chief executive of a proceeding.                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 498(1)  | Power to commence a proceeding on behalf of the service provider.                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 512     | Power, as chief executive officer of a service provider, to receive a review application under section 512(1) of the <i>Water Supply (Safety and Reliability) Act 2008</i> .                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 512(1)  | Power to apply for an internal review of an original decision.                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 513(3)  | Power to make written submissions on the internal review application to the reviewer.                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 513(4)  | Power, as the recipient of a submitter notice on an internal review application, to make written submissions on the application.                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 516(2)  | Power, as the applicant on an internal review application, to apply for the stay of an original decision to the relevant entity listed in section 516(2).                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 517     | Power, as an interested person for the original decision, to appeal against or apply for an external review of an internal review decision.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 517(1)  | Power to appeal against or apply for an external review of the review decision under this section.                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 524     | Power, as an interested person for a review decision about an original decision the subject of an information notice or a compliance notice mentioned in section 510(1)(b), other than an original decision that is a decision relating to a matter involving drinking water or recycled water, to give the authority under the <i>Queensland Competition Authority Act 1997</i> a notice applying for arbitration on the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 524(2)  | Power to be dissatisfied with the decision and to give the authority under the <i>Queensland Competition Authority Act 1997</i> a notice (a <i>dispute notice</i> ) applying for arbitration on the decision.                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 524A(2) | Power to apply for a stay of a review decision to a court with jurisdiction to hear the proceeding.                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 526     | Power to withdraw the dispute notice at any time before the authority makes its decision on the dispute.                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 562(2)  | Power to appeal against a decision about the application to the Land Court.                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 573     | <del>Power to make guidelines to provide guidance to persons about preparing a water efficiency management plan.</del> Power, as water service provider, to make guidelines for persons about preparing a water efficiency management plan.                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 575     | Power, as a service provider, to keep available for inspection and purchase the documents referred to in the section.                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 575A    | Power, as a service provider, to publish each of the documents referred to in the section.                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 576     | Power, as the relevant entity for a recycled water scheme, to keep available for inspection and purchase the documents referred to in the section.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 576A    | Power, as the relevant entity for a recycled water scheme, to publish the annual report prepared under section 273.                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 670(2)  | Power to amend the CSG environmental authority to include public health conditions.                                                                                                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008 | 670(3)  | Power to consider an amendment necessary or desirable.                                                                                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Water Supply (Safety & Reliability) Act 2008                                                                                                                                                                                                                                                                                                                                                     | 671(2)    | Power to amend the CSG environmental authority to include public health conditions.                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Water Supply (Safety & Reliability) Act 2008                                                                                                                                                                                                                                                                                                                                                     | 671(3)(a) | Power to consider the amendment necessary or desirable.                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Work Health &amp; Safety Act 2011</b><br><b>The Purpose of this Act</b><br>An Act to provide comprehensively for work health and safety, to provide for a new definition of asbestos in particular legislation and for a work health and safety levy, to amend other legislation as a consequence and to amend the Workers' Compensation and Rehabilitation Act 2003 for particular purposes. |           |                                                                                                                                                                                                                                                                                                      |                         |                                                                |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 38        | Power to notify the regulator after becoming aware a notifiable incident has occurred                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 38(1)     | Power to notify the regulator immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 38(4)(b)  | Power to, if required by the regulator, give written notice of the incident within 48 hours of that requirement being made.                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 47        | Power to consult with workers who are, or are likely to be, directly affected by a matter relating to work health or safety.                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 51 to 54  | Power to facilitate the conduct of an election for 1 or more health and safety representatives to represent workers                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 52(1)     | Power to negotiate and agree upon the work group.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 52(4)     | Power to negotiate a variation of the agreement upon a work group.                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 53(1)     | Power to notify the workers of the outcome of negotiations and of any work groups determined by agreement.                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 53(2)     | Power to notify the worker of the outcome of the negotiations and of the variation (if any) to the agreement.                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 54(1)     | Power to ask the regulator to appoint an inspector for the purposes of this section.                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 55(3)     | Power to negotiate a variation of the agreement.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 56(3)     | Power to ask the regulator to appoint an inspector.                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 57(1)     | Power to notify the workers of the outcome of the negotiations and of any work groups determined by agreement.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 57(2)     | Power to notify the workers of the outcome of the negotiations and of the variation (if any) to the agreement.                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 58(1)     | Power to withdraw from the negotiation or agreement by giving notice in writing to the other parties.                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 65        | Power to make an application to the commission to disqualify a health and safety representative.                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 70        | Power to comply with the general obligations of a person conducting a business or undertaking provided in section 70.                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                                                                                                                                                                                                                                                                                                                                    | 71(5)     | Power to refuse, on reasonable grounds, to grant access to the workplace to a person assisting a health and safety representative for a work group. Power to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a workgroup. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Work Health & Safety Act 2011 | 71(7)     | Power to refuse to grant access to information relating to hazards at the workplace and the health and safety of the workers if the information is confidential commercial information. Power, as person conducting a business or undertaking, to refuse to grant access to information mentioned in section 70(1)(c) if the information is confidential commercial information. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 71(8)     | Power to decide that financial information or other information that has a commercial value, if disclosed, will cause significant financial harm to a business or undertaking.                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 73(1)     | Power to agree to apportion the costs.                                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 73(2)     | Power to negotiate and agree upon a variation to the apportionment of costs between persons conducting the businesses or undertakings.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 74        | Power as a person conducting a business or undertaking to comply with subsections (a) to (c).                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2012 | 75 to 78  | Power to establish a health and safety committee.                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 76(1)     | Subject to subsections (2) to (4) power to agree upon the constitution of a health and safety committee.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 76(5)     | Power to ask the regulator to appoint an inspector to decide the matter.                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 77(c)     | Power to agree upon the functions of a health and safety committee.                                                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 80 and 81 | Power, as a party to an issue, to resolve the issue in accordance with an agreed procedure or the default procedure.                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 82(2)     | Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 87        | <del>Power to direct a worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.</del> Power to direct the worker to carry out suitable alternative work at the same or another workplace.                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 89        | Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising in relation to the cessation of work.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 97A       | Power to give a copy of the provisional improvement notice to the regulator.                                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 102B      | Power to give the industrial registrar written notice of the dispute.                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 102B(2)   | Power to give the industrial registrar notice of the dispute.                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 102G      | <del>Power to appeal the decision under the Industrial Relations Act 2016.</del> Power to appeal a decision of the Commission given under Part 5, Division 7A.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 103A      | Power, as a person conducting a business or undertaking, to appoint a work health and safety officer for that business or undertaking.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 103F      | Power, as a person conducting a business or undertaking, to instruct a work health and safety officer to take reasonable action to eliminate or minimise risks to health and safety.                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 112       | Power to apply to the Magistrates Court for an order under section 112 about engaging in or inducing discriminatory or coercive conduct.                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 138       | Power to apply to the Commission to revoke a WHS entry permit.                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 140       | Power to appeal a decision of the commission.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 141       | <del>Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.</del> Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 142A(4)   | <del>Power to appeal the decision under the Industrial Relations Act 2016.</del> Power to apply to the Commission for it to deal with the dispute.                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011 | 180       | Power to apply to the regulator for the return of a seized thing.                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

|                                                                                          |              |                                                                                                                                                                                                                                                                                  |                         |                                                                |
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| Work Health & Safety Act 2011                                                            | 181          | Power to demand that the regulator allow the CEO to inspect a seized thing and if the seized thing is a document to make copies of it.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 184          | Power to claim compensation from the State.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 216          | Power to make a written undertaking (a WHS undertaking) in connection with a matter relating to a contravention or alleged contravention of the <i>Work Health and Safety Act</i> .                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 221          | Power, as a person who has made a WHS undertaking, to at any time, with the agreement of the regulator, withdraw the undertaking or vary the undertaking.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 224          | <del>Power to apply to the regulator for internal review.</del> Power, as an eligible person in relation to a reviewable decision to apply to the regulator for an internal review of the decision.                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 229          | <del>Power to apply to the external review body for an external review.</del> Power, as an eligible person to apply to the external review body for review of a reviewable decision made by the regulator or a decision made, or taken to have been made, on an internal review. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 229F         | Power to appeal a decision of the commission.                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 231(1)       | Power to, in the circumstances provided in subsections (1) or (1A), make a written request to the WHS prosecutor that a prosecution be brought.                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Act 2011                                                            | 231(3)       | Power to, in the circumstances provided in subsection (3), request the WHS prosecutor to refer the matter to the director of public prosecutions.                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Work Health &amp; Safety Regulation 2011</b><br><b><u>The Purpose of this Act</u></b> |              |                                                                                                                                                                                                                                                                                  |                         |                                                                |
| Work Health & Safety Regulation 2011                                                     | 31B          | Power, as an approved RTO, to grant a person a certificate of authority.                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 43           | Power, as a person conducting a business or undertaking at a workplace, to prepare, maintain and implement an emergency plan.                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 55C          | Power, as a person conducting a business or undertaking, to manage psychosocial risks under part 3.1.                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 85(4)        | Power, as a person conducting a business or undertaking at a workplace, to maintain a written record of the evidence provided under subsections (1), (2) and (3).                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144B         | Power to apply to the regulator for a licence to carry out demolition work.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144I         | Power to make a submission to the regulator in relation to a proposed refusal                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144P         | Power, as a holder of a licence to carry out demolition work, to make a submission to the regulator in relation to a proposed amendment to a licence.                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144Q(1)      | Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144Q(2)      | Power after receiving a written notice of intention to refuse an application to amend the licence from the regulator, to make a submission to the regulator in relation to the proposed refusal.                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144U         | Power to apply to the regulator for a replacement document.                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144V         | Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144VA, 144VB | Power, as a holder of a licence to carry out demolition work, to apply to the regulator for renewal of the licence.                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 144Y         | Power, as a holder of a licence to carry out demolition work to make a submission to the regulator in relation to the proposed suspension, cancellation and/or disqualification.                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 265          | Power, as a person with management or control of an item of plant stated in schedule 5, part 2, to apply to the regulator for the registration of that item of plant.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                                                     | 270(1)(b)    | Power to respond to a notice from the regulator on a proposal to refuse registration of an item of plant stated in schedule 5, part 2.                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Work Health & Safety Regulation 2011                     | 288C        | Power to respond to a notice from the regulator on a proposal to cancel the registration of an item of plant stated in schedule 5, part 2.                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 288D        | Power to return the registration document for an item of plant stated in schedule 5, part 2 to the regulator.                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 344         | Power, as a person conducting a business or undertaking, to obtain the current safety data sheet for a hazardous chemical used at a workplace                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 346         | Power, as a person conducting a business or undertaking, to prepare and maintain a register of hazardous chemical used at a workplace                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 383         | Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 422(1)      | Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 424         | Power to ensure that the presence and location of all asbestos or asbestos contaminated material at a workplace is clearly indicated and if practicable labelled.                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 425(1)      | Power to prepare, maintain and review an asbestos register for each workplace.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 429 and 430 | Power to prepare, maintain and review an asbestos management plan for each workplace.                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 678(1)      | Power, as an eligible person in relation to a reviewable decision set out in section 676 of the <i>Work Health and Safety Regulation</i> , to apply to the regulator for an internal review of a decision.                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 678(2)      | Power, as an eligible person in relation to a reviewable decision under section 89(5), 118(5), 256(5), 269(5) or 497(5) of the <i>Work Health and Safety Regulation</i> to apply to the regulator for an internal review of the decision. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 683         | Power, as an eligible person to apply to QCAT for an external review of reviewable decision made by the regulator or of a decision made, or taken to have been made, on an internal review.                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Work Health & Safety Regulation 2011                     | 684         | Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Workers' Compensation and Rehabilitation Act 2003</b> |             |                                                                                                                                                                                                                                           |                         |                                                                |
| <b>The Purpose of this Act</b>                           |             |                                                                                                                                                                                                                                           |                         |                                                                |
| Workers' Compensation and Rehabilitation Act 2003        | 48          | Power, as an employer, to insure and keep insured all Council's employees and Councillors.                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 57 (7)      | Power, as an employer, to pay a premium notice issued by WorkCover.                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 56(5)       | Power, as an employer, to pay a reassessment premium notice issued by WorkCover.                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 57(3)       | Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty for contravening section 48.                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 58(6)       | Power, as an employer, to object to a default assessment issued by WorkCover.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 58(10)      | Power, as an employer, to pay a default assessment notice issued by WorkCover.                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 64(2)       | Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 66(2)       | Power, as an employer who is not a self-insurer, and who is or is required to have accident insurance, to pay the weekly payment of compensation payable to an injured worker during the excess period.                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 66(7)       | Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 66(6).                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 68A(1)      | Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003        | 68A(3)      | Power, as a local government self-insurer, to notify the councillors and the Regulator of its decision to cover councillors under the self-insurer's licence.                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Workers' Compensation and Rehabilitation Act 2003 | 69 and 70  | Power to apply to the Regulator to be licensed as a self-insurer, as described in Chapter 2, Part 4.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 77(3)      | Power, as a prospective self-insurer, to make a submission to the Regulator about a decision to refuse an application to be licensed as a self-insurer.                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 79         | Power, as self-insurer, to apply to renew a self-insurer licence or to notify the Regulator that Council intends not to apply for renewal.                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 80(3)      | Power, as self-insurer, to make a submission to the Regulator about a decision to refuse an application to renew a self-insurer licence.                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 81         | Power, as a self-insurer, to pay the annual levy to the Regulator.                                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 83         | Power, as a self-insurer, to comply with the conditions imposed on the licence under the Regulation and by the Regulator.                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 84         | Power, as a self-insurer, to lodge security with the Regulator before the issue or renewal of a self-insurer licence.                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 86         | Power, as a self-insurer, to obtain a contract of reinsurance of liabilities and lodge the contract with the Regulator.                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 92         | Power, as a self-insurer, to exercise all of the powers identified in section 92 in relation to the self-insurer's workers.                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 92A        | Power, as a local government self-insurer, to exercise all of the powers identified in section 92A in relation to councillors covered by the self-insurer's licence.                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 93 and 93A | Power, as a local government self-insurer, to keep the documents identified in sections 93 and 93A.                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 94         | Power, as a self-insurer, to comply with a notice to give documents issued by the Regulator under this section.                                                                                                                                                                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 96         | Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 97         | Power, as a self-insurer, to send a written notice to the Regulator seeking to cancel a self-insurer licence.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 100(2)     | Power, as former self-insurer, to request the Regulator to allow Council to continue to exercise the powers referred to in sections 92 and/or 92A.                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 103        | Power, as a former self-insurer, to request the return of the balance of the section 84 security from the Regulator.                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 107E(2)    | Power, as an employer, to ask the Regulator to approve the amount provided for in the industrial instrument for the purposes of section 107B of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 107E(6)    | Power, as an employer, to appeal the Regulator's decision to refuse to approve the amount provided for in the industrial instrument under Chapter 13 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 109(1)     | Power, as a self-insurer, to pay compensation for an injury sustained by a worker.                                                                                                                                                                                                                                                                                                           | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 109(5)     | Power, as an employer, to pay a worker an amount, either in compensation or instead of compensation, in the circumstances provided for in subsection 109(5).                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 109A(5)    | Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 109A.                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 133        | Power, as an employer whose worker sustains an injury for which compensation may be payable, to complete a report in the approved form and give the report to the insurer.                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 133A       | Power, as an employer to give the insurer written notice in the approved form if:-(a)a worker asks the employer for compensation for an injury sustained by the worker; or (b)the employer pays the worker an amount, either in compensation or instead of compensation, that is payable by the employer as a self-insurer or WorkCover under the Act for an injury sustained by the worker. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 144        | Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 207B(4)    | Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.                                                                                                                                                                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

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| Workers' Compensation and Rehabilitation Act 2003 | 226(1)               | Power, as an employer, to appoint a Rehabilitation and Return to Work Coordinator where the employer meets the criteria prescribed under a regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 226(4) and 226(5)    | Power, as an employer, to give the insurer the prescribed details of a person appointed as a Rehabilitation and Return to Work Coordinator and details of any change to the prescribed details.                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 227                  | Power, as an employer, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 228(1) and 228(2)    | Power, as an employer, to assist or provide an injured worker with rehabilitation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 228(3)               | Power, as an employer, to cooperate with an insurer to enable the insurer to meet its obligations under section 220.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 228(4)               | Power, as an employer, to give the insurer written evidence that it is not practicable to provide a worker with suitable duties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 229(4)               | Power, as an employer other than a self-insurer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 229.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 280                  | Power, as an employer against whom negligence is alleged, to cooperate fully with and give WorkCover all information and access to documents in relation to the claim.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 300(6)               | Power, as a self-insurer against whom a proceeding for damages has been brought, to conduct the proceedings and/or settle the claim.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 300(7)               | Power, as an employer, other than a self-insurer, against whom a proceeding for damages has been brought, to execute all documents and do everything that WorkCover considers reasonably necessary to allow the proceedings to be conducted by it.                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 532C                 | Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 532D                 | Power, as an employer or contractor, to keep the documents about workers, and contracts for the performance of work, prescribed under a regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 536(3)               | Power, as an employer who is not a self-insurer, to give WorkCover information the employer has in relation to a person defrauding, or attempting to defraud, WorkCover, or in relation to a person stating anything, or giving a document containing information, to WorkCover or a registered person that the person knows is false or misleading in a material particular.                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 536(4)               | Power, as an employer who is a self-insurer, to give the Regulator information the employer has in relation to a person defrauding, or attempting to defraud, the self-insurer, or in relation to a person stating anything, or giving a document containing information, to the self-insurer or a registered person that the person knows is false or misleading in a material particular.                                                                                                                                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 541                  | Power to apply for a review of a decision identified in section 540(1) of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to conduct the application and to appear at the hearing.                                                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 549,550,552A and 554 | Power to appeal to an appeal body against the following decisions of the Regulator or the insurer:<br>(a) a review decision, other than a decision to return a matter to a decision-maker under section 545 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> ; and<br>(b) a decision under Chapter 3 or Chapter 4 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> that is not a decision mentioned in section 540(1) (a non-reviewable decision), and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 552B                 | Power to seek the consent of the other party or the leave of the appeal body for Council to be represented by a lawyer at a conference under section 552A or at the hearing of an appeal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003 | 568                  | Power to appeal against a decision of the Regulator identified in section 567 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.                                                                                                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |



## Whitsunday Regional Council Delegations Register - Council to CEO

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| Workers' Compensation and Rehabilitation Act 2003                                                              | 571B     | Power, as a prospective employer, to request in writing that a prospective worker disclose to Council the worker's pre-existing injury or medical condition, if any.                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Act 2003                                                              | 576C     | Power, as a principal contractor for a construction project to, by written notice, to ask the relevant contractor for a copy of a required document.                                                                                                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Workers' Compensation and Rehabilitation Regulation 2014</b><br><b><u>The Purpose of this Act</u></b>       |          |                                                                                                                                                                                                                                                                        |                         |                                                                |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 8(2)     | Power, as an employer other than a self-insurer, to submit to WorkCover a declaration of wages.                                                                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 10(2)(d) | Power, as an employer other than a self-insurer, to enter a payment plan with WorkCover.                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 13 (3)   | Power, as a former employer, to give written notice to WorkCover.                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 26       | Power, as a self-insurer, to appoint an actuary to calculate an amount of outstanding liability for section 87 of the Act.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 31       | Power, as an employer, to agree with WorkCover on a calculation of an outstanding liability for section 87 of the Act, based on a joint summary report prepared by actuaries under section 30 of the <i>Workers' Compensation and Rehabilitation Regulation 2014</i> . | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 32       | Power, as an employer, to advise the Regulator that WorkCover and the employer do not agree on the outstanding liability amount.                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 46       | Power, as a former self-insurer, to appoint an actuary to calculate an amount of liability for section 102 of the Act.                                                                                                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 47       | Power, as a former self-insurer, to give the information, in the approved form, necessary to enable the actuaries to complete the calculation.                                                                                                                         | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 51       | Power, as a former self-insurer, to agree with WorkCover on the amount of the calculation for section 102 of the Act.                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 52       | Power, as a former self-insurer, to advise the Regulator that WorkCover and the former self-insurer do not agree on the self-insurer's liability amount.                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 56       | Power, as a self-insurer, to give the Regulator and the approved actuary, in the form approved by the Regulator, the self-insurer's data.                                                                                                                              | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 62       | Power, as a self-insurer, to agree with the Regulator about the self-insurer's estimated claims liability.                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Workers' Compensation and Rehabilitation Regulation 2014                                                       | 115 (3)  | Power, as an employer of employees to appoint 1 rehabilitation and return to work coordinator for more than one workplace.                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| <b>Working with Children (Risk Management and Screening) Act 2000</b><br><b><u>The Purpose of this Act</u></b> |          |                                                                                                                                                                                                                                                                        |                         |                                                                |
| Working with Children (Risk Management and Screening) Act 2000                                                 | 171      | Power, as a person who employs someone in employment that is regulated employment, to develop and implement a written strategy about the person's employees that complies with the requirements of subsection 171(1).                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Working with Children (Risk Management and Screening) Act 2000                                                 | 172      | Power, as a person who carries on a regulated business, to develop and implement a written strategy about the regulated business that complies with the requirements of subsections 172(a) and 172(b).                                                                 | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Working with Children (Risk Management and Screening) Act 2000                                                 | 173(1)   | Power as an employer, before giving a notice mentioned in section 175(1)(b) or 176C(1)(b) to take reasonable steps to verify the person's identity.                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Working with Children (Risk Management and Screening) Act 2000                                                 | 173(3)   | Power as an employer, to give a notice mentioned in section 175(1)(b) or 176C(1)(b), in the approved form and in the approved way.                                                                                                                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                              | 434      | Power, as an owner or occupier of land, to give permission to the chief executive, or a person authorised by the chief executive, to occupy or use Council's land for the purposes of Chapter 12.                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994                                                                              | 435      | Power, as an owner of land, to claim compensation from the chief executive for physical damage caused to Council's land by the entry, occupation, use, or for the taking or consumption of materials from the land under Chapter 12.                                   | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                                                                |
|-----------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Transport Infrastructure Act 1994 | 443(1)          | Power to apply to the chief executive for an exemption from complying with a provision of a regulation about transporting dangerous goods by rail                                                                                                                                                                                                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 458             | Power to help, or attempt to help, in a situation in which an accident or emergency involving dangerous goods happens or is likely to happen.                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 459(2)          | Power to consent to Council's appointment as a manager of a public marine facility.                                                                                                                                                                                                                                                                                                                                                                                                                                          | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 462             | Power, as the manager of a public marine facility, to exercise all its functions, powers and obligations under the <i>Local Government Act 2009</i> , and do anything Council considers necessary or convenient for the facility's effective and efficient management.                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 466             | Power, as the manager of a public marine facility, to impose fees for the use of the facility, whether as a condition of an approval to use the facility or otherwise, and recover the fee as a debt owing to Council.                                                                                                                                                                                                                                                                                                       | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 467             | Power, as the manager of a public marine facility, to resign.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 468             | Power, as the manager of a public marine facility, to remove, within 3 months of its resignation or the revocation of the appointment, any improvements to the facility added by Council that do not form an integral part of the facility.                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 475I            | Power, as an occupier of a place, to give consent to an authorised person under Chapter 15 to enter the place.                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 475J(3) and (5) | Power, as an occupier of a place, to sign an acknowledgement of the consent given to an authorised person under Chapter 15 to enter the place.                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 475ZI(2)        | Power to make submissions to the chief executive in relation to a proposed declaration of a transport interface management area.                                                                                                                                                                                                                                                                                                                                                                                             | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 475ZJ           | Power to enter into a transport interface agreement for a transport interface.                                                                                                                                                                                                                                                                                                                                                                                                                                               | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 476B(7)(b)      | Power, as an owner or occupier of land, to provide written agreement to a person authorised by the chief executive to enter the land and inspect Council works that threaten, or are likely to threaten, the safety or operational integrity of transport infrastructure.                                                                                                                                                                                                                                                    | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 476C(2)         | Power, as an owner or occupier of land, to undertake the following concerning the entry onto Council land pursuant to section 476B(7):- (a)claim compensation for loss or damage caused by the entry on Council land; or (b)claim compensation for the taking or use of materials; or (c)require the chief executive to carry out works in restitution for the damage; or (d)require the chief executive to carry out works in restitution for the damage and then claim compensation for any loss or damage not restituted. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 476C(4)(a)      | Power, as an owner or occupier of land, to enter into an agreement with the chief executive with regards to the amount of compensation to be claimed by Council pursuant to subsection (2).                                                                                                                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 477(4)          | Power to appeal to the Minister against a notice requiring Council to give to the chief executive, or to a specified person, information on a particular issue relevant to the discharge of functions or the exercise of powers under the Act or the <i>Sustainable Planning Act 2009</i> .                                                                                                                                                                                                                                  | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 477C            | Power, as a relevant entity under this section and lease holder under the <i>Land Act 1994</i> of port land or land relating to a declared project that has been subleased to a person, to grant a concurrent sublease of all or part of the land to another person for all or part of the term of the lease.                                                                                                                                                                                                                | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 477E            | Power, as a relevant entity under this section and lease holder of land under the <i>Land Act 1994</i> in relation to a declared project, to grant a licence to enter and use the land.                                                                                                                                                                                                                                                                                                                                      | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 477G            | Power, as a holder, or proposed holder, of a licence to construct or establish transport infrastructure under the Act, to:- (a)seek consent from the chief executive allowing Council to submit a compliance management plan; and (b)submit a compliance management plan addressing 1 or more compliance matters for the licence.                                                                                                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |





# Whitsunday Regional Council Delegations Register - Council to CEO

|                                   |           |                                                                                                                                                                                                                                 |                         |                                                                |
|-----------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------|
| Transport Infrastructure Act 1994 | 480(4)    | Power to retain penalties received or recovered by Council in relation to Council's tolling enforcement.                                                                                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 480(8)    | Power, as the manager of a public marine facility, to retain fees or other amounts recovered by Council pursuant to section 466 and not paid into the consolidated fund.                                                        | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 485       | Power to ask the chief executive to review a decision described in schedule 3 that has affected Council's interests.                                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 485A      | Power to apply to the Queensland Civil and Administrative Tribunal ("QCAT"), as provided under the QCAT Act , for a review of the chief executive's decision on a review under section 485.                                     | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 485B      | Power to enter an appeal to the Planning and Environment Court against the chief executive's decision on a review under section 485.                                                                                            | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |
| Transport Infrastructure Act 1994 | 576(2)(b) | Power, as a railway manager, to make an agreement with the chief executive regarding the period in which it must give the chief executive a written notice identifying the preserved train paths relating to Council's railway. | Chief Executive Officer | Schedule 2 - Limits and Conditions to the Exercising of Powers |

## 11.12 - Amendment to Donation on Rates and Services Charges Policy

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager - Governance and Administration Services

**AUTHORISING OFFICER:** Director Corporate Services

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### PURPOSE

To amend the Donation on Rates and Charges for Not-for-Profit Organisations Policy

### EXECUTIVE SUMMARY

The Donation on Rates and Charges for Not-for-Profit Organisations Policy was reviewed as part of the budget policies review in June 2024. However, one of the proposed changes was omitted in error in the final approved policy. This report seeks to rectify this change so the policy can be implemented as intended by Council.

### OFFICER'S RECOMMENDATION

That Council adopt the Donation on Rates and Charges for Not-for-Profit Organisations Policy as shown in **attachment 1**.

### BACKGROUND

Council recognises that not-for-profit organisations provide an invaluable service for residents of the region that need assistance, financial or otherwise to ensure either continued operation or for commencement. These organisations provide a range of socially desirable and in-need services, and sometimes supplements services available through the state systems.

Council also recognises that the demand for such services usually exceeds the resources available to such organisations. As such, Council has determined it proper to provide donations to these organisations to partially offset their Rates and Charges, so that these not-for-profit organisations can apply such funds to the delivery of their services to the community.

The Donations on Rates and Charges for Not-for-Profit Organisations Policy (**Attachment 1**) envisages donations up to between 50% and 100% of the Rates and Charges applicable to properties used by the identified organisations to deliver their services. When assessing a request for a donation, Council may consider an applicant's current financial position and ability to pay their Rates & Charges.

### DISCUSSION/CURRENT ISSUE

The following amendments are recommended and have been discussed with Councillors:

- the removal of clause 5 from the current policy
- the removal of 'definition of principal property' from the current policy
- amended of the term 'restricted liquor permit' replaced with Community Club License and Community Other License.
- the additional clause of organisations having to apply annually on the provided application form and meet all requirements

## **FINANCIAL IMPLICATIONS**

The Policy enables Council to provide concession on levied Rates and Charges in the financial year they relate to, so that Council can provide concessions on eligible Rates and Utility Charges revenue for the 2024/25 Financial Year.

## **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation

## **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*

Local Government Regulation 2012

## **RISK ASSESSMENT/DEADLINES**

Managed within existing delegations

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

Maximise the organisation's financial performance, achieving a high level of customer service, productivity and efficiency through strategic direction, expert advice and leadership.

## **ATTACHMENTS**

1. Donations on Rates and Charges for Not for Profit Organisations Polic [11.12.1 - 5 pages]



## STRATEGIC POLICY: Governance

### Donations on Rates and Charges for Not-for-Profit Organisations Policy (FIN\_22)

Endorsed by Council

26 June 2024

#### Purpose

Council may grant a donation, in the form of a rebate of a percentage of certain Council Rates and Charges, for particular categories of Not-For-Profit organisations.

The purpose of this Policy is to provide an administrative framework for consistently assessing requests for assistance made by Not-For-Profit organisations that offer a benefit to the residents of the Council area, to alleviate the cost of the annual rates and charges.

#### Scope

This Policy applies to all Not-For-Profit organisations within the defined categories, who may apply for a donation towards their Rates and Charges payable to Council.

#### Guiding Principles

1. In some circumstances, Council will provide a donation (i.e. a rebate) to alleviate the financial burden of Council's annual Rates and Charges on Not-For-Profit organisations.
2. Council will only provide assistance under this Policy to Not-For-Profit organisations that provide services or benefits to the residents of the Council area. All applicant organisations must submit evidence to support their application to Council as outlined in the provided application form on an annual basis by the provided due date. Any applications received after the due date will be deemed ineligible.
3. When assessing a request for a donation, Council may give consideration to an applicant's current financial position and ability to pay the annual rates. The Not-For-Profit organisation will be required to provide Council with a copy of its previous year's audited financial statements.
4. Council may grant financial assistance equivalent to a specified percentage of the Rates and Charges levied for the current financial year. The exact nature and extent of assistance will depend on the category of the Not-For-Profit organisation, determined in accordance with clause 9 and 10.
5. No assistance will be offered for other Council rates or charges that may be levied from time to time, or for any levies imposed by the State Government.
6. No assistance will be offered to political or religious organisations, or organisations that have outstanding rates and charges.
7. Where a community organisation has entered into a lease agreement with Council, a land valuation will need to be conducted by the Department of Resources in order for rates to be assigned to the property. Once Council has received the valuation and assigned rates to the property, the organisation can then apply for a donation on their rates and service charges for the current financial year.
8. No assistance will be offered retrospectively, in exception only to circumstances outlined in item 7.
9. Council will consider donations for Not-For-Profit organisations that:





**STRATEGIC POLICY: Governance**

**Donations on Rates and Charges for Not-for-Profit Organisations Policy (FIN\_22)**

Endorsed by Council

26 June 2024

- a. own, or have a term lease over, the relevant property; and
- b. use the relevant property solely or predominantly to deliver the organisations services to the community.

10. Council will consider donations for Not-For-Profit organisations that deliver the following services:

| Description of Services                                                 | Additional Eligibility Requirements                                                                                                                                      | Maximum Concession                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sporting, Recreational, Youth, Community Organisation or similar</b> |                                                                                                                                                                          | Council may grant donations to a maximum of:<br>a) 100% of the Rates levied for the current financial year; and/or<br>b) 50% of the Utility Charges that have been levied for the current financial year.                                                                                                                                     |
| <b>Police and Citizens Youth Clubs (PCYC)</b>                           |                                                                                                                                                                          | Council may grant donations in relation to up to a maximum of:<br>a) 100% of the Rates levied for the current financial year; and/or<br>b) 50% of Utility Charges that have been levied for the current financial year.<br><br>In addition, Council may grant a donation of 100% of the Waste Charges for the Bowen and the Whitsunday PCYCs. |
| <b>Aged Homes</b>                                                       | <b>Council</b> may only grant donations in relation to properties:<br>a) used primarily for aged accommodation; and<br>b) owned by a <b>Not-For-Profit</b> organisation. | Council may grant donations up to a maximum of:<br>a) 100% of the Rates levied for the current financial year; and/or<br>b) 50% of the Utility Charges levied for the current financial year.<br><br>The portion of self-contained aged accommodation and aged housing situated within a multi-use aged persons or nursing home complex       |





**STRATEGIC POLICY: Governance**

**Donations on Rates and Charges for Not-for-Profit Organisations Policy (FIN\_22)**

Endorsed by Council

26 June 2024

| Description of Services                        | Additional Eligibility Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Maximum Concession                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | is excluded from obtaining a donation under this Policy.                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Nursing Homes</b>                           | <p><b>Council</b> may only grant donations in relation to properties:</p> <ul style="list-style-type: none"> <li>a) primarily utilised for nursing home purposes, including hostel, dementia, and care assisted accommodation; and</li> <li>b) owned by a <b>Not-For-Profit</b> organisation.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Council may grant donations up to a maximum of:</p> <ul style="list-style-type: none"> <li>a) 100% of the Rates levied for the current financial year; and/or</li> <li>b) 50% of the Utility Charges levied for the current financial year.</li> </ul> <p>The portion of self-contained aged accommodation and aged housing situated within a nursing home complex are excluded from obtaining donations under this Policy.</p> |
| <b>Affordable/Social Housing Organisations</b> | <p><b>Affordable Housing Organisations</b> will be eligible for donations from <b>Council</b> provided:</p> <ul style="list-style-type: none"> <li>a) the <b>Affordable Housing Organisation</b> is a <b>Not-For-Profit</b> and non-government organisation; and</li> <li>b) the <b>Affordable Housing Organisation</b> is suffering financial hardship and has no other independent avenues for support.</li> </ul> <p>Documentation supporting the organisation's financial position is required to be provided to <b>Council</b>.</p> <p>Further, <b>Council</b> may only grant a donation in relation to properties owned by eligible <b>Affordable Housing Organisations</b> that:</p> <ul style="list-style-type: none"> <li>a) are used for <b>Social Housing</b> or <b>Affordable Housing</b>;</li> <li>b) are located within the <b>Council</b> area; and</li> </ul> | <p>Council may grant donations up to a maximum of:</p> <ul style="list-style-type: none"> <li>a) 50% of the Rates levied for the current financial year; and/or</li> <li>b) 50% of the Utility Charges levied for the current financial year.</li> </ul>                                                                                                                                                                           |







## STRATEGIC POLICY: Governance

### Donations on Rates and Charges for Not-for-Profit Organisations Policy (FIN\_22)

Endorsed by Council

26 June 2024

| Description of Services | Additional Eligibility Requirements                                                                                  | Maximum Concession |
|-------------------------|----------------------------------------------------------------------------------------------------------------------|--------------------|
|                         | c) were purchased and became available for <b>Affordable Housing</b> or <b>Social Housing</b> prior to 30 June 2010. |                    |

11. Council will not grant a donation for Rates and Charges where the Not-for-Profit organisation holds a liquor license or operates gaming machines on their premises. However, Council recognises that some Not-For-Profit community-based organisations with a Community Club License and/or Community – Other License, issued under the Liquor Act 1992 Queensland, experience financial difficulties affecting their ability to pay their annual rates.

- Accordingly, where a Not-For-Profit community organisation holds a Community Club License and/or Community – Other License and does not have gaming machines on their premises, Council may grant a donation.
- The maximum concession for Not-for-Profit organisations holding a Community Club License and/or Community – Other License will be half of the donation they would have received had they not held such a license.

## Related Policies and Legislation

*Local Government Act 2009 (Qld) (Act)*

Local Government Regulation 2012 (Qld) (Regulation) in particular chapter 4, part 10.

## Definitions

**Affordable Housing** refers to properties with long term tenants who have been identified by the Department of Housing and whose rent is calculated at not exceeding 75% of the current median rent for the area and type of property.

**Affordable Housing Organisations** refers to organisations that have a principal charter to offer residential accommodation to residents identified as financially disadvantaged (for example, the Whitsunday Housing Company Ltd).

**Social Housing** refers to properties with long term tenants who have been identified by the Department of Housing and whose rent is calculated at not exceeding 25% of the tenants' assessable income. Short term accommodation for emergency and crisis situations will also be identified for this policy as social housing.

**Charges** refers to Utility Charges and excludes Special Charges and Separate Charges.

**Council** refers to the Whitsunday Regional Council.

**Not-For-Profit** refers to an entity that:





## STRATEGIC POLICY: Governance

### Donations on Rates and Charges for Not-for-Profit Organisations Policy (FIN\_22)

Endorsed by Council

26 June 2024

- a) Council is satisfied is an entity whose objectives do not include making a profit; and
- b) is prevented, either by its governing documents or by operation of law, from distributing its assets for the benefit of particular persons either while it is operating or winding up.

**Rates** refers to General, Special and Separate Rates (including differential rates).

**Community Club License/Community Other License** – refers to the type of liquor license issued to community organisations, regulated by the Office of Liquor and Gaming Regulation (OGLR) in accordance with the *Liquor Act 1992*.

## Related Documents

Donation on Rates & Service Charges for Not for Profit Organisations – Application Form

| COUNCIL POLICY          |                                              |                    |                 |
|-------------------------|----------------------------------------------|--------------------|-----------------|
| Date Adopted by Council | 26 June 2024                                 | Council Resolution | OM2024/06/10.17 |
| Effective Date          | 1 July 2024                                  | Next Review Date   | 30/06/2025      |
| Responsible Officer(s)  | Director Community Services and Facilitation | Revokes            |                 |



## 11.13 - Audited Financial Statement 2023/24 and Closing Audit Report

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 25 September 2024

**AUTHOR:** Manager - Financial Services

**AUTHORISING OFFICER:** Director Corporate Services

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### PURPOSE

To present the Audited Financial Statements for the 2023/24 Financial Year and to present the Closing Audit Report 2024 and opinion from the Queensland Audit Office.

### EXECUTIVE SUMMARY

Following the completion of the External Audit of Councils 2023/24 Annual Financial Statements, this report seeks endorsement of Council for the Final Audited Financial Statements and Closing Audit Report and opinion from the Queensland Audit Office.

### OFFICER'S RECOMMENDATION

That Council receive the Audited Financial Statements for the 2023/24 Financial Year and the 2024 Closing Audit Report from the Queensland Audit Office.

### BACKGROUND

The *Local Government Act 2009* and Local Government Regulation 2012 requires Council to compile annual financial statements in accordance with the Australian Accounting Standards and have them audited by the Queensland Audit Office (QAO) and signed off by the Auditor-General of Queensland.

### DISCUSSION/CURRENT ISSUE

The Financial Statements were signed off by the Queensland Audit Office on the 21<sup>st</sup> of August 2024 after being endorsed by the Audit and Risk Committee on the 20<sup>th</sup> August 2024.

The 2023/24 financial statements and the analysis and comments of the Queensland Audit Office are contained in the attachments to this report.

Council has reported a Net Result for the year of -\$17.8M(deficit) and a total written down value of assets of \$1.37B, an increase of \$93M as a result of the revaluation of Transport, Water and Sewerage Infrastructure assets. Council has reported an operating deficit of \$3.1M for the year ended 30 June 2024 due the timing of the payment of the federal government 'financial assistance grant' which was scheduled to be received in June 2024 but was not paid until July 2024. This payment if received would have resulted in a surplus of approximately \$3M.

Council has received an Unmodified Audit Opinion for the Annual Financial Statements 2023/24.

Council's Financial Sustainability has been assessed against the new Financial Sustainability Guideline for Local Government with 2024 being the first reporting year for these ratios.

Whitsunday Regional Council is reported at a low risk as all five -year averages are within the target ranges, irrespective of the operating surplus ratio showing a deficit for June 2024.

The new ratios are displayed in the following table including the target range:

| Type                                 | Measure                               | Target                | As at June 2024 | 5 Year     |
|--------------------------------------|---------------------------------------|-----------------------|-----------------|------------|
| <b>Audited ratios</b>                |                                       |                       |                 |            |
| Liquidity                            | Unrestricted Cash Expense Cover Ratio | Greater than 4 months | 12.22 months    | N/A        |
| Operating Performance                | Operating Surplus Ratio               | Greater than 0%       | (1.84%)         | 3.51%      |
|                                      | Operating Cash Ratio                  | Greater than 0%       | 20.91%          | 27.60%     |
| Asset Management                     | Asset Sustainability Ratio            | Greater than 80%      | 127.61%         | 108.38%    |
|                                      | Asset Consumption Ratio               | Greater than 60%      | 69.13%          | 72.61%     |
| Debt Servicing Capacity              | Leverage Ratio                        | 0 to 3 times          | 2.04 times      | 2.03 times |
| <b>Contextual ratios (unaudited)</b> |                                       |                       |                 |            |
| Financial Capacity                   | Council-Controlled Revenue            | N/A                   | 86.58%          | 83.51%     |
|                                      | Population Growth                     | N/A                   | 2.30%           | 1.88%      |

The Operating Surplus Ratio is driven by the operating result reflecting an operating deficit (\$3.1M) due to the delayed payment of the annual Financial Assistance Grant of approximately \$6M. Historically, this grant has been paid prior to 30 June 2024 with revenue recognised in the current financial year under Accounting Standards. This is the first year that the grant was received by all Queensland Councils after 30 June 2024 and therefore cannot be recognised in 2023/24. Council maintained internal reserves to accommodate this anticipated deferral of payment with the cash being released to offset the reduced revenue in 2024.

The deficit Net Result position is reflective of the operating deficit as detailed above well as significant capital expenses in 2023/24. These capital expenses relate to one-off events including the write-off of transport infrastructure assets through declared disaster works during the year (\$30M), the revaluation of Marine assets (\$8.4M) and changes to the provisions for future restoration expenditure at Councils waste landfills (\$10M).

QAO have reported one Low Risk financial reporting issue raised in relation to the timing of capitalisation of work in progress and one Internal Control deficiency. Management responses have been provided in the Closing Report and the Audit and Risk Committee accepts and considers the recommendations appropriate.

Council will continue to prioritise achieving the sustainability measures, ensuring the Financial Statement maturity levels remain strong whilst reviewing opportunities for further improvement and refinement as well as ensuring the internal control environment across the organisation remains strong.

A copy of the closing report is attached which provides additional information. All audit timeframes have been met and the final statements will be published into the Annual Report. The Community Financial Report has been developed for inclusion in the Annual Report to assist with the interpretation of the Financial Statements for period ending 30 June 2024.

These Audited Financial Statements provide a positive result for Council with receiving an unmodified audit opinion demonstrating the commitment to timeliness and the presentation of financial statements for audit.

## FINANCIAL IMPLICATIONS

The financial sustainability is addressed through the audit report and the financial performance of Council is visible in the financial reports that have been audited against accounting standards. There are no further financial impacts, and Council remains in a financially sustainable position. The reported deficits are influenced predominantly by the

timing of revenue transactions and the recognition of provisions relating to waste landfills. They do not necessarily reflect upon the financial performance but more reflect the timing of these transactions and the accounting treatment required.

## **CONSULTATION/ENGAGEMENT**

Director Corporate Services

Manager Financial Services

Coordinator Strategic Finance

Management Accountant

WRC Audit and Risk Committee

Queensland Audit Office through contract Auditors – Matthew Monaghan, Gordon Payne and Jacques Coetzee

## **STATUTORY/COMPLIANCE MATTERS**

The finalisation of the audited financial statements for the 2023/24 financial year will ensure that Council complies with the requirements of the local government legislation and the relevant accounting and auditing standards.

The financial sustainability assessment that is referenced in the Closing Audit Report rates Council's sustainability risk as low with all key financial ratios within the accepted guidelines. The Financial Statements have been assessed through an unmodified audit opinion to be in compliance with Australian Accounting Standards.

Local Government Regulation 2012 Section 213.

## **RISK ASSESSMENT/DEADLINES**

This Closing Audit Report references Council's financial sustainability as a low risk indicating that Council will continue to operate and manage any unforeseen financial impacts at this time.

## **STRATEGIC IMPACTS**

Maximise the organisation's financial performance, achieving a high level of customer service, productivity and efficiency through strategic direction, expert advice, and leadership. Support the organisation in ensuring appropriate compliance with legislation and to support the elected council in its decision-making processes and obligations as a local government.

## **ATTACHMENTS**

1. 2024 Whitsunday Regional Council - financial statements - signed [11.13.1 - 44 pages]
2. Final Management Letter [11.13.2 - 6 pages]

Whitsunday Regional Council  
Financial Statements  
For the year ended 30 June 2024



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# Whitsunday Regional Council

## Statement of Comprehensive Income For the year ended 30 June 2024

|                                                          | Note       | 2024<br>\$           | 2023<br>\$           |
|----------------------------------------------------------|------------|----------------------|----------------------|
| <b>Income</b>                                            |            |                      |                      |
| <b>Revenue</b>                                           |            |                      |                      |
| <b>Recurrent revenue</b>                                 |            |                      |                      |
| Rates and levies                                         | 3 (a)      | 102,717,673          | 97,493,607           |
| Sale of goods and major services                         | 3 (b)      | 21,789,918           | 18,847,784           |
| Fees and charges                                         | 3 (c)      | 4,117,090            | 4,108,132            |
| Interest received                                        |            | 7,673,761            | 4,480,093            |
| Sales of contract and recoverable works                  |            | 6,074,765            | 6,042,321            |
| Rental income                                            |            | 339,885              | 326,371              |
| Grants, subsidies, contributions and donations           | 3 (d) (i)  | 2,833,470            | 9,833,430            |
| Other recurrent income                                   | 3 (e)      | 3,019,528            | 2,184,583            |
| <b>Total recurrent revenue</b>                           |            | <b>148,566,290</b>   | <b>143,316,321</b>   |
| <b>Capital revenue</b>                                   |            |                      |                      |
| Grants, subsidies, contributions and donations           | 3 (d) (ii) | 33,725,703           | 26,354,278           |
| Other capital income                                     | 4          | 1,134,653            | 2,490,538            |
| <b>Total capital revenue</b>                             |            | <b>34,860,356</b>    | <b>28,844,816</b>    |
| <b>Total income</b>                                      | 2 (b)      | <b>183,426,646</b>   | <b>172,161,137</b>   |
| <b>Expenses</b>                                          |            |                      |                      |
| <b>Recurrent expenses</b>                                |            |                      |                      |
| Employee benefits                                        | 5          | (44,764,538)         | (39,701,137)         |
| Materials and services                                   | 6          | (71,180,993)         | (60,402,208)         |
| Finance costs                                            | 7          | (1,072,098)          | (1,102,773)          |
| Depreciation and amortisation                            |            |                      |                      |
| Property, plant and equipment                            | 15         | (31,341,579)         | (29,953,973)         |
| Right of use assets                                      | 17         | (342,906)            | (504,849)            |
| <b>Total recurrent expenses</b>                          |            | <b>(151,702,114)</b> | <b>(134,664,940)</b> |
| <b>Capital expenses</b>                                  | 8          | (49,492,736)         | (13,756,280)         |
| <b>Total expenses</b>                                    | 2 (b)      | <b>(201,194,850)</b> | <b>(148,421,220)</b> |
| <b>Net result</b>                                        |            | <b>(17,768,204)</b>  | <b>23,739,917</b>    |
| <b>Other comprehensive income</b>                        |            |                      |                      |
| <b>Items that will not be reclassified to net result</b> |            |                      |                      |
| Increase/(decrease) in asset revaluation surplus         | 21         | 103,022,301          | 71,126,729           |
| <b>Total other comprehensive income for the year</b>     |            | <b>103,022,301</b>   | <b>71,126,729</b>    |
| <b>Total comprehensive income for the year</b>           |            | <b>85,254,097</b>    | <b>94,866,646</b>    |

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

# Whitsunday Regional Council

## Statement of Financial Position As at 30 June 2024

|                                  |        | 2024                 | 2023                 |
|----------------------------------|--------|----------------------|----------------------|
|                                  | Note   | \$                   | \$                   |
| <b>Current assets</b>            |        |                      |                      |
| Cash and cash equivalents        | 9      | 116,414,816          | 98,898,730           |
| Investments                      | 10     | 20,000,000           | 30,000,000           |
| Trade and other receivables      | 11 (a) | 11,594,319           | 10,603,952           |
| Inventories                      | 12     | 1,475,388            | 1,665,934            |
| Contract assets                  | 16 (a) | 6,694,019            | 2,867,685            |
| Other assets                     | 13     | 8,185,240            | 6,524,445            |
|                                  |        | 164,363,782          | 150,560,746          |
| Non-current assets held for sale |        | 625,000              | 1,655,000            |
| Total current assets             |        | 164,988,782          | 152,215,746          |
| <b>Non-current assets</b>        |        |                      |                      |
| Trade and other receivables      | 11 (b) | 4,000                | 13,000               |
| Investment property              | 14     | 2,785,000            | 2,100,000            |
| Property, plant and equipment    | 15     | 1,364,455,505        | 1,271,128,735        |
| Right of use assets              | 17 (a) | 1,896,813            | 2,239,719            |
| Total non-current assets         |        | 1,369,141,318        | 1,275,481,454        |
| <b>Total assets</b>              | 2 (b)  | <b>1,534,130,100</b> | <b>1,427,697,200</b> |
| <b>Current liabilities</b>       |        |                      |                      |
| Trade and other payables         | 18     | 24,743,954           | 16,826,723           |
| Contract liabilities             | 16 (b) | 16,817,646           | 7,400,264            |
| Provisions                       | 19     | 14,761,725           | 10,336,866           |
| Borrowings                       | 20     | 6,026,073            | 5,781,353            |
| Lease liabilities                | 17 (b) | 309,262              | 403,563              |
| Total current liabilities        |        | 62,658,559           | 40,748,759           |
| <b>Non-current liabilities</b>   |        |                      |                      |
| Trade and other payables         | 18     | 3,079,883            | 4,498,279            |
| Provisions                       | 19     | 29,700,531           | 22,866,308           |
| Borrowings                       | 20     | 57,304,074           | 63,233,400           |
| Lease liabilities                | 17 (b) | 1,677,291            | 1,895,551            |
| Total non-current liabilities    |        | 91,762,579           | 92,493,576           |
| <b>Total liabilities</b>         |        | <b>154,421,138</b>   | <b>133,242,335</b>   |
| <b>Net community assets</b>      |        | <b>1,379,708,962</b> | <b>1,294,454,865</b> |
| <b>Community equity</b>          |        |                      |                      |
| Asset revaluation surplus        | 21     | 536,829,658          | 433,807,357          |
| Retained surplus                 |        | 842,879,304          | 860,647,508          |
| <b>Total community equity</b>    |        | <b>1,379,708,962</b> | <b>1,294,454,865</b> |

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

# Whitsunday Regional Council

## Statement of Changes in Equity For the year ended 30 June 2024

|                                                | Note | Total         |               | Retained surplus |             | Asset revaluation surplus<br>Note 21 |             |
|------------------------------------------------|------|---------------|---------------|------------------|-------------|--------------------------------------|-------------|
|                                                |      | 2024          | 2023          | 2024             | 2023        | 2024                                 | 2023        |
|                                                |      | \$            | \$            | \$               | \$          | \$                                   | \$          |
| Balance at beginning of year                   | 15   | 1,294,454,865 | 1,198,972,177 | 860,647,508      | 836,291,550 | 433,807,357                          | 362,680,627 |
| Assets not previously recognised               |      | -             | 616,041       | -                | 616,041     | -                                    | -           |
| Restated opening balances                      |      | 1,294,454,865 | 1,199,588,218 | 860,647,508      | 836,907,591 | 433,807,357                          | 362,680,627 |
| Net result                                     |      | (17,768,204)  | 23,739,917    | (17,768,204)     | 23,739,917  | -                                    | -           |
| Other comprehensive income for the year        |      |               |               |                  |             |                                      |             |
| Revaluations:                                  |      |               |               |                  |             |                                      |             |
| Property, plant & equipment                    | 15   | 103,022,478   | 71,126,654    | -                | -           | 103,022,478                          | 71,126,654  |
| Change in value of future rehabilitation costs | 21   | (177)         | 76            | -                | -           | (177)                                | 76          |
| Total comprehensive income for year            |      | 85,254,097    | 94,866,647    | (17,768,204)     | 23,739,917  | 103,022,301                          | 71,126,730  |
| Balance at end of year                         |      | 1,379,708,962 | 1,294,454,865 | 842,879,304      | 860,647,508 | 536,829,658                          | 433,807,357 |

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

# Whitsunday Regional Council

## Statement of Cash Flows For the year ended 30 June 2024

|                                                                | Note    | 2024<br>\$         | 2023<br>\$        |
|----------------------------------------------------------------|---------|--------------------|-------------------|
| <b>Cash flows from operating activities</b>                    |         |                    |                   |
| Receipts from customers                                        |         | 148,053,320        | 138,927,692       |
| Payments to suppliers and employees                            |         | (122,171,245)      | (107,397,736)     |
| Interest received                                              |         | 7,673,761          | 4,480,093         |
| Rental income                                                  |         | 339,885            | 326,371           |
| Non capital grants and contributions                           |         | 2,278,467          | 10,133,235        |
| Borrowing costs                                                |         | (2,521,001)        | (2,742,616)       |
| <b>Net cash inflow from operating activities</b>               | 26      | 33,653,187         | 43,727,039        |
| <b>Cash flows from investing activities</b>                    |         |                    |                   |
| Payments for property, plant and equipment                     | 15      | (60,195,265)       | (34,767,023)      |
| Payments for investment property                               | 14 & 15 | -                  | (161,566)         |
| Repayments from (advances of) loans to community organisations |         | 12,000             | 17,000            |
| Proceeds from sale of property, plant and equipment            |         | 321,061            | 375,684           |
| Non-current assets held for sale - Proceeds from sale          |         | 819,000            | 1,482,855         |
| Grants, subsidies, contributions and donations                 |         | 39,236,165         | 37,769,252        |
| Payments for rehabilitation work                               | 19      | (333,657)          | (361,274)         |
| Net transfer (to) from cash investments                        | 10      | 10,000,000         | (30,000,000)      |
| <b>Net cash (outflow) from investing activities</b>            |         | (10,140,696)       | (25,645,072)      |
| <b>Cash flows from financing activities</b>                    |         |                    |                   |
| Repayment of borrowings                                        | 20      | (5,683,844)        | (5,441,297)       |
| Repayments made on leases (principal only)                     | 17      | (312,561)          | (466,763)         |
| <b>Net cash inflow (outflow) from financing activities</b>     |         | (5,996,405)        | (5,908,060)       |
| <b>Net increase in cash and cash equivalents held</b>          |         | 17,516,086         | 12,173,907        |
| Cash and cash equivalents at beginning of the financial year   |         | 98,898,730         | 86,724,823        |
| <b>Cash and cash equivalents at end of the financial year</b>  | 9       | <b>116,414,816</b> | <b>98,898,730</b> |

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

## Whitsunday Regional Council

### Notes to the Financial Statements

#### For the year ended 30 June 2024

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- 1 Information about these financial statements
  - 1.1 Basis of preparation

These general purpose financial statements are for the period 1 July 2023 to 30 June 2024 and have been prepared in compliance with the requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012*. Council is a not-for-profit entity for financial reporting purposes and these financial statements comply with Australian Accounting Standards and interpretations as applicable to not-for-profit entities.

These financial statements have been prepared under the historical cost convention except for the revaluation of certain classes of property, plant and equipment and investment property.
  - 1.2 Constitution

The Whitsunday Regional Council (Council) is constituted under the *Queensland Local Government Act 2009* and is domiciled in Australia.
  - 1.3 New and revised Accounting Standards adopted during the year

Council adopted all standards which became mandatorily effective for annual reporting period beginning on 1 July 2023, none of the standards had a material impact on reported positions, performance and cash flows.

The adoption of the revisions to AASB 101 Presentation of Financial Statements resulted in disclosure of material accounting policy information only rather than significant accounting policies. This means that accounting policy information is disclosed only if it relates to material transactions, other events or conditions and:

    - a) Council has changed accounting policy during the reporting period and this change resulted in a material change to the information in the financial statements.
    - b) Council chose (or was mandated to use) the accounting policy from one or more options permitted by Australian Accounting Standards
    - c) the accounting policy was developed in accordance with *AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors* in the absence of an Australian Accounting Standard that specifically applies.
    - d) the accounting policy relates to an area for which Council is required to make significant judgements or assumptions in applying an accounting policy, and Council discloses those judgements or assumptions in the financial statements.
    - e) the accounting required for them is complex and users of the entity's financial statements would otherwise not understand those material transactions, other events or conditions.
  - 1.4 Standards issued by the AASB not yet effective

The AASB has issued Australian Accounting Standards and Interpretations which are not effective at 30 June 2024, these standards have not been adopted by Council and will be included in the financial statements on their effective date. None of these standards are expected to have a material impact on reported positions, performance and cash flows.
  - 1.5 Estimates and judgements

In the application of Council's accounting policies, management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates. The estimates and ongoing assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised and in future periods as relevant.

Judgements, estimates and assumptions that have a potential significant effect are outlined in the following financial statement notes:

    - Revenue recognition - note 3
    - Valuation of Investment Property - note 14
    - Valuation and depreciation of property, plant and equipment - note 15
    - Leases - note 17
    - Provisions - note 19
    - Contingent liabilities - note 24
    - Financial Instruments & Financial Risk Management - note 27
  - 1.6 Rounding and comparatives

The financial statements are in Australian dollars and have been rounded to the nearest \$1, unless otherwise stated. Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

## Whitsunday Regional Council

### Notes to the Financial Statements

For the year ended 30 June 2024

---

**1. 7 Volunteer services**

Council is in receipt of volunteer services provided by Townsville Correctional Centre's Bowen Women's Work Camp. The Work Camp team supports the performance of tasks such as maintenance of fences, cemeteries, playgrounds & showground and participates in restoration & general maintenance projects. Council is in receipt of Volunteer Services provided to Proserpine Entertainment Centre from the community. Council partners with Queensland Corrective Services to provide beneficial works projects for the community, and rehabilitate offenders to assist with their return to society. Although the fair value of these volunteer services can be reliably measured they have not been recognised as per AASB 1058.

**1. 8 Taxation**

Income of local authorities and public authorities is exempt from Commonwealth taxation except for Fringe Benefits Tax and Goods and Services Tax (GST). The net amount of GST recoverable from the ATO or payable to the ATO is shown as an asset or liability respectively.

Council pays payroll tax to the Queensland Government on certain activities.





## Notes to the Financial Statements For the year ended 30 June 2024

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### 2 Analysis of Results by Function

#### (a) Components of council functions

The activities relating to the Council's components reported on in Note 2 (b) are as follows:

#### 2023-24 Financial Year - New Structure implemented July 2023

From 1 July 2023 Council implemented a new structure for its Council functions, to improve service delivery, resulting in the below functions. The comparative data has been re-stated for the 2022/23 year to reflect the new organisational structure.

##### **Office of the Chief Executive**

Incorporates Human Resources, Communications, the offices of the Mayor, Councillors and the Chief Executive Officer to set and achieve Council's goals and objectives for the citizens of the Whitsunday region by providing direction, support, co-ordination, strategic resource management and achieve effective and efficient management of Council.

##### **Corporate Services**

Corporate Services is responsible for the provision of efficient, effective and accountable financial and administrative services to Council and the community it serves. The core branches include Governance and Administration, Asset Management, Financial Services, Procurement, Property, Fleet & Workshops, and Information Services.

##### **Regional Strategy and Planning**

Regional Strategy and Planning caters for Council's aim to achieve sustainable development in the region's communities through Strategic Planning, Development Assessment, Building Certification and Plumbing Certification.

##### **Community Services and Facilitation**

Caters for Council's aim to achieve sustainability by maintaining compliance activities, vibrant communities and a thriving natural environment. This includes environmental health, natural resource management, local laws, aquatic facilities, libraries and function centres. This area also manages Council's customer contact centres.

##### **Infrastructure Services**

To provide well-maintained, safe & efficient transport and stormwater networks, marine infrastructure, engineering services, cemetery and public open space management to meet the community's current and future needs.

##### **Waste Management**

To protect public health, safety and the environment by the provision of an efficient system for safe collection, transportation, recycling and disposal of waste products.

##### **Commercial Businesses**

To maintain public airports and ports that provide air and sea transportation for the community, tourism and industry as well as smaller airstrips within the region, quarry operations, holiday parks, economic development and tourism, to support a strong and diverse economy.

##### **Water Services**

To meet the community needs for potable water by the efficient purchase, treatment, storage and distribution of water to consumers.

##### **Sewerage Services**

To protect public health, safety and the environment by the provision of an efficient system for safe collection, transportation, treatment and disposal of sewage waste.

##### **Capital Program and Network Planning**

To provide well-constructed infrastructure assets across the organisation and delivery of strategic planning associated with the long term infrastructure needs of our community.

Whitsunday Regional Council

Notes to the Financial Statements  
For the year ended 30 June 2024

2 Analysis of results by function (continued)

(b) Revenue, expenses and assets have been attributed to the following functions:

|                                      | Gross program income |             |            |                 |       |         |             |               |              |            | Elimination of<br>inter-function<br>transactions | Total<br>income | Gross program expenses |               |      | Elimination of<br>inter-function<br>transactions | Total<br>expenses | Operating<br>surplus/(deficit)<br>from recurrent<br>operations | Net<br>result<br>for year | Total<br>Assets<br>as at 30/6/24 |
|--------------------------------------|----------------------|-------------|------------|-----------------|-------|---------|-------------|---------------|--------------|------------|--------------------------------------------------|-----------------|------------------------|---------------|------|--------------------------------------------------|-------------------|----------------------------------------------------------------|---------------------------|----------------------------------|
|                                      | Recurrent revenue    |             |            | Capital revenue |       |         |             |               |              |            |                                                  |                 | Recurrent              | Capital       |      |                                                  |                   |                                                                |                           |                                  |
|                                      | Grants               | Other       |            | Grants          | Other |         | Grants      | Other         |              |            |                                                  |                 |                        |               |      |                                                  |                   |                                                                |                           |                                  |
|                                      | 2024                 | 2024        | 2024       | 2024            | 2024  | 2024    | 2024        | 2024          | 2024         | 2024       | 2024                                             | 2024            | 2024                   | 2024          | 2024 | 2024                                             | 2024              | 2024                                                           | 2024                      |                                  |
| Programs                             |                      |             |            |                 |       |         |             |               |              |            |                                                  |                 |                        |               |      |                                                  |                   |                                                                |                           |                                  |
| Office of the Chief Executive        | 393,328              | 38,916      | -          | -               | -     | -       | 432,244     | (3,517,443)   | -            | -          | 176,507                                          | (3,340,836)     | (3,085,199)            | (2,908,592)   | -    |                                                  |                   |                                                                |                           |                                  |
| Corporate Services                   | 765,248              | 84,122,652  | 888,951    | 47,142          | -     | -       | 67,011,485  | (14,781,994)  | (913,745)    | 982,851    | (14,412,788)                                     | 70,705,906      | 52,598,597             | 244,251,381   |      |                                                  |                   |                                                                |                           |                                  |
| Regional Strategy and Planning       | -                    | 2,018,891   | 2,789,215  | -               | -     | -       | 4,808,106   | (5,010,153)   | -            | 804,392    | (4,205,761)                                      | (2,991,282)     | 602,345                | 17,155        |      |                                                  |                   |                                                                |                           |                                  |
| Community Services and Facilitation  | 655,782              | 2,460,878   | 57,449     | -               | -     | -       | 3,174,109   | (22,767,754)  | 440,145      | 3,090,498  | (19,228,111)                                     | (19,651,094)    | (16,054,002)           | 37,106,444    |      |                                                  |                   |                                                                |                           |                                  |
| Infrastructure Services              | 743,588              | 4,597,164   | 28,510,098 | -               | -     | (1,040) | 33,948,610  | (52,260,374)  | (28,468,286) | 9,478,102  | (69,250,558)                                     | (46,911,822)    | (35,300,748)           | 731,445,172   |      |                                                  |                   |                                                                |                           |                                  |
| Waste Management                     | 19,192               | 13,610,790  | -          | -               | -     | 367,186 | 13,091,121  | (13,025,429)  | (10,119,962) | 1,159,454  | (21,385,937)                                     | 604,553         | (8,894,816)            | 17,890,256    |      |                                                  |                   |                                                                |                           |                                  |
| Commercial Businesses                | 147,203              | 17,311,305  | 343,247    | 720,325         | -     | (2,020) | 18,520,050  | (21,810,019)  | (9,058,637)  | 1,634,519  | (29,234,037)                                     | 4,351,511       | (10,713,977)           | 97,982,650    |      |                                                  |                   |                                                                |                           |                                  |
| Water Services                       | -                    | 25,444,535  | 852,849    | -               | -     | -       | 23,915,750  | (20,449,046)  | (2,704,060)  | 2,220,225  | (20,933,681)                                     | 4,994,589       | 2,982,669              | 238,275,638   |      |                                                  |                   |                                                                |                           |                                  |
| Sewerage Services                    | -                    | 18,755,887  | 185,906    | -               | -     | -       | 18,423,013  | (17,731,494)  | (977,191)    | 3,174,969  | (15,533,716)                                     | 1,024,393       | 2,889,297              | 166,333,640   |      |                                                  |                   |                                                                |                           |                                  |
| Capital Program and Network Planning | 109,129              | 222,476     | (2,012)    | -               | -     | -       | 100,548     | (3,798,282)   | -            | 728,857    | (3,069,425)                                      | (3,463,677)     | (2,968,477)            | 806,765       |      |                                                  |                   |                                                                |                           |                                  |
| Total                                | 2,833,470            | 169,183,494 | 33,725,703 | 1,134,613       | -     | -       | 183,426,546 | (175,152,788) | (49,492,736) | 23,460,574 | (201,194,850)                                    | (3,135,824)     | (17,768,204)           | 1,534,130,100 |      |                                                  |                   |                                                                |                           |                                  |

Restated

|                                      | Gross program income |             |            |                 |       |      | Elimination of<br>inter-function<br>transactions | Total<br>income | Gross program expenses |            |               | Elimination of<br>inter-function<br>transactions | Total<br>expenses | Operating<br>surplus/(deficit)<br>from recurrent<br>operations | Net<br>result<br>for year | Total<br>Assets<br>as at 30/6/23 |      |
|--------------------------------------|----------------------|-------------|------------|-----------------|-------|------|--------------------------------------------------|-----------------|------------------------|------------|---------------|--------------------------------------------------|-------------------|----------------------------------------------------------------|---------------------------|----------------------------------|------|
|                                      | Recurrent revenue    |             |            | Capital revenue |       |      |                                                  |                 | Recurrent              | Capital    |               |                                                  |                   |                                                                |                           |                                  |      |
|                                      | Grants               | Other       |            | Grants          | Other |      |                                                  |                 |                        |            |               |                                                  |                   |                                                                |                           |                                  |      |
|                                      | 2023                 | 2023        | 2023       | 2023            | 2023  | 2023 | 2023                                             | 2023            | 2023                   | 2023       | 2023          | 2023                                             | 2023              | 2023                                                           | 2023                      | 2023                             | 2023 |
| Programs                             |                      |             |            |                 |       |      |                                                  |                 |                        |            |               |                                                  |                   |                                                                |                           |                                  |      |
| Office of the Chief Executive        | 148,205              | 123,909     | -          | -               | -     | -    | 272,204                                          | (4,339,236)     | -                      | -          | 175,251       | (4,165,966)                                      | (3,893,782)       | (3,893,782)                                                    | -                         |                                  |      |
| Corporate Services                   | 4,281,839            | 77,126,450  | 863,310    | 381,219         | -     | -    | 84,351,914                                       | (11,428,773)    | (913,906)              | 884,321    | (11,458,357)  | 52,546,934                                       | 52,761,675        | 224,034,335                                                    |                           |                                  |      |
| Regional Strategy and Planning       | -                    | 1,825,916   | 3,929,512  | -               | -     | -    | 4,805,428                                        | (5,015,937)     | -                      | 789,209    | (4,226,728)   | (2,430,812)                                      | 928,100           | -                                                              |                           |                                  |      |
| Community Services and Facilitation  | 1,054,569            | 2,515,106   | 32,540     | -               | -     | -    | 3,602,214                                        | (20,318,327)    | (337,661)              | 2,925,006  | (17,830,982)  | (13,923,647)                                     | (14,194,083)      | 37,516,468                                                     |                           |                                  |      |
| Infrastructure Services              | 3,938,582            | 4,539,717   | 18,894,291 | -               | -     | -    | 27,371,595                                       | (45,138,091)    | (12,123,965)           | 8,316,361  | (48,946,295)  | (28,346,031)                                     | (21,565,616)      | 860,234,226                                                    |                           |                                  |      |
| Waste Management                     | 6,617                | 12,216,774  | -          | 2,152,817       | -     | -    | 13,470,255                                       | (10,750,486)    | (1,774)                | 1,237,724  | (9,514,547)   | 1,804,696                                        | 4,023,818         | 17,400,195                                                     |                           |                                  |      |
| Commercial Businesses                | 78,000               | 15,705,200  | 3,444,704  | (43,446)        | -     | -    | 19,086,544                                       | (20,438,766)    | (173,034)              | 1,457,790  | (19,141,982)  | (3,183,842)                                      | (55,640)          | 128,273,652                                                    |                           |                                  |      |
| Water Services                       | 6,875                | 23,445,472  | 189,921    | -               | -     | -    | 21,734,545                                       | (20,396,394)    | (1,006)                | 2,843,509  | (17,554,891)  | 3,991,740                                        | 4,179,855         | 167,132,348                                                    |                           |                                  |      |
| Sewerage Services                    | (5,000)              | 17,641,801  | -          | -               | -     | -    | 17,129,150                                       | (16,353,253)    | (204,165)              | 2,787,923  | (13,769,495)  | 3,560,820                                        | 3,359,655         | 174,331,755                                                    |                           |                                  |      |
| Capital Program and Network Planning | 313,953              | 87,922      | -          | -               | -     | -    | 307,492                                          | (2,245,638)     | -                      | 433,880    | (1,812,158)   | (1,504,666)                                      | (1,504,666)       | 775,231                                                        |                           |                                  |      |
| Total                                | 9,833,430            | 155,231,365 | 28,354,278 | 2,490,518       | -     | -    | 172,161,137                                      | (156,413,414)   | (13,756,200)           | 21,746,474 | (148,421,220) | (8,651,381)                                      | (23,739,917)      | 1,427,697,200                                                  |                           |                                  |      |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Note | 2024<br>\$         | 2023<br>\$        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------|-------------------|
| <b>3 Revenue</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |                    |                   |
| <b>(a) Rates, levies and charges</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                    |                   |
| Rates, levies and charges are recognised as revenue when Council obtains control over the assets comprising these receipts which is the beginning of the rating period to which they relate. Prepaid rates are recognised as a financial liability until the beginning of the rating period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |                    |                   |
| General rates                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | 59,773,264         | 56,831,218        |
| Water                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 12,432,422         | 11,923,978        |
| Water consumption, rental and sundries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      | 8,284,353          | 7,959,531         |
| Sewerage                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 18,947,771         | 18,015,273        |
| Waste management                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | 8,215,420          | 7,515,803         |
| Rates and utility charge revenue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | 107,653,230        | 102,245,803       |
| Less: Discounts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | (4,211,021)        | (4,034,918)       |
| Less: Pensioner remissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | (724,336)          | (717,278)         |
| <b>Net rates, levies and charges</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | <b>102,717,873</b> | <b>97,493,607</b> |
| <b>(b) Sale of goods and major services</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |                    |                   |
| Sale of goods is recognised at the point in time when the performance obligation is completed or when the service is rendered.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                    |                   |
| Council generates revenues from a number of services. The performance obligation relates to the specific services which are provided to the customers and generally the payment terms are within 30 days of the provision of the service or in some cases, the customer is required to pay on arrival, for example caravan parks. There is no material obligation for Council in relation to refunds or returns. Contract revenue and associated costs are recognised by reference to the stage of completion of the contract activity based on costs incurred at the reporting date. Revenue is measured at the fair value of consideration received or receivable in relation to that activity. Where consideration is received for the service in advance it is included in other liabilities and is recognised as revenue in the period when the service is performed. |      |                    |                   |
| Parking and other ranger services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 2,047,441          | 1,813,316         |
| Refuse tips and transfer station charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 3,648,056          | 2,886,758         |
| Aerodrome charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 6,866,568          | 6,180,220         |
| Quarry charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 2,701,891          | 2,383,066         |
| Shute Harbour Marine Terminal activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 3,571,543          | 3,265,156         |
| Holiday Parks fees and charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 1,450,898          | 1,336,772         |
| Water and sewerage fees and charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | 964,450            | 585,494           |
| Entertainment & community centres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 539,071            | 297,002           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | <b>21,789,918</b>  | <b>18,847,784</b> |
| <b>(c) Fees and charges</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |                    |                   |
| Revenue arising from fees and charges is recognised at the point in time when the performance obligation is completed and the customer receives the benefit of the goods / services being provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |                    |                   |
| Licences granted by Council are all either short term or low value and all revenue from licences is recognised at the time that the licence is granted rather than the term of the licence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |                    |                   |
| Revenue from infringements is recognised on issue of infringement notice after applying the expected credit loss model relating to impairment of receivables for initial recognition of statutory receivables.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                    |                   |
| Lodgement fees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 1,880,856          | 1,699,466         |
| Dog registrations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 238,853            | 234,200           |
| Inspection fees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | 82,560             | 87,363            |
| Licences and permits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 815,368            | 706,096           |
| Fines and infringements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 359,971            | 601,345           |
| Search Fees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | 318,715            | 317,050           |
| Other statutory fees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 74,273             | 111,321           |
| User fees and charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 346,494            | 351,291           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | <b>4,117,090</b>   | <b>4,108,132</b>  |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Note | 2024<br>\$        | 2023<br>\$        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------------|-------------------|
| 3 Revenue (continued)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                   |                   |
| (d) Grants, subsidies, contributions and donations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |                   |                   |
| <b>Grant income under AASB 15</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |                   |                   |
| Where grant income arises from an agreement which is enforceable and contains sufficiently specific performance obligations, then the revenue is recognised when conformance to each performance obligations is satisfied.                                                                                                                                                                                                                                                                                                                                |      |                   |                   |
| The performance obligations are varied based on the agreement but include delivery of services and events. Payment terms vary depending on the terms of the grant, cash is received upfront for some grants and on the achievement of certain milestones for others.                                                                                                                                                                                                                                                                                      |      |                   |                   |
| Each performance obligation is considered to ensure that the revenue recognition reflects the transfer of control. Within grant agreements there may be some performance obligations where control transfers at a point in time and others which have continuous transfer of control over the life of the contract.                                                                                                                                                                                                                                       |      |                   |                   |
| Where control is transferred over time, generally the input methods being either costs incurred or time elapsed are deemed to be the most appropriate methods to reflect the transfer of benefit.                                                                                                                                                                                                                                                                                                                                                         |      |                   |                   |
| <b>Grant income under AASB 1058</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| Assets arising from grants in the scope of AASB 1058 are recognised at the assets fair value when the asset is received. Council considers whether there are any related liability or equity items associated with the assets which are recognised.                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| Once the assets and liabilities have been recognised, then income is recognised for any remaining asset value at the time that the asset is received.                                                                                                                                                                                                                                                                                                                                                                                                     |      |                   |                   |
| <b>Capital grants</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                   |                   |
| Capital grants received to enable Council to acquire or construct an item of property, plant and equipment to identified specifications, which will be under Council's control and which is enforceable, are recognised as revenue as and when the obligation to construct or purchase is completed. For construction projects, this is generally as the construction progresses in accordance with costs incurred, since this is deemed to be the most appropriate measure of the completeness of the construction project as there is no profit margin. |      |                   |                   |
| Where assets are donated or purchased for significantly below fair value, the revenue is recognised when the asset is acquired and controlled by Council.                                                                                                                                                                                                                                                                                                                                                                                                 |      |                   |                   |
| (i) <b>Operating</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                   |                   |
| General purpose grants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 267,026           | 7,042,252         |
| State Government subsidies & grants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 2,482,952         | 2,057,449         |
| State Government grant for flood damage                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 13,963            | 659,265           |
| Donations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | 3,943             | -                 |
| Contributions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 65,586            | 74,464            |
| <b>Total recurrent revenue</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | <b>2,833,470</b>  | <b>9,833,430</b>  |
| Council has not spent all recurrent grants in the year received and therefore Council has established an internal reserve for this purpose.                                                                                                                                                                                                                                                                                                                                                                                                               |      |                   |                   |
| Developers pay infrastructure charges for trunk infrastructure, such as pump stations, treatment works, water & sewer mains, and water pollution control works. These infrastructure charges are not within the scope of AASB 1058 because there is no performance obligation associated with them. Consequently, the infrastructure charges are recognised as income when received.                                                                                                                                                                      |      |                   |                   |
| (ii) <b>Capital</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| (a) Monetary revenue designated for capital funding purposes:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                   |                   |
| Commonwealth government grants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | 4,013,670         | 1,832,699         |
| State Government subsidies & grants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 5,534,366         | 3,653,028         |
| DRFA flood damage grants for capitalised repairs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 20,752,954        | 16,044,049        |
| Infrastructure charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 2,789,215         | 4,147,787         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | <b>33,090,205</b> | <b>25,677,563</b> |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Note | 2024<br>\$             | 2023<br>\$             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------------------|------------------------|
| <b>3 Revenue (continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |                        |                        |
| Physical assets contributed to Council by developers in the form of road works, stormwater, water & wastewater infrastructure, and park equipment are recognised as revenue when the development becomes "off maintenance" (i.e. Council obtains control of the assets and becomes liable for any ongoing maintenance) and there is sufficient data in the form of drawings and plans to determine the approximate specifications and values of such assets. All non-cash contributions in excess of the recognition threshold are recognised at the fair value of the contribution received on the date of acquisition. A non-current asset is also recognised if the value is in excess of the recognition threshold. |      |                        |                        |
| (b) Non-monetary revenue received is analysed as follows:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |                        |                        |
| Developer assets contributed by developers at fair value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 15   | 635,498                | 676,715                |
| <b>Total capital revenue</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | <b>33,725,703</b>      | <b>26,354,278</b>      |
| <b>Total grants, subsidies, contributions and donations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | <b>36,559,173</b>      | <b>36,187,708</b>      |
| (iii) Timing of revenue recognition for grants, subsidies, contributions and donations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |                        |                        |
| <b>Grants and subsidies</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                        |                        |
| Revenue recognised at a point in time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 2,763,099              | 7,384,347              |
| Revenue recognised over time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | 30,301,832             | 23,904,395             |
| <b>Contributions</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                        |                        |
| Revenue recognised at a point in time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 3,494,242              | 4,898,966              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | <b>36,559,173</b>      | <b>36,187,708</b>      |
| (e) Other recurrent income                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      |                        |                        |
| Government reimbursements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      | 1,301,782              | 1,350,797              |
| Other recurrent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 1,717,746              | 833,786                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | <b>3,019,528</b>       | <b>2,184,583</b>       |
| <b>4 Other capital income</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |                        |                        |
| Revaluation increase of investment property                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 14   | 685,000                | -                      |
| Gain on sale of non-current assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 47,142                 | 269,290                |
| Changes arising from revisions of future restoration expenditure - Quarry rehabilitation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 19   | 35,325                 | 45,202                 |
| Reduction in rehabilitation provision on land not controlled by Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 19   | 367,186                | 752,296                |
| Changes arising from future restoration provision costs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 19   | -                      | 1,423,750              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | <b>1,134,653</b>       | <b>2,490,538</b>       |
| <b>5 Employee benefits</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      |                        |                        |
| Total staff wages and salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 33,538,119             | 28,979,085             |
| Councillors' remuneration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      | 587,524                | 547,460                |
| Annual, sick and long service leave entitlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | 6,860,888              | 6,603,153              |
| Termination benefits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 89,065                 | 77,490                 |
| Superannuation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 25   | 4,240,360              | 3,713,360              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 45,315,956             | 39,920,548             |
| Other employee related expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 1,883,931              | 1,569,422              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 47,199,887             | 41,489,970             |
| Less: Capitalised employee expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      | (2,435,349)            | (1,788,833)            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | <b>44,764,538</b>      | <b>39,701,137</b>      |
| Councillor remuneration represents salary and other allowances paid in respect of carrying out their duties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |                        |                        |
| Total Council employees at the reporting date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      |                        |                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | <b>2024<br/>Number</b> | <b>2023<br/>Number</b> |
| Elected members                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 7                      | 7                      |
| Administration staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 215                    | 188                    |
| Depot and outdoors staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | 204                    | 192                    |
| Total full time equivalent employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | <b>426</b>             | <b>387</b>             |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                          | Note | 2024<br>\$         | 2023<br>\$        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------|-------------------|
| <b>6 Materials and services</b>                                                                                                                                                                                                                                                                                                          |      |                    |                   |
| Audit of annual financial statements by the Auditor-General of Queensland                                                                                                                                                                                                                                                                |      | 145,332            | 135,000           |
| Community donations, grants, subsidies & contributions                                                                                                                                                                                                                                                                                   |      | 2,786,814          | 2,429,320         |
| Legal services                                                                                                                                                                                                                                                                                                                           |      | 1,227,517          | 1,873,363         |
| Insurance                                                                                                                                                                                                                                                                                                                                |      | 2,792,798          | 2,797,616         |
| Consultants & services                                                                                                                                                                                                                                                                                                                   |      | 3,525,382          | 1,599,412         |
| Contractors                                                                                                                                                                                                                                                                                                                              |      | 26,456,012         | 20,851,731        |
| Plant & equipment                                                                                                                                                                                                                                                                                                                        |      | 5,003,852          | 5,306,677         |
| Advertising & marketing                                                                                                                                                                                                                                                                                                                  |      | 716,932            | 783,063           |
| Cost of inventories                                                                                                                                                                                                                                                                                                                      |      | 661,173            | 497,722           |
| Communications & IT                                                                                                                                                                                                                                                                                                                      |      | 5,821,927          | 4,524,771         |
| Repairs & maintenance & utility charges                                                                                                                                                                                                                                                                                                  |      | 4,468,229          | 3,650,664         |
| Raw materials & consumables                                                                                                                                                                                                                                                                                                              |      | 9,483,944          | 9,142,370         |
| Registrations & subscriptions                                                                                                                                                                                                                                                                                                            |      | 165,405            | 112,935           |
| Safety                                                                                                                                                                                                                                                                                                                                   |      | 1,295,824          | 911,545           |
| Purchase of water                                                                                                                                                                                                                                                                                                                        |      | 2,941,712          | 2,708,126         |
| Low-value leases                                                                                                                                                                                                                                                                                                                         | 17   | 143,280            | 67,732            |
| Other material and services                                                                                                                                                                                                                                                                                                              |      | 2,911,712          | 2,209,097         |
| Direct expenses in investment properties                                                                                                                                                                                                                                                                                                 |      | 733,147            | 701,064           |
|                                                                                                                                                                                                                                                                                                                                          |      | <b>71,180,993</b>  | <b>60,402,208</b> |
| <b>7 Finance costs</b>                                                                                                                                                                                                                                                                                                                   |      |                    |                   |
| Finance costs charged by the Queensland Treasury Corporation                                                                                                                                                                                                                                                                             |      | 2,462,707          | 2,698,894         |
| Bank charges                                                                                                                                                                                                                                                                                                                             |      | 325,046            | 374,891           |
| Impairment of receivables and bad debts written off                                                                                                                                                                                                                                                                                      |      | 317,082            | 220,833           |
| Quarry rehabilitation - change in present value                                                                                                                                                                                                                                                                                          | 19   | 32,109             | 27,701            |
| Landfill rehabilitation - change in present value                                                                                                                                                                                                                                                                                        | 19   | 876,860            | 736,732           |
| Interest on leases                                                                                                                                                                                                                                                                                                                       | 17   | 58,294             | 43,722            |
|                                                                                                                                                                                                                                                                                                                                          |      | <b>4,072,098</b>   | <b>4,102,773</b>  |
| <b>8 Capital expenses</b>                                                                                                                                                                                                                                                                                                                |      |                    |                   |
| Loss on write-off of capital assets                                                                                                                                                                                                                                                                                                      | 15   | 30,766,330         | 13,654,714        |
| Revaluation down of property, plant and equipment                                                                                                                                                                                                                                                                                        | 15   | 8,355,645          | -                 |
| Loss on write-off of investment properties                                                                                                                                                                                                                                                                                               | 14   | -                  | 12,913            |
| Revaluation down of investment properties                                                                                                                                                                                                                                                                                                | 14   | -                  | 88,653            |
| Increase in rehabilitation provision relating to Council controlled site                                                                                                                                                                                                                                                                 | 19   | 35,304             | -                 |
| Change arising from revision of the future restoration expenditure - Quarry                                                                                                                                                                                                                                                              | 19   | 188,687            | -                 |
| Change arising from revision of the future restoration expenditure - Landfill                                                                                                                                                                                                                                                            | 19   | 10,148,870         | -                 |
| Total capital expenses                                                                                                                                                                                                                                                                                                                   |      | <b>49,492,736</b>  | <b>13,756,280</b> |
| <b>9 Cash and cash equivalents</b>                                                                                                                                                                                                                                                                                                       |      |                    |                   |
| Cash at bank and on hand                                                                                                                                                                                                                                                                                                                 |      | 489,422            | 2,345,231         |
| Deposits at call                                                                                                                                                                                                                                                                                                                         |      | 115,925,394        | 96,553,499        |
| Balance per Statement of Cash Flows                                                                                                                                                                                                                                                                                                      |      | <b>116,414,816</b> | <b>98,898,730</b> |
| Councils cash and cash equivalents are subject to a number of external restrictions that limit amounts available for discretionary or future use.                                                                                                                                                                                        |      |                    |                   |
| Externally imposed expenditure restrictions at the reporting date relate to the following cash assets:                                                                                                                                                                                                                                   |      |                    |                   |
| Restricted government grants and subsidies                                                                                                                                                                                                                                                                                               |      | 16,817,546         | 7,400,254         |
| Restricted developer contributions                                                                                                                                                                                                                                                                                                       |      | 15,467,691         | 13,856,048        |
| Waste levy refund received in advance                                                                                                                                                                                                                                                                                                    | 18   | 4,527,428          | 5,899,626         |
| Cash at bank and on hand at 30 June 2024 includes a lump sum received from the State government for the future years of the State Waste Levy. Council received this advance in the 2021/22 and 2022/23 financial years and there are currently only three years remaining. This payment is to mitigate the direct impacts on households. |      |                    |                   |
| Total externally restricted cash                                                                                                                                                                                                                                                                                                         |      | <b>36,812,665</b>  | <b>27,155,928</b> |
| Unrestricted cash                                                                                                                                                                                                                                                                                                                        |      | <b>79,602,151</b>  | <b>71,742,802</b> |



## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Note | 2024<br>\$        | 2023<br>\$        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------------|-------------------|
| <b>9 Cash and cash equivalents (continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                   |                   |
| Cash and deposits at call are held in the National Australia Bank (NAB) and Queensland Treasury Corporation in normal term deposits and business cheque accounts.                                                                                                                                                                                                                                                                                                                                                                                                 |      |                   |                   |
| <b>Trust funds held for outside parties</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| Funds held in the trust account on behalf of outside parties include those funds from the sale of land for arrears in rates, deposits for the contracted sale of land, security deposits lodged to guarantee performance and unclaimed monies (e.g. wages) paid into the trust account by Council. Council performs only a custodian role in respect of these monies and because the monies cannot be used for Council purposes, they are not considered revenue nor brought to account in the financial statements since Council has no control over the assets. |      |                   |                   |
| <b>Trust funds held for outside parties</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| Monies collected or held on behalf of other entities yet to be paid out to or on behalf of those entities                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      | 33,575            | 33,591            |
| Security deposits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | 2,145,306         | 2,879,984         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | <b>2,178,881</b>  | <b>2,913,575</b>  |
| <b>10 Investments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                   |                   |
| Term deposits in excess of 3 months are reported as investments. Investments are held with financial institutions, which are rated A-1+ and A-2 based on rating agency Standard and Poor's ratings. Whilst not capital guaranteed, the likelihood of a credit failure is assessed as low.                                                                                                                                                                                                                                                                         |      |                   |                   |
| Total investments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | <b>20,000,000</b> | <b>30,000,000</b> |
| <b>11 Trade and other receivables</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                   |                   |
| Council applies normal business credit protection procedures prior to providing goods or services to minimise credit risk.                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |                   |                   |
| Council has undertaken a comprehensive review of past records to determine an appropriate level of provision for debts that may be potentially uncollectable in the future. Based on this analysis, Council has determined the following as an appropriate basis for calculating the provision for doubtful debts.                                                                                                                                                                                                                                                |      |                   |                   |
| <ul style="list-style-type: none"> <li>• Rates &amp; Utility Charges Debtors - 0.025% of amounts outstanding past the due date</li> <li>• Infringement Debtors - 30% of amounts outstanding past the due date</li> <li>• Infringement Debtors - 100% of amounts outstanding &gt; 12 months with SPER</li> <li>• Other General Debtors - 7.5% of amounts outstanding past the due date</li> </ul>                                                                                                                                                                  |      |                   |                   |
| The collectability of receivables is assessed periodically and if there is objective evidence that Council will not be able to collect all amounts due, the carrying amount is impaired for potentially unrecoverable amounts, prior to the calculation of the provision.                                                                                                                                                                                                                                                                                         |      |                   |                   |
| The provision for Rates & Utility Charges is low because Council is empowered under the provisions of the <i>Local Government Act 2009</i> to sell an owner's property to recover outstanding rates and utility charges.                                                                                                                                                                                                                                                                                                                                          |      |                   |                   |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                          | Note | 2024<br>\$        | 2023<br>\$        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------------|-------------------|
| <b>11 Trade and other receivables (continued)</b>                                                                                                                                                                                                        |      |                   |                   |
| Loans and advances are recognised at the amount due at the time of the advance. Terms are usually a maximum of five years with interest charged at negotiated rates. Security is not normally obtained.                                                  |      |                   |                   |
| (a) Current                                                                                                                                                                                                                                              |      |                   |                   |
| Rateable revenue                                                                                                                                                                                                                                         |      | 6,257,333         | 5,736,012         |
| Other debtors                                                                                                                                                                                                                                            |      | 6,133,995         | 5,631,772         |
| Less: Impairment                                                                                                                                                                                                                                         |      | (806,009)         | (775,832)         |
|                                                                                                                                                                                                                                                          |      | <b>11,585,319</b> | <b>10,591,952</b> |
| Loans and advances to community organisations                                                                                                                                                                                                            |      | 1,004,000         | 1,007,000         |
| Less: Impairment                                                                                                                                                                                                                                         |      | (995,000)         | (995,000)         |
|                                                                                                                                                                                                                                                          |      | <b>11,594,319</b> | <b>10,603,952</b> |
| (b) Non-current                                                                                                                                                                                                                                          |      |                   |                   |
| Loans and advances to community organisations                                                                                                                                                                                                            |      | <b>4,000</b>      | <b>13,000</b>     |
| Interest is charged on outstanding rates and levies at a rate of 11.54% per annum, compounded daily. No interest is charged on other debtors. There is no concentration of credit risk for rates and utility charges, fees and other debtors receivable. |      |                   |                   |
| Loans relate to advances made to various sporting bodies. These loans arise from time to time and are subject to negotiated interest rates. The credit risk on these loans is considered medium to high.                                                 |      |                   |                   |
| Movement in accumulated impairment losses (trade and other receivables) is as follows:                                                                                                                                                                   |      |                   |                   |
| Opening balance                                                                                                                                                                                                                                          |      | 1,770,832         | 1,795,055         |
| Less: Debts written off during the year                                                                                                                                                                                                                  |      | (290,710)         | (245,055)         |
| Impairment adjustment in period                                                                                                                                                                                                                          |      | 329,447           | 250,390           |
| Less: Impairments reversed                                                                                                                                                                                                                               |      | (8,560)           | (29,558)          |
| Closing balance                                                                                                                                                                                                                                          |      | <b>1,801,009</b>  | <b>1,770,832</b>  |
| Ageing of past due receivables and the amount of any impairment is disclosed in the following table:                                                                                                                                                     |      |                   |                   |
| Not past due                                                                                                                                                                                                                                             |      | 5,604,041         | 5,236,396         |
| Past due 31-60 days                                                                                                                                                                                                                                      |      | 398,431           | 305,548           |
| Past due 61-90 days                                                                                                                                                                                                                                      |      | 90,374            | 56,775            |
| More than 90 days                                                                                                                                                                                                                                        |      | 7,306,482         | 6,789,065         |
| Impaired                                                                                                                                                                                                                                                 |      | (1,801,009)       | (1,770,832)       |
| Total                                                                                                                                                                                                                                                    |      | <b>11,598,319</b> | <b>10,616,952</b> |
| <b>12 Inventories</b>                                                                                                                                                                                                                                    |      |                   |                   |
| Stores, raw materials and quarry inventory held are valued at cost and include where applicable direct material, direct labour and other indirect costs.                                                                                                 |      |                   |                   |
| Inventory held for distribution is valued at cost, adjusted, when applicable, for any loss of service potential.                                                                                                                                         |      |                   |                   |
| Inventories for internal use                                                                                                                                                                                                                             |      |                   |                   |
| Quarry and road materials                                                                                                                                                                                                                                |      | 409,184           | 660,761           |
| Stores and materials                                                                                                                                                                                                                                     |      | 979,469           | 926,823           |
| Shute Harbour fuel                                                                                                                                                                                                                                       |      | 86,735            | 78,350            |
| Closing Balance                                                                                                                                                                                                                                          |      | <b>1,475,388</b>  | <b>1,665,934</b>  |
| <b>13 Other assets</b>                                                                                                                                                                                                                                   |      |                   |                   |
| Water charges not yet levied                                                                                                                                                                                                                             |      | 4,200,000         | 4,050,000         |
| GST recoverable                                                                                                                                                                                                                                          |      | 916,362           | 520,916           |
| Prepayments                                                                                                                                                                                                                                              |      | 3,068,878         | 1,953,529         |
|                                                                                                                                                                                                                                                          |      | <b>8,185,240</b>  | <b>6,524,445</b>  |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                         | Note  | 2024<br>\$       | 2023<br>\$       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------|------------------|
| <b>14 Investment property</b>                                                                                                                                                                                                                                                                                                                           |       |                  |                  |
| Investment property is property held for the primary purpose of earning rentals and/or capital appreciation. This includes land held by council for a currently undetermined future use. Investment property does not include community housing or other property held to provide a social service.                                                     |       |                  |                  |
| Investment property is initially recognised at cost (including transaction costs) and subsequently at fair value. Where investment property is acquired for significantly below fair value it is recorded at fair value on initial recognition.                                                                                                         |       |                  |                  |
| <b>Owned investment property</b>                                                                                                                                                                                                                                                                                                                        |       |                  |                  |
| Fair value at beginning of financial year                                                                                                                                                                                                                                                                                                               |       | 2,100,000        | 2,040,000        |
| Revaluation adjustment to income statement                                                                                                                                                                                                                                                                                                              | 4 & 8 | 685,000          | (88,653)         |
| Acquisitions                                                                                                                                                                                                                                                                                                                                            | 15    | -                | 161,566          |
| Assets written-off in the period                                                                                                                                                                                                                                                                                                                        | 8     | -                | (12,913)         |
| Fair value at end of financial year                                                                                                                                                                                                                                                                                                                     |       | <b>2,785,000</b> | <b>2,100,000</b> |
| <b>Investment properties comprises of:</b>                                                                                                                                                                                                                                                                                                              |       |                  |                  |
| Proserpine Caravan Park                                                                                                                                                                                                                                                                                                                                 |       |                  |                  |
| Wangaratta Caravan Park                                                                                                                                                                                                                                                                                                                                 |       |                  |                  |
| Investment properties were valued at fair value by Gregory Williams API No: 66044, QVRB No: 2004 from Herron Todd White, an independent professionally qualified valuation firm, as at 30 June 2024. Herron Todd White valuers have extensive experience in valuing properties of this nature in the Whitsunday Regional Council and surrounding areas. |       |                  |                  |
| Further information about the valuation techniques used to derive fair value are included in note 15.                                                                                                                                                                                                                                                   |       |                  |                  |
| Income from the investment properties are shown in note 3(b).                                                                                                                                                                                                                                                                                           |       |                  |                  |
| Operating expenses in respect of investment properties are shown in note 6.                                                                                                                                                                                                                                                                             |       |                  |                  |

Whitsunday Regional Council

Notes to the Financial Statements  
For the year ended 30 June 2024

15 Property, plant and equipment

|                                                      | Note | Land and Improvements                          | Buildings and Other Structures | Plant and Equipment | Transport Infrastructure | Water Infrastructure | Sewerage Infrastructure | Marine Infrastructure | Works in progress | Total         |
|------------------------------------------------------|------|------------------------------------------------|--------------------------------|---------------------|--------------------------|----------------------|-------------------------|-----------------------|-------------------|---------------|
|                                                      |      | Fair Value 2024                                | Fair Value 2024                | Cost 2024           | Fair Value 2024          | Fair Value 2024      | Fair Value 2024         | Fair Value 2024       | Cost 2024         | 2024          |
| Basis of measurement                                 |      |                                                |                                |                     |                          |                      |                         |                       |                   |               |
| <b>Asset Values</b>                                  |      |                                                |                                |                     |                          |                      |                         |                       |                   |               |
| Opening gross value as at 1 July 2023                |      | 48,730,583                                     | 181,610,075                    | 74,363,967          | 772,126,306              | 311,799,351          | 228,110,721             | 43,676,369            | 74,172,397        | 1,734,581,769 |
| Additions at cost                                    |      | -                                              | -                              | 3,855,441           | 25,943,729               | 8,855,594            | 1,518,224               | -                     | 60,195,265        | 60,195,265    |
| Internal transfers from work in progress             |      | -                                              | 4,197,123                      | -                   | 348,595                  | 102,997              | 185,906                 | -                     | (44,411,111)      | -             |
| Contributed assets at valuation                      | 3    | (10,000)                                       | -                              | -                   | -                        | -                    | -                       | -                     | -                 | 635,498       |
| Disposals                                            |      | -                                              | -                              | (528,786)           | (35,005,043)             | (5,255,155)          | (1,910,947)             | -                     | -                 | (538,786)     |
| Write-offs                                           | 8    | -                                              | (1,370,998)                    | (325,997)           | -                        | -                    | -                       | -                     | -                 | (44,428,140)  |
| Revaluation adjustment to other comprehensive income |      | -                                              | -                              | -                   | 172,961,313              | 38,330,116           | 13,118,162              | -                     | -                 | 222,409,591   |
| Revaluation adjustment to capital loss               |      | -                                              | -                              | -                   | -                        | (432,138)            | (37,654)                | 996,458               | -                 | 996,458       |
| Internal transfers between asset classes             |      | -                                              | -                              | -                   | -                        | -                    | -                       | -                     | -                 | -             |
| Closing gross value as at 30 June 2024               |      | 48,720,583                                     | 184,450,118                    | 77,353,707          | 936,242,702              | 351,370,765          | 241,084,402             | 44,674,827            | 89,956,551        | 1,973,863,655 |
| <b>Accumulated depreciation and impairment</b>       |      |                                                |                                |                     |                          |                      |                         |                       |                   |               |
| Opening balance as at 1 July 2023                    |      | 27,401                                         | 51,314,695                     | 37,453,568          | 128,962,067              | 173,169,039          | 70,785,031              | 1,741,233             | -                 | 463,453,034   |
| Internal transfers between asset classes             |      | -                                              | 2,316                          | (2,316)             | 58,660                   | (40,314)             | (18,376)                | -                     | -                 | 31,341,579    |
| Depreciation provided in period                      |      | 1,246                                          | 5,778,147                      | 5,342,460           | 9,702,221                | 5,755,632            | 4,625,080               | 638,793               | -                 | (473,856)     |
| Depreciation on disposals                            |      | -                                              | -                              | -                   | -                        | (2,551,095)          | (833,757)               | -                     | -                 | (13,681,810)  |
| Revaluation adjustment to other comprehensive income | 8    | -                                              | (486,676)                      | (259,356)           | (9,530,924)              | (38,560,554)         | 18,551,693              | -                     | -                 | 119,387,113   |
| Revaluation adjustment to capital loss               |      | -                                              | -                              | -                   | 139,396,974              | (38,560,554)         | 18,551,693              | 9,352,103             | -                 | 9,352,103     |
| Accumulated depreciation as at 30 June 2024          | 8    | 28,647                                         | 56,088,482                     | 42,040,465          | 268,588,028              | 137,772,708          | 93,109,671              | 11,730,129            | -                 | 609,358,150   |
| Total written down value as at 30 June 2024          |      | 48,691,936                                     | 128,361,636                    | 35,253,222          | 667,654,674              | 213,598,057          | 147,974,731             | 32,944,698            | 89,956,551        | 1,364,455,505 |
| Range of estimated useful life in years              |      | Land: Not depreciated.<br>Improvements: 0 - 50 | 3 - 110                        | 1 - 60              | 10 - 400                 | 3 - 240              | 5 - 240                 | 40 - 80               | n/a               | n/a           |
| Addition of renewal assets                           |      | -                                              | -                              | -                   | -                        | -                    | -                       | -                     | 39,994,214        | 39,994,214    |
| Addition of other assets                             |      | -                                              | -                              | -                   | -                        | -                    | -                       | -                     | 20,201,651        | 20,201,651    |
| Total additions in period                            |      | -                                              | -                              | -                   | -                        | -                    | -                       | -                     | 60,195,865        | 60,195,865    |

Whitsunday Regional Council

Notes to the financial statements  
For the year ended 30 June 2024

15 Property, plant and equipment (continued)

| Note                                                 | Land and Improvements                      | Buildings and Other Structures | Plant and Equipment | Transport Infrastructure | Water Infrastructure | Sewerage Infrastructure | Marine Infrastructure | Works in progress | Total                |
|------------------------------------------------------|--------------------------------------------|--------------------------------|---------------------|--------------------------|----------------------|-------------------------|-----------------------|-------------------|----------------------|
|                                                      | Fair Value 2023                            | Fair Value 2023                | Cost 2023           | Fair Value 2023          | Fair Value 2023      | Fair Value 2023         | Fair Value 2023       | Cost 2023         | 2023                 |
|                                                      | \$                                         | \$                             | \$                  | \$                       | \$                   | \$                      | \$                    | \$                | \$                   |
| <b>Basis of measurement</b>                          |                                            |                                |                     |                          |                      |                         |                       |                   |                      |
| <b>Asset Values</b>                                  |                                            |                                |                     |                          |                      |                         |                       |                   |                      |
| Opening gross value as at 1 July 2022                | 48,298,430                                 | 147,198,569                    | 66,340,930          | 694,873,237              | 311,325,886          | 228,172,085             | 40,340,570            | 97,982,733        | 1,634,535,440        |
| Found assets first recognised                        | -                                          | 55,948                         | 42,205              | 422,753                  | 71,622               | 23,514                  | -                     | -                 | 816,042              |
| Additions at cost                                    | -                                          | -                              | -                   | -                        | -                    | -                       | -                     | 34,928,589        | 34,928,589           |
| Internal transfers from work in progress             | 431,153                                    | 21,893,568                     | 8,994,260           | 26,097,370               | 380,735              | 374,278                 | 505,995               | -                 | 676,715              |
| Contributed assets at valuation                      | -                                          | -                              | -                   | 676,715                  | -                    | -                       | -                     | -                 | (1,102,114)          |
| Disposals                                            | -                                          | (205,818)                      | (899,296)           | -                        | -                    | -                       | -                     | -                 | (1,102,114)          |
| Write-offs                                           | -                                          | (4,375,964)                    | (183,085)           | (16,590,588)             | (9,892)              | (459,156)               | -                     | -                 | (21,624,695)         |
| Revaluation adjustment to other comprehensive income | -                                          | 17,394,725                     | -                   | 69,348,633               | -                    | -                       | 2,931,804             | -                 | 86,713,358           |
| Internal transfers between asset classes             | -                                          | (221,953)                      | 91,953              | (2,701,804)              | -                    | -                       | -                     | (161,566)         | (161,566)            |
| Transfer to investment properties                    | -                                          | -                              | -                   | -                        | -                    | -                       | -                     | -                 | -                    |
| Closing gross value as at 30 June 2023               | <b>48,730,583</b>                          | <b>181,610,075</b>             | <b>74,383,957</b>   | <b>772,126,306</b>       | <b>311,765,351</b>   | <b>228,110,721</b>      | <b>43,678,369</b>     | <b>74,172,397</b> | <b>1,734,581,769</b> |
| <b>Accumulated depreciation and impairment</b>       |                                            |                                |                     |                          |                      |                         |                       |                   |                      |
| Opening balance as at 1 July 2022                    | 26,155                                     | 44,931,709                     | 33,210,503          | 113,519,310              | 167,527,642          | 66,420,834              | 1,014,049             | -                 | 426,650,202          |
| Internal transfers between asset classes             | -                                          | (6,791)                        | 5,522               | (90,885)                 | -                    | -                       | 95,154                | -                 | -                    |
| Depreciation provided in period                      | 1,246                                      | 5,104,855                      | 5,074,320           | 8,872,850                | 5,646,483            | 4,619,189               | 632,030               | -                 | 29,953,973           |
| Depreciation on disposals                            | -                                          | (93,935)                       | (673,929)           | -                        | -                    | -                       | -                     | -                 | (787,864)            |
| Depreciation on write-offs                           | -                                          | (2,854,337)                    | (162,848)           | (4,989,718)              | (8,086)              | (254,902)               | -                     | -                 | (7,989,881)          |
| Revaluation adjustment to other comprehensive income | -                                          | 4,033,154                      | -                   | 11,553,510               | -                    | -                       | -                     | -                 | 15,588,704           |
| Accumulated depreciation as at 30 June 2023          | <b>27,401</b>                              | <b>51,314,695</b>              | <b>37,453,565</b>   | <b>128,962,067</b>       | <b>173,165,039</b>   | <b>70,785,031</b>       | <b>1,741,233</b>      | <b>-</b>          | <b>463,463,034</b>   |
| Total written down value as at 30 June 2023          | <b>46,703,182</b>                          | <b>130,295,380</b>             | <b>36,930,399</b>   | <b>643,164,239</b>       | <b>138,600,312</b>   | <b>157,325,690</b>      | <b>41,937,136</b>     | <b>74,172,397</b> | <b>1,271,128,735</b> |
| Range of estimated useful life in years              | Land, Not depreciated improvements, 0 - 50 | 0 - 120                        | 0 - 60              | 0 - 400                  | 0 - 240              | 5 - 240                 | 0 - 120               | n/a               | n/a                  |
| Addition of renewal assets                           | -                                          | -                              | -                   | -                        | -                    | -                       | -                     | 23,955,031        | 23,955,031           |
| Addition of other assets                             | -                                          | -                              | -                   | -                        | -                    | -                       | -                     | 10,972,558        | 10,972,558           |
| Total additions in period                            | -                                          | -                              | -                   | -                        | -                    | -                       | -                     | <b>34,928,589</b> | <b>34,928,589</b>    |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

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#### 15 Property, plant and equipment (continued)

##### (a) Recognition

Each class of property, plant and equipment is stated at cost or fair value less, where applicable, any accumulated depreciation and accumulated impairment loss. Individual items of plant and equipment with a value of less than \$7,500 are treated as an expense in the year of acquisition. All other items of property, plant and equipment (including assets which are treated as network assets) are capitalised.

Expenditure necessarily incurred in either maintaining the operational capacity of assets or ensuring that their original life estimates are achieved, is considered maintenance and is treated as an expense as incurred. Pre-feasibility project costs (which may involve research and development) are also treated as an expense in the year they are incurred.

Expenditure incurred in accordance with Disaster Recovery Funding Arrangements, on road assets is analysed to determine whether the expenditure is capital in nature or not. The analysis of the expenditure involves Council engineers reviewing the nature and extent of expenditure on a given asset. For example, expenditure that patches a road is generally maintenance in nature, whereas a kerb to kerb rebuild is treated as capital. Material expenditure that extends the useful life or renews the service potential of the asset is capitalised.

##### (b) Measurement

Acquisitions of assets are initially recorded at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including freight in, architect's fees and engineering design fees and all other establishment costs.

Property, plant and equipment received in the form of contributions, are recognised as assets and revenues at fair value.

Direct labour and materials and an appropriate proportion of overheads expenditure incurred in the purchase or construction of assets is treated as capital expenditure and is included in capital work in progress. Assets under construction are not depreciated until they are completed and commissioned, at which time they are capitalised to the appropriate property, plant and equipment asset class.

##### (c) Capital work in progress

The cost of property, plant and equipment being constructed by the Council includes the cost of purchased services, materials, direct labour and an appropriate proportion of labour on-costs.

##### (d) Depreciation

Land is not depreciated as it has an unlimited useful life. Depreciation on other property, plant and equipment assets is calculated on a straight-line basis so as to write-off the net cost or revalued amount of each depreciable asset, progressively over its estimated useful life to Council. Management believes that the straight-line basis appropriately reflects the pattern of consumption of all Council assets.

Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time an asset is completed and commissioned ready for use.

Where assets have separately identifiable components that are subject to regular replacement, these components are assigned useful lives distinct from the asset to which they relate. Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset.

The depreciable amount of improvements to or on leasehold land is allocated progressively over the estimated useful lives of the improvements to the Council or the unexpired period of the lease, whichever is the shorter.

Depreciation methods and estimated useful lives of property, plant and equipment are reviewed at the end of each reporting period and adjusted where necessary to reflect any changes in the pattern of consumption, physical wear and tear, technical or commercial obsolescence, or management intentions. The condition assessments performed as part of the annual valuation process for assets measured at current replacement cost are used to estimate the useful lives of these assets at each reporting date.

##### (e) Land under roads

Land under the road network within the Council area that has been dedicated and opened for public use under the *Land Act 1994* or the *Land Title Act 1994* is not controlled by Council but is controlled by the state pursuant to the relevant legislation. Therefore, this land is not recognised in these financial statements.

##### (f) Impairment of non-current assets

Each non-current physical and intangible asset and group of assets is assessed for indicators of impairment annually.

##### (g) Valuation

###### (i) Valuation Processes

Council's valuation policies and procedures are set by Council, based on advice of the Asset Management Steering Committee which comprises the Director of Corporate Services, Manager Financial Services, Director of Infrastructure and Asset Custodians. Revaluations are undertaken by the Revaluation Working Group with procedures reviewed annually taking into consideration an analysis of movements in fair value and other relevant information.



# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

### 15 Property, plant and equipment (continued)

Land and improvements are measured at market value. Buildings and all infrastructure assets are measured on the revaluation basis, at fair value, in accordance with AASB 116 Property, Plant & Equipment and AASB 13 Fair Value Measurement. Other plant and equipment and work in progress are measured at cost.

Non-current physical assets measured at fair value are revalued, where required, so that the carrying amount of each class of asset does not materially differ from its fair value at the reporting date. This is achieved by engaging independent, professionally qualified condition assessors and valuers to determine the condition of the assets and the fair value (with the assets condition being one input) for each class of property, plant and equipment assets at least once every 5 years. This comprehensive valuation process involves the condition assessor/valuer making their own assessments of the condition of the assets at the date of inspection by either physically sighting a representative sample of Council assets across all asset classes or by referring to condition inspection information provided by another suitably qualified party.

In the intervening years between comprehensive valuations, Council reviews the asset categories for impairment, while checking against industry cost indexes for material changes in the fair value of Council's asset portfolio.

An analysis performed by management has indicated that, on average, the variance between an indexed asset value and the valuation by an independent valuer when performed is not significant and the indices used by Council are appropriate. This year, as in the past five years, Council has used the Local Government Association of Queensland Council Cost Index (LGAQ CCI) which is an indicator of cost increases across the range of services and infrastructure delivered by Local Government.

Any revaluation increment arising on the revaluation of an asset is credited to the appropriate class of the asset revaluation surplus, except to the extent it reverses a revaluation decrement for the class previously recognised as an expense. A decrease in the carrying amount on revaluation is charged as an expense to the extent it exceeds the balance, if any, in the revaluation surplus of that asset class.

On revaluation, accumulated depreciation is restated with the change in the carrying amount of the asset and any change in the estimate of remaining useful life.

Separately identified components of assets are measured on the same basis as the assets to which they relate.

#### Recognised fair value measurements

Council measures and recognises the following assets at fair value on a recurring basis:  
Investment properties

- Property, plant and equipment
  - Land and Improvements
  - Buildings and Other Structures
  - Transport Infrastructure
  - Water Infrastructure
  - Sewer Infrastructure
  - Marine Infrastructure

In accordance with AASB 13 fair value measurements are categorised on the following basis:

- Fair value based on quoted prices (unadjusted) in active markets for identical assets or liabilities (Level 1)
- Fair value based on inputs that are directly or indirectly observable for the asset or liability (Level 2)
- Fair value based on unobservable inputs for the asset and liability (Level 3)

The following table categorises fair value measurements as either level 2 or level 3 in accordance with AASB 13. Council does not have any assets or liabilities measured at fair value which meet the criteria for categorisation as level 1.

The fair values of the assets are determined using valuation techniques which maximise the use of observable data, where it is available, and minimise the use of entity specific estimates. If all significant inputs required to fair value of an asset are observable, the asset is included in level 2. If one or more of the significant inputs is not based on observable market data, the asset is included in level 3. This is the case for Council infrastructure assets, which are of a specialist nature for which there is no active market for similar or identical assets. These assets are valued using a combination of observable and unobservable inputs.

The table presents Council's assets and liabilities measured and recognised at fair value at 30 June 2024.

| Note                                         | Level 2<br>(Significant other<br>observable inputs) | Level 2<br>(Significant other<br>observable inputs) | Level 3<br>(Significant<br>unobservable<br>inputs) | Level 3<br>(Significant<br>unobservable<br>inputs) | Total                | Total                |
|----------------------------------------------|-----------------------------------------------------|-----------------------------------------------------|----------------------------------------------------|----------------------------------------------------|----------------------|----------------------|
|                                              | 2024                                                | 2023                                                | 2024                                               | 2023                                               | 2024                 | 2023                 |
|                                              | \$                                                  | \$                                                  | \$                                                 | \$                                                 | \$                   | \$                   |
| <b>Recurring fair value measurements</b>     |                                                     |                                                     |                                                    |                                                    |                      |                      |
| Investment Property                          |                                                     |                                                     |                                                    |                                                    |                      |                      |
| - Investment property - Land and Buildings   | 2,785,000                                           | 2,100,000                                           | -                                                  | -                                                  | 2,785,000            | 2,100,000            |
| <b>Property, plant and equipment</b>         |                                                     |                                                     |                                                    |                                                    |                      |                      |
| - Land and Improvements                      | 48,691,936                                          | 48,703,182                                          | -                                                  | -                                                  | 48,691,936           | 48,703,182           |
| - Buildings and Other Structures             | -                                                   | -                                                   | 128,341,636                                        | 130,295,380                                        | 128,341,636          | 130,295,380          |
| - Transport Infrastructure                   | -                                                   | -                                                   | 667,654,674                                        | 643,164,239                                        | 667,654,674          | 643,164,239          |
| - Water Infrastructure                       | -                                                   | -                                                   | 213,598,057                                        | 138,600,312                                        | 213,598,057          | 138,600,312          |
| - Sewerage Infrastructure                    | -                                                   | -                                                   | 147,974,731                                        | 157,325,690                                        | 147,974,731          | 157,325,690          |
| - Marine Infrastructure                      | -                                                   | -                                                   | 32,944,698                                         | 41,937,136                                         | 32,944,698           | 41,937,136           |
|                                              | <b>51,476,936</b>                                   | <b>50,803,182</b>                                   | <b>1,190,513,796</b>                               | <b>1,111,322,757</b>                               | <b>1,241,990,732</b> | <b>1,162,125,939</b> |
| <b>Non-recurring fair value measurements</b> |                                                     |                                                     |                                                    |                                                    |                      |                      |
| Non-current assets held for sale             | 625,000                                             | 1,655,000                                           | -                                                  | -                                                  | 625,000              | 1,655,000            |

**Whitsunday Regional Council**  
**Notes to the financial statements**  
**For the year ended 30 June 2024**  
18 Property, plant and equipment (continued)  
(ii) Valuation techniques used to derive fair values

| Asset class and fair value hierarchy     | Valuation approach       | Last comprehensive valuation date | Valuer engaged                      | Key assumptions and estimates (related data sources)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Index applied change in index recognised this year      | Other interim revaluation adjustment                                     |
|------------------------------------------|--------------------------|-----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------|
| Land and Improvements (level 2)          | Comprehensive            | 30-Jun-23                         | Assetic Valuers                     | Market values have been derived from Direct Comparison Method with local market trends.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NIL                                                     | NIL                                                                      |
| Buildings and Other Structures (level 3) | Comprehensive            | 30-Jun-23                         | Assetic Valuers                     | Inputs to the valuation included the design and construction, average costs of construction, condition and consumption score for each component.<br><br>The unobservable inputs used to assess the level of remaining service potential required extensive professional judgement and impacted significantly on the final determination of fair value. As such these assets were classified as having been valued using Level 3 valuation inputs. This method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.<br><br>This approach estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. As a result, the revaluation for Building and Other Structures are classified as having been valued using Level 3 valuation inputs.                                                                                                                                                                                | NIL due to cumulative indexation below policy threshold | Condition inspections performed by an independent third party            |
| Transport Infrastructure (level 3)       | Current Replacement Cost | 30-Jun-24                         | Shepherd Asset Management Solutions | Value of assets were assessed on the basis of determining the Gross Replacement Cost of the modern equivalent and then adjusting for the level of consumed future economic benefit and impairment.<br><br>Valuation Methods:<br>- First Principles Approach utilising labour rates, plant hire, supply contract costs for raw materials<br>- Average cost of outsourced projects or internal construction projects<br>- Benchmarking rate based on surrounding councils audited unit rates<br>Remaining useful lives calculated utilising independent consulting firm condition inspection data.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | NIL due to comprehensive valuation applied              | Review of conditions reports supplied by the technical team and applied. |
| Water and Sewer Infrastructure (level 3) | Current Replacement Cost | 30-Jun-24                         | Shepherd Asset Management Solutions | Gross Replacement Cost for passive assets was calculated by reference to asset linear and area specifications, estimated labour and material inputs, services costs, and overhead allocations. For internal construction estimates, material and services costs were based on existing supplier contract rates or supplier price lists and labour wage rates were based on Councils EA. All direct costs were allocated to assets at standard usage quantities according to recently completed similar projects. Where construction is outsourced, CRC was based on the average of completed similar projects over the last few years.<br><br>Active Assets conditions data has been prepared utilising the NSW Reference Rates Manual. Valuation of Water Supply, Sewerage and Stormwater Assets was used. The manual is published by the NSW Government Office of Water and references actual contract costs (including overheads) or the modern equivalent replacement cost for conventional facilities. This document details the asset useful lives for each facility which has been compared with WRC staff's knowledge and utilised at the proportional level of each asset. | NIL due to comprehensive valuation applied              | Review of conditions reports supplied by the technical team and applied. |
| Marine Infrastructure (level 3)          | Current Replacement Cost | 30-Jun-24                         | Shepherd Asset Management Solutions | Valuation Method:<br>- First Principles Approach utilising labour rates, plant hire, supply contract costs for raw materials<br>- Average cost of outsourced projects or internal construction projects<br>Remaining useful lives calculated utilising independent consulting firm condition inspection data.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | NIL due to comprehensive valuation applied              | Review of conditions reports supplied by the technical team and applied. |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

#### 16 Contract balances

Where the amounts billed to customers are based on the achievement of various milestones established in the contract, the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer.

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before payment is due, Council presents the work in progress as a contract asset, unless the rights to that amount of consideration are unconditional, in which case Council recognises a receivable.

When an amount of consideration is received from a customer / fund provider prior to Council transferring a good or service to the customer, Council presents the funds which exceed revenue recognised as a contract liability.

##### (a) Contract assets

| 2024<br>\$ | 2023<br>\$ |
|------------|------------|
| 6,694,019  | 2,867,685  |

##### (b) Contract liabilities

Funds received upfront to construct Council controlled assets

Deposits received in advance of services provided

|                   |                  |
|-------------------|------------------|
| 15,593,160        | 5,887,590        |
| 1,224,385         | 1,512,664        |
| <b>16,817,545</b> | <b>7,400,254</b> |

Current contract liabilities

|                   |                  |
|-------------------|------------------|
| 16,817,545        | 7,400,254        |
| <b>16,817,545</b> | <b>7,400,254</b> |

Revenue recognised that was included in the contract liability balance at the beginning of the year:

Funds to construct Council controlled assets

Deposits received in advance of services provided

|                  |                  |
|------------------|------------------|
| 4,769,265        | 2,882,886        |
| 801,720          | 881,024          |
| <b>5,570,985</b> | <b>3,764,510</b> |

#### 17 Leases

##### Council as a lessee

Where Council assesses that an agreement contains a lease, a right-of-use asset and lease liability is recognised on inception of the lease. Council does not separate lease and non-lease components for any class of assets and has accounted for lease payments as a single component.

The right-of-use asset is measured using the cost model where cost on initial recognition comprises: the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration, less any lease incentives received. The right-of-use is depreciated over the lease term on a straight-line basis and assessed for impairment in accordance with the impairment of asset accounting policy.

The lease liability is initially recognised at the present value of the remaining lease payments at the commencement of the lease. The discount rate is the rate implicit in the lease, however where this cannot be readily determined then the Council's incremental borrowing rate for a similar term with similar security is used.

##### Exceptions to lease accounting

Council has applied the exceptions to lease accounting for both short-term leases (i.e. leases with a term of less than or equal to 12 months) and leases of low-value assets. Council recognises the payments associated with these leases as an expense on a straight-line basis over the lease term.

##### Leases at significantly below market value / Concessionary leases

Council has elected to measure the right-of-use asset arising from the concessionary leases at cost which is based on the associated lease liability at initial recognition.

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

#### 17 Leases (continued)

##### Terms and conditions of leases

###### Buildings

Council has two building leases for the Cannonvale Library and the Cannonvale Customer Service Centre. These leases are each for 2 years and both leases include a fixed increase after the first year.

###### Land

Council leases ten land assets from the Department of Natural Resources, Mining and Energy. Five of these land leases have terms of between 20 and 100 years, while five have no term i.e. can be cancelled with reasonable notice.

##### (a) Right of use assets

|                                  | Buildings<br>\$ | Equipment<br>\$ | Land<br>\$ | Total<br>\$ |
|----------------------------------|-----------------|-----------------|------------|-------------|
| Balance at 1 July 2023           | 768,997         | 42,717          | 1,428,004  | 2,239,719   |
| Additions to right-of-use assets | -               | -               | -          | -           |
| Depreciation charge              | (279,636)       | (32,880)        | (30,390)   | (342,906)   |
| Balance at 30 June 2024          | 489,361         | 9,837           | 1,397,614  | 1,896,813   |

|                                  | Buildings<br>\$ | Equipment<br>\$ | Land<br>\$ | Total<br>\$ |
|----------------------------------|-----------------|-----------------|------------|-------------|
| Balance at 1 July 2022           | 183,960         | 215,408         | 1,506,293  | 1,905,661   |
| Additions to right-of-use assets | 838,907         | -               | -          | 838,907     |
| Depreciation charge              | (253,869)       | (172,691)       | (78,289)   | (504,849)   |
| Balance at 30 June 2023          | 768,997         | 42,717          | 1,428,004  | 2,239,719   |

##### (b) Lease liabilities

The movement in lease liabilities during the year is as per the table below.

|                              | 2024<br>\$ | 2023<br>\$ |
|------------------------------|------------|------------|
| Balance at start of the year | 2,299,114  | 1,926,971  |
| New leases during the year   | -          | 838,906    |
| Payments made in the year    | (312,561)  | (466,763)  |
| Balance at end of the year   | 1,986,553  | 2,299,114  |

##### Classified as:

|             |           |           |
|-------------|-----------|-----------|
| Current     | 309,262   | 403,563   |
| Non-Current | 1,677,291 | 1,895,551 |
|             | 1,986,553 | 2,299,114 |

The table below shows the maturity analysis of the lease liabilities based on contractual cashflows and therefore the amounts will not be the same as the recognised lease liability in the statement of financial position.

|      | < 1 year<br>\$ | 1-5 years<br>\$ | > 5 years<br>\$ | Total<br>\$ | Total per<br>Statement of<br>Financial<br>Position<br>\$ |
|------|----------------|-----------------|-----------------|-------------|----------------------------------------------------------|
| 2024 | 356,902        | 449,645         | 2,598,377       | 3,404,924   | 1,986,553                                                |
| 2023 | 370,855        | 753,495         | 2,651,428       | 3,775,778   | 2,299,114                                                |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

#### 17 Leases (continued)

##### (c) Liabilities not recognised - extension options

For building leases, Council includes extension options which can be exercised at Council's discretion, at each reporting date Council assesses whether it is reasonably certain that the extension options will be exercised based on current operations and Council strategy.

There are no potential future lease payments which are not included in the lease liability as the exercise of the option has been assessed as not reasonably certain.

##### (d) Amounts included in the statement of comprehensive income related to leases

The following amounts have been recognised in the statement of comprehensive income for leases where Council is the lessee:

##### Council

Interest on lease liabilities  
Depreciation of right-of-use assets  
Expenses relating to low-value assets

| 2024<br>\$                            | 2023<br>\$     |
|---------------------------------------|----------------|
| 58,294                                | 43,722         |
| 342,906                               | 504,849        |
| 143,280                               | 67,732         |
| <b>544,480</b>                        | <b>616,303</b> |
|                                       |                |
| <b>Total cash outflows for leases</b> | <b>370,855</b> |
|                                       | <b>510,485</b> |

##### (e) Leases at significantly below market value - Concessionary / peppercorn leases

Council has a number of leases at significantly below market for land and buildings which are used for:

Euri Creek Cattle Yards  
Bowen Tourist Information Centre (Big Mango)  
Dingo Beach Transfer Station  
Mt Rooper Reservoir  
Dingo Beach Telecommunication Facility  
Inyd Robert Jetty  
High Tide Area  
Water Licence No 577241  
Shute Harbour Road, Hamilton Plains (Water Supply)  
Black Street Riordanvale (Telecommunications)

The leases are generally between 2 and 100 years and require payments between \$100 and \$190,000 per annum. The use of the right-to-use asset is restricted by the lessors to specified community services which Council must provide, these services are detailed in the leases.

Council does not believe that any of the leases in place are individually material.





# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Note | 2024<br>\$        | 2023<br>\$        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------------|-------------------|
| <b>19 Provisions (continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |                   |                   |
| <b>Quarry rehabilitation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                   |                   |
| A provision is made for the cost of restoration in respect of the quarry where it is probable the Council will be liable, or required, to incur such a cost on the cessation of use of this facility. The provision is measured at the expected cost of the work required, discounted to current day values using the interest rates attaching to Commonwealth Government guaranteed securities with a maturity date corresponding to the anticipated date of the restoration.                                                                                                                                                                                                                                                                                                                                                                    |      |                   |                   |
| The provision represents the present value of the anticipated future costs associated with the closure of the quarry, reclamation and rehabilitation of these sites. The calculation of this provision requires assumptions such as application of environmental legislation, site closure dates, available technologies and engineering cost estimates. These uncertainties may result in future actual expenditure differing from amounts currently provided. Because of the long-term nature of the liability, the most significant uncertainty in estimating the provision is the costs that will be incurred. The provision recognised is reviewed annually and updated based on the facts and circumstances available at the time.                                                                                                          |      |                   |                   |
| Management estimates that the restoration will occur in 2042.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                   |                   |
| The provision is the present value of the estimated cost of restoring the Foxdale Quarry site to a usable state at the end of its useful life. The projected cost is \$2,092,292 and this cost is expected to be incurred in 2042.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |                   |                   |
| <b>Details of movements in provision:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |                   |                   |
| Balance at the beginning of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | 744,996           | 717,664           |
| Increase in provision - due to change in time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7    | 32,109            | 27,701            |
| Increase/(decrease) in provision on Council held land - change in discount rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 21   | (8,286)           | (10,603)          |
| Increase/(decrease) in provision on Council controlled land - change in discount rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 4    | (35,325)          | (45,202)          |
| Increase/(decrease) in estimate of future cost on Council held land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 21   | 8,463             | 10,527            |
| Increase/(decrease) in estimate of future cost on Council held land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 8    | 35,304            | -                 |
| Increase/(decrease) in estimate of future cost Council controlled land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 8    | 186,587           | 44,879            |
| <b>Balance at end of financial year</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | <b>963,818</b>    | <b>744,966</b>    |
| <b>Landfill remediation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                   |                   |
| A provision is made for the monitoring and future remediation activities at currently operating as well as closed landfill sites, where it is probable that Council will be liable for undertaking such activities and incurring such costs at a future date. The provision is measured at the expected cost of the work required, discounted to current day values using an appropriate cost of capital figure.                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |                   |                   |
| The provision represents the present value of the anticipated future costs associated with the monitoring and remediation of the landfill sites within the region. The calculation of this provision requires assumptions such as application of environmental legislation, site closure dates, available technologies and engineering cost estimates. These uncertainties may result in future actual expenditure differing from amounts currently provided. Because of the long-term nature of the liability, the most significant uncertainty in estimating the provision is the costs that will be incurred in the future. Management estimates that costs will be incurred annually over future years between 2025 and 2080. The provision will be reviewed annually and updated based on the facts and circumstances available at the time. |      |                   |                   |
| <b>Details of movements in provision:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |                   |                   |
| Balance at the beginning of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | 21,437,312        | 23,282,779        |
| Increase/(decrease) due to change in estimate of costs of future obligations at landfill sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 8    | 10,148,870        | (1,468,629)       |
| Increase/(decrease) due to change in discount rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 4    | (367,186)         | (752,296)         |
| Increase in provision - due to change in time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7    | 876,860           | 736,732           |
| Amount expended in current year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | (333,657)         | (361,274)         |
| <b>Balance at end of financial year</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | <b>31,762,199</b> | <b>21,437,312</b> |
| <b>Breakdown of provisions between current and non-current:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                   |                   |
| <b>Current</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                   |                   |
| Landfill remediation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | 5,101,660         | 1,392,806         |
| Annual Leave                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 4,664,910         | 4,106,342         |
| Long service leave                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | 4,995,155         | 4,837,718         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | <b>14,761,725</b> | <b>10,336,866</b> |
| <b>Non-Current</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |                   |                   |
| Landfill remediation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | 26,660,539        | 20,044,506        |
| Long service leave                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | 2,076,174         | 2,076,836         |
| Quarry rehabilitation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 963,818           | 744,966           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | <b>29,700,531</b> | <b>22,866,308</b> |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Note | 2024<br>\$         | 2023<br>\$         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------|--------------------|
| <b>20 Borrowings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      |                    |                    |
| Borrowings are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial recognition these liabilities are measured at amortised cost.                                                                                                                                                                                                                                                                                                                                                                              |      |                    |                    |
| In accordance with the <i>Local Government Regulation 2012</i> Council adopts an annual debt policy that sets out Council's planned borrowings for the next nine years. Council's current policy is to only borrow for capital projects and for a term no longer than the expected life of the asset. Council also aims to comply with the Queensland Treasury Corporation's borrowing guidelines and ensure that sustainability indicators remain within acceptable levels at all times. All borrowing costs are expensed in the period in which they are incurred. |      |                    |                    |
| <b>Current</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                    |                    |
| Queensland Treasury Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 6,026,073          | 5,781,363          |
| <b>Non-Current</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                    |                    |
| Queensland Treasury Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 57,304,674         | 63,233,438         |
| <b>Total Borrowings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 27   | <b>63,330,947</b>  | <b>69,014,791</b>  |
| <b>Movements in borrowings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                    |                    |
| <b>Queensland Treasury Corporation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |                    |                    |
| Balance at the beginning of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | 69,014,791         | 74,456,088         |
| Principal repayments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | (5,683,844)        | (5,441,297)        |
| Balance at end of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 27   | <b>63,330,947</b>  | <b>69,014,791</b>  |
| The QTC loan market value at the reporting date was \$57,935,745                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                    |                    |
| This represents the value of the debt if Council repaid it at that date. As it is the intention of Council to hold the debt for its term, no provision is required to be made in these accounts.                                                                                                                                                                                                                                                                                                                                                                     |      |                    |                    |
| No assets have been pledged as security by the council for any liabilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      |                    |                    |
| Borrowings are underwritten by the Queensland State Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                    |                    |
| Unsecured borrowings are provided by the Queensland Treasury Corporation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |                    |                    |
| No interest has been capitalised during the current or comparative reporting period. Expected final repayment dates vary from 15 June 2026 to 15 June 2040.                                                                                                                                                                                                                                                                                                                                                                                                          |      |                    |                    |
| There have been no defaults or breaches of the loan agreement during the period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                    |                    |
| Principal and interest repayments are made quarterly in arrears.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                    |                    |
| <b>21 Asset revaluation surplus</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |                    |                    |
| The asset revaluation surplus comprises adjustments relating to changes in value of property, plant and equipment that do not result from the use of those assets. Net incremental changes in the carrying value of classes of non-current assets since their initial recognition are accumulated in the asset revaluation surplus.                                                                                                                                                                                                                                  |      |                    |                    |
| Increases and decreases on revaluation are offset within a class of assets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      |                    |                    |
| Where a class of assets is decreased on revaluation, that decrease is offset first against the amount remaining in the asset revaluation surplus in respect of that class. Any excess is treated as an expense.                                                                                                                                                                                                                                                                                                                                                      |      |                    |                    |
| When an asset is disposed of, the amount reported in surplus in respect of that asset is retained in the asset revaluation surplus and not transferred to retained surplus.                                                                                                                                                                                                                                                                                                                                                                                          |      |                    |                    |
| <b>Movements in the Asset Revaluation Surplus were as follows:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                    |                    |
| Balance at the beginning of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | 433,007,357        | 362,680,027        |
| Adjustments to property, plant and equipment through revaluations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                    |                    |
| Land and Improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | -                  | -                  |
| Buildings and other structures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | -                  | 13,331,531         |
| Water infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |      | 74,890,670         | -                  |
| Sewerage infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | (5,433,531)        | -                  |
| Marine infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | -                  | -                  |
| Transport infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 33,565,339         | 57,795,123         |
| Change in value of future rehabilitation costs credited (charged) to the surplus                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      | (177)              | 76                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | <b>103,022,301</b> | <b>71,125,730</b>  |
| Balance at end of financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      | <b>536,829,658</b> | <b>433,807,357</b> |

# Whitsunday Regional Council

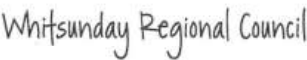
## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Note | 2024<br>\$         | 2023<br>\$         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------|--------------------|
| <b>21 Asset revaluation surplus (continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |                    |                    |
| <b>Asset revaluation surplus analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                    |                    |
| The closing balance of the asset revaluation surplus is comprised of the following asset categories:                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |                    |                    |
| Land and improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 9,171,185          | 9,171,362          |
| Buildings and other structures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | 18,837,050         | 18,837,050         |
| Transport infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      | 364,975,546        | 331,410,206        |
| Water infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | 106,648,472        | 31,757,802         |
| Sewerage infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      | 37,197,405         | 42,630,937         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | <b>636,829,658</b> | <b>433,807,357</b> |
| <b>22 Commitments for expenditure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                    |                    |
| <b>Capital commitments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |                    |                    |
| Commitment exclusive of GST for the construction of the following assets, contracted for at the reporting date, but not recognised as liabilities are as follows:                                                                                                                                                                                                                                                                                                                                                                                           |      |                    |                    |
| Fleet Replacements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      | 2,243,793          | 1,723,356          |
| Regional Amenity Upgrades and New Installations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      | 23,492             | 501,904            |
| Edgecumbe Heights Walking Track Upgrade – Construction Works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | -                  | 864,845            |
| Design and Construction of Shute Harbour Small Tourism Operators Building                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | -                  | 1,033,700          |
| LRCI - Design and Construction of Cannonvale Skate Bowl - Stage 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      | -                  | 583,710            |
| Cannon Valley Network Reconfiguration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 749,270            | -                  |
| Construction of Sewerage Treatment Plant - Lake Proserpine                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      | -                  | 57,370             |
| Kelsey Creek Landfill                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 2,115,479          | -                  |
| Superintendency Services for Water and Sewer Projects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | 343,417            | 45,500             |
| Collinsville Swimming Pool - Design & Construction of Bulkhead & Retiling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      | 657,302            | -                  |
| Disaster Recovery DRFA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      | 14,660,593         | 4,699,761          |
| Other Assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      | 4,521,202          | 3,221,686          |
| These expenditures are payable within one year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      | <b>25,314,547</b>  | <b>12,731,832</b>  |
| <b>23 Events after reporting period</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                    |                    |
| There were no material adjusting or disclosing events after the balance date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |                    |                    |
| <b>24 Contingent liabilities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |                    |                    |
| Details and estimates of maximum amounts of contingencies are as follows:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                    |                    |
| <b>Local Government Workcare</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |                    |                    |
| The Council is a member of the Queensland local government workers compensation self-insurance scheme, Local Government Workcare. Under this scheme Council has provided a bank guarantee to cover bad debts which may remain should the self insurance licence be cancelled and there was insufficient funds available to cover outstanding liabilities. Only the Queensland Government's workers compensation authority may call on any part of the guarantee should the above circumstances arise.                                                       |      |                    |                    |
| Council's maximum exposure to the bank guarantee is:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | <b>1,106,072</b>   | <b>938,962</b>     |
| <b>Local Government Mutual</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      |                    |                    |
| Council is a member of the local government mutual liability self-insurance pool, LGM Queensland. In the event of the pool being wound up or is unable to meet its debts as they fall due, the trust deed and rules provide that any accumulated deficit will be met by the individual pool members in the same proportion as their contribution to the total pool contributions in respect to any year that a deficit arises. At 30 June 2023 the Financial Statements reported an accumulated surplus and it is not anticipated any liability will arise. |      |                    |                    |
| Accumulated surplus:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      | <b>71,860,112</b>  | <b>69,455,872</b>  |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Note       | 2024<br>\$   | 2023<br>\$   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| <b>25 Superannuation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |              |              |
| Council contributes to the LGIA Super Regional Defined Benefits Fund (the scheme), at the rate of 12% for each permanent employee who is a defined benefit member. This rate is set in accordance with the LGIA Super trust deed and may be varied on the advice of an actuary. The Regional Defined Benefits Fund is a complying superannuation scheme for the purpose of the Commonwealth Superannuation Industry (Supervision) legislation and is also governed by the Local Government Act 2009. The scheme is managed by the LGIA super trustee as trustee for LGIA super trading as Brighter Super.                                   |            |              |              |
| The scheme is a pooled defined benefit plan and it is not in accordance with the deed to allocate obligations, plan assets and costs at the council level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |              |              |
| Any amount by which the scheme is over or under funded may affect future benefits and result in a change to the contribution rate obligations, but has not been recognised as an asset or liability of Council.                                                                                                                                                                                                                                                                                                                                                                                                                             |            |              |              |
| Technically Council can be liable to the scheme for a portion of another local governments' obligations should that local government be unable to meet them. However the risk of this occurring is extremely low and in accordance with the LGIA super trust deed changes to Council's obligations will only be made on the advice of an actuary.                                                                                                                                                                                                                                                                                           |            |              |              |
| The last completed actuarial assessment of the scheme was undertaken as at 1 July 2021. The actuary indicated that "At the valuation date of 1 July 2021, the net assets of the scheme exceeded the vested benefits and the scheme was in a satisfactory financial position as at the valuation date." The measure of vested benefits represents the value of benefit entitlements should all participating employees voluntarily exit the scheme. The Council is not aware of anything that has happened since that time that indicates the assets of the scheme are not sufficient to meet the vested benefits, as at the reporting date. |            |              |              |
| No changes have been made to prescribed employer contributions which remain at 12% of employee salary or wages and there are no known requirements to change the rate of contributions.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            |              |              |
| The next triennial actuarial review is not due until 1 July 2024.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |            |              |              |
| The most significant risks that may result in LGIA super increasing the contribution rate, on the advice of the actuary, are:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |              |              |
| Investment risk - The risk that the scheme's investment returns will be lower than assumed and additional contributions are needed to fund the shortfall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |              |              |
| Salary growth risk - The risk that wages or salaries will rise more rapidly than assumed, increasing vested benefits to be funded.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |              |              |
| Superannuation contributions made to the Regional Defined Benefits Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            | 122,572      | 140,218      |
| Other superannuation contributions for employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            | 4,117,788    | 3,573,142    |
| Total superannuation contributions paid by Council for employees:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 5          | 4,240,360    | 3,713,360    |
| <b>26 Reconciliation of net result for the year to net cash inflow from operating activities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |              |              |
| Net result                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            | (17,768,204) | 23,739,917   |
| Non-cash operating items                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |              |              |
| Impairment of receivables and bad debts written off                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 7          | 317,062      | 220,833      |
| Depreciation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            | 31,684,485   | 30,458,822   |
| Change in restoration provisions expensed to finance costs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 7          | 908,969      | 764,433      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            | 32,910,536   | 31,444,088   |
| Investing and development activities (non-cash)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |              |              |
| Capital grants, subsidies and contributions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3 (d) (ii) | (33,725,703) | (26,354,278) |
| Capital income                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 4          | (1,134,653)  | (2,490,538)  |
| Capital expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 8          | 49,492,736   | 13,756,280   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            | 14,632,380   | (15,088,536) |
| Changes in operating assets and liabilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |              |              |
| (Increase)/ decrease in receivables                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | (1,310,449)  | 1,513,613    |
| (Increase)/ decrease in other assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            | (1,860,794)  | (1,187,118)  |
| (Increase)/ decrease in contract assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            | (266,724)    | 1,132        |
| (Increase)/ decrease in inventories                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 190,545      | (32,411)     |
| Increase/ (decrease) in payables                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            | 6,498,836    | 2,109,969    |
| Increase/ (decrease) in contract liabilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            | (288,280)    | 298,673      |
| Increase/ (decrease) in provisions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            | 715,341      | 927,712      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            | 3,878,475    | 3,631,570    |
| Net cash inflow from operating activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            | 33,653,187   | 43,727,039   |



Notes to the Financial Statements  
For the year ended 30 June 2024

27 Financial instruments and financial risk management  
(a) Financial assets and financial liabilities

Council has exposure to the following risks arising from financial instruments:

- credit risk
- liquidity risk
- market risk

Risk management framework

Council is responsible for the establishment and oversight of the risk management framework, together with developing and monitoring risk management policies.

Council's Audit and Risk Committee approves policies for overall risk management, as well as providing oversight of Council's credit, liquidity and market risks.

Council's risk management policies are established to identify and analyse the risks faced, to set appropriate limits and controls and to monitor these risks and adherence against limits. Council aims to manage volatility to minimise potential adverse effects on the financial performance of Council.

Council's Audit and Risk Committee oversees how management monitors compliance with the Council's risk management policies and procedures, and reviews the adequacy of the risk management framework in relation to the risks faced by Council. The audit committee is assisted in its oversight role by the internal audit function. Internal audit undertakes both regular and ad hoc reviews of risk management controls and procedures, the results of which are reported to the audit committee.

Credit risk

Credit risk is the risk of financial loss if a counterparty to the financial instrument fails to meet its contractual obligations. These obligations arise principally from Council's investments and receivables from customers.

Exposure to credit risk is managed through regular analysis of credit counterparty ability to meet payment obligations.

Investments in financial instruments are required to be made with Queensland Treasury Corporation (QTC) or similar State and Commonwealth bodies or financial institutions in Australia, in line with the requirements of the *Statutory Bodies Financial Arrangements Act 1982*.

No collateral is held as security relating to the financial assets held by Council.

The carrying amounts of financial assets at the end of the reporting period represent the maximum exposure to credit risk for Council.

Liquidity risk

Liquidity risk is the risk that Council will encounter difficulty in meeting the obligations associated with its financial liabilities that are settled by delivering cash or another financial asset.

Council's approach to managing liquidity is to ensure, as far as possible, that it will have sufficient liquidity to meet its liabilities when they are due, under both normal and stressed conditions, without incurring unacceptable losses or risking damage to Council's reputation.

Exposure to liquidity risk

Council is exposed to liquidity risk through its normal course of business and through its borrowings with QTC.

Council manages its exposure to liquidity risk by maintaining sufficient cash deposits and undrawn facilities, both short and long term, to cater for unexpected volatility in cash flows. These facilities are disclosed in Note 20. The following lines of credit were available at the end of the reporting period:

|                                                  | 2024<br>\$ | 2023<br>\$ |
|--------------------------------------------------|------------|------------|
| Overdraft - QTC working capital facility - limit | 20,000,000 | 20,000,000 |
| Available at 30 June                             | 20,000,000 | 20,000,000 |

# Whitsunday Regional Council

## Notes to the Financial Statements For the year ended 30 June 2024

### 27 Financial instruments and financial risk management (continued)

#### (a) Financial assets and financial liabilities (continued)

The following table sets out the liquidity risk in relation to financial liabilities (excluding lease liabilities) held by Council. It represents the remaining contractual cashflows (principal and interest) of financial liabilities at the end of the reporting period, excluding the impact of netting agreements.

|                          | 0-1 year   | 1 to 5 years | Over 5 years | Total contractual cash flows | Carrying amount |
|--------------------------|------------|--------------|--------------|------------------------------|-----------------|
|                          | \$         | \$           | \$           | \$                           | \$              |
| <b>2024</b>              |            |              |              |                              |                 |
| Trade and other payables | 24,743,954 | 3,079,883    | -            | 27,823,837                   | 27,823,837      |
| Loans - QTC              | 8,223,105  | 31,264,825   | 36,042,778   | 75,530,708                   | 63,330,947      |
|                          | 32,967,059 | 34,344,708   | 36,042,778   | 103,354,545                  | 91,154,784      |
| <b>2023</b>              |            |              |              |                              |                 |
| Trade and other payables | 16,826,723 | 4,498,279    | -            | 21,325,002                   | 21,325,002      |
| Loans - QTC              | 8,223,105  | 32,024,615   | 43,506,093   | 83,753,813                   | 69,014,791      |
|                          | 25,049,828 | 36,522,894   | 43,506,093   | 105,078,815                  | 90,339,793      |

The outflows in the above table are not expected to occur significantly earlier or for significantly different amounts than indicated in the table.

#### Market risk

Market risk is the risk that changes in market indices, such as interest rates, will affect Council's income or the value of its holdings of financial instruments.

#### Interest rate risk

Council is exposed to interest rate risk through investments with QTC and other financial institutions. Council has access to a mix of variable and fixed rate funding options through these institutions so that interest rate risk exposure can be minimised.

#### Sensitivity

Sensitivity to interest rate movements is shown for variable financial assets and liabilities based on the carrying amount at reporting date.

The following interest rate sensitivity analysis depicts what effect a reasonably possible change in interest rates (assumed to be 1%) would have on the net profit and total community equity, based on the carrying values at the end of the reporting period. The calculation assumes that the change in interest rates would be held constant over the period.

|                           | Net carrying amount | Effect on Net Result |             | Effect on Equity |             |
|---------------------------|---------------------|----------------------|-------------|------------------|-------------|
|                           |                     | 1% increase          | 1% decrease | 1% increase      | 1% decrease |
|                           | \$                  | \$                   | \$          | \$               | \$          |
| <b>2024</b>               |                     |                      |             |                  |             |
| Cash and cash equivalents | 116,414,816         | 1,164,148            | (1,164,148) | 1,164,148        | (1,164,148) |
| Investments               | 20,000,000          | 200,000              | (200,000)   | 200,000          | (200,000)   |
| Loans - QTC               | (63,330,947)        | -                    | -           | -                | -           |
|                           | 73,083,869          | 1,364,148            | (1,364,148) | 1,364,148        | (1,364,148) |
| <b>2023</b>               |                     |                      |             |                  |             |
| Cash and cash equivalents | 98,898,730          | 988,987              | (988,987)   | 988,987          | (988,987)   |
| Investments               | 30,000,000          | 300,000              | (300,000)   | 300,000          | (300,000)   |
| Loans - QTC               | (69,014,791)        | -                    | -           | -                | -           |
|                           | 59,883,939          | 1,288,987            | (1,288,987) | 1,288,987        | (1,288,987) |

In relation to the QTC loans held by the Council, the following has been applied:

QTC Fixed Rate Loan - financial instruments with fixed interest rates which are carried at amortised cost are not subject to interest rate sensitivity.

#### (b) Fair value

The fair value of trade and other receivables and payables is assumed to approximate the value of the original transaction, less any allowance for impairment.

#### Measurement of fair value

The valuation technique used in measuring other financial liabilities is discounted cash flows. This valuation model considers the present value of expected payments, discounted using a risk-adjusted discount rate.



## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

#### 27 Financial instruments and financial risk management (continued)

##### (c) Reconciliation of liabilities arising from financing activities

| 2024            | As at<br>30 June 2023 | Cash flows  | Non-cash<br>changes | As at<br>30 June 2024 |
|-----------------|-----------------------|-------------|---------------------|-----------------------|
| Loans           | 69,014,791            | (5,683,844) | -                   | 63,330,947            |
| Lease liability | 2,299,114             | (312,561)   | -                   | 1,986,553             |
|                 | 71,313,905            | (5,996,405) | -                   | 65,317,500            |

| 2023            | As at<br>30 June 2022 | Cash flows  | Non-cash<br>changes | As at<br>30 June 2023 |
|-----------------|-----------------------|-------------|---------------------|-----------------------|
| Loans           | 74,456,088            | (5,441,297) | -                   | 69,014,791            |
| Lease liability | 1,926,970             | (466,763)   | 838,907             | 2,299,114             |
|                 | 76,383,058            | (5,908,060) | 838,907             | 71,313,905            |

#### 28 National competition policy

A "business activity" of a local government is any activity that involves trading in goods or services.

The Code of Competitive Conduct (CCC) must be applied to the following business activities

##### (a) A building certifying activity that

- (i) involves performing building certifying functions within the meaning of the Building Act, section 8; and
- (ii) is prescribed under a regulation\*.

\*Section 38 of the *Local Government Regulation 2012* lists the local government's whose activities are prescribed building certifying activities

##### (b) A roads activity, other than a roads activity for which business is conducted only through a sole supplier arrangement, that involves

- (i) the construction or maintenance of state controlled roads for which the local government submits an offer to carry out work in response to a tender invitation.
- (ii) construction or road maintenance on another local government's roads which the local government has put out to tender.

Each local government may elect to apply a Code of Competitive Conduct (CCC) to any other identified business activities. However, for any with current expenditure of \$340,000 or more, the local government must decide, by resolution each year, whether to apply the CCC to that activity.

In general, applying the competitive code of conduct means that the competitive neutrality principle is applied to the business activity.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is in the public sector.

The competitive neutrality principle may be applied by commercialisation or full cost pricing. This includes removing any competitive advantage or disadvantage, where possible, and charging for goods and services at full cost.

In addition, the cost of performing community service obligations, less any revenue received from carrying out those obligations, must be treated as revenue for the business activity.

A community service obligation is an obligation the local government imposes on a business activity that is not in its commercial interest. For example, giving a concession to pensioners.

A local government's financial statements must contain an activity statement for each business activity to which the CCC applies.

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

#### 28 National competition policy (continued)

The Council applies the competitive code of conduct to the following activities:

Whitsunday Coast Airport  
Foxdale Quarry  
Shute Harbour Marine Terminal  
Waste Services  
Water Supply & Sewerage Services  
Holiday Parks \*

This requires the application of full cost pricing, identifying the cost of community service obligations (CSO) and eliminating the advantages and disadvantages of public ownership within that activity.

The CSO value is determined by Council, and represents an activity's cost(s) which would not be incurred if the primary objective of the activities was to make a profit. The Council provides funding from general revenue to the business activity to cover the net cost of providing non-commercial community services.

The following table summarises the financial results for the business activities, including competitive neutrality adjustments if applicable.

The following activity statements are for activities subject to the competitive code of conduct:

| For the year 2024 financial year                  | Whitsunday Coast Airport | Foxdale Quarry | Shute Harbour Marine Terminal | Waste Services | Water Supply & Sewerage Services | Holiday Parks |
|---------------------------------------------------|--------------------------|----------------|-------------------------------|----------------|----------------------------------|---------------|
|                                                   | 2024<br>\$               | 2024<br>\$     | 2024<br>\$                    | 2024<br>\$     | 2024<br>\$                       | 2024<br>\$    |
| Revenue for services provided to external clients | 9,228,895                | 3,004,865      | 3,825,190                     | 12,723,935     | 41,300,009                       | 1,383,654     |
| Community service obligations *                   | 94,008                   | -              | 20,400                        | 109,631        | 1,087,735                        | -             |
|                                                   | 9,322,903                | 3,004,865      | 3,845,590                     | 12,833,566     | 42,387,744                       | 1,383,654     |
| Less : Expenditure                                | 8,729,827                | 3,304,456      | 4,742,088                     | 11,865,975     | 32,786,146                       | 1,197,447     |
| Surplus (deficiency)                              | 693,076                  | (299,591)      | (896,498)                     | 967,591        | 9,601,598                        | 186,207       |

| For the year 2023 financial year                  | Whitsunday Coast Airport | Foxdale Quarry | Shute Harbour Marine Terminal | Waste Services | Water Supply & Sewerage Services | Holiday Parks* |
|---------------------------------------------------|--------------------------|----------------|-------------------------------|----------------|----------------------------------|----------------|
|                                                   | 2023<br>\$               | 2023<br>\$     | 2023<br>\$                    | 2023<br>\$     | 2023<br>\$                       | 2023<br>\$     |
| Revenue for services provided to external clients | 8,294,883                | 2,553,736      | 3,599,062                     | 11,317,439     | 38,673,775                       | -              |
| Community service obligations *                   | 58,956                   | -              | 20,808                        | 124,247        | 866,033                          | -              |
|                                                   | 8,353,839                | 2,553,736      | 3,619,870                     | 11,441,686     | 39,539,808                       | -              |
| Less : Expenditure                                | 7,500,837                | 3,323,754      | 5,051,093                     | 9,512,773      | 31,118,216                       | -              |
| Surplus (deficiency)                              | 853,002                  | (770,018)      | (1,431,223)                   | 1,928,913      | 8,421,592                        | -              |

\* Holiday Parks were first reported as a Prescribed Business Activity in 2024 and this is the first year that council applied the code of competitive conduct

\* CSO's provided to business activities during the period.

| Activities                       | CSO description                             | 2024<br>Actual<br>\$ | 2023<br>Actual<br>\$ |
|----------------------------------|---------------------------------------------|----------------------|----------------------|
| Whitsunday Coast Airport         | Landing fees to support essential services  | 94,008               | 58,956               |
| Shute Harbour Marine Terminal    | Berthing fees to support essential services | 20,400               | 20,808               |
| Waste Services                   | Pensioner concessions                       | 78,457               | 75,601               |
| Waste Services                   | Sporting/community organisation concessions | 31,174               | 48,646               |
| Water Supply & Sewerage Services | Pensioner concessions                       | 285,305              | 277,973              |
| Water Supply & Sewerage Services | Sporting/community organisation concessions | 802,430              | 588,060              |
|                                  |                                             | 1,311,774            | 1,079,044            |

## Whitsunday Regional Council

### Notes to the Financial Statements For the year ended 30 June 2024

|                                                                                                                                                                                                                                                                                                                                                                                                      | Note | 2024<br>\$       | 2023<br>\$       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------------|------------------|
| <b>29 Controlled entities that have not been consolidated</b>                                                                                                                                                                                                                                                                                                                                        |      |                  |                  |
| <u>Whitsunday Coast Airport and Infrastructure Pty Ltd</u>                                                                                                                                                                                                                                                                                                                                           |      |                  |                  |
| Whitsunday Coast Airport and Infrastructure Pty Ltd, which was controlled by Council, has now been deregistered. The entity was dormant until it was deregistered.                                                                                                                                                                                                                                   |      |                  |                  |
| <b>30 Transactions with Related Parties</b>                                                                                                                                                                                                                                                                                                                                                          |      |                  |                  |
| <b>(a) River Improvement Trusts</b>                                                                                                                                                                                                                                                                                                                                                                  |      |                  |                  |
| Council have Councillors as representative on both the Don River Improvement Trust and the Whitsunday River Improvement Trust. They are represented in the membership of the trusts pursuant to the <i>River Improvement Act 1940</i> . Council pays a precept to each trust, which is determined by the Trusts, based on the amount of revenue estimated by the trust in their budget for the year. |      |                  |                  |
| Don River Improvement Trust                                                                                                                                                                                                                                                                                                                                                                          |      | 195,039          | 182,450          |
| Whitsunday River Improvement Trust                                                                                                                                                                                                                                                                                                                                                                   |      | 195,039          | 182,450          |
|                                                                                                                                                                                                                                                                                                                                                                                                      |      | <b>390,078</b>   | <b>364,900</b>   |
| <b>(b) Transactions with Key Management Personnel (KMP)</b>                                                                                                                                                                                                                                                                                                                                          |      |                  |                  |
| KMP include the Mayor, Councillors, Council's Chief Executive Officer and some Executive Management. The compensation paid to KMP comprises:                                                                                                                                                                                                                                                         |      |                  |                  |
| Short-term employee benefits                                                                                                                                                                                                                                                                                                                                                                         |      | 2,568,220        | 2,566,326        |
| Post-employment benefits                                                                                                                                                                                                                                                                                                                                                                             |      | 278,120          | 275,829          |
| Long-term benefits                                                                                                                                                                                                                                                                                                                                                                                   |      | 205,162          | 200,643          |
|                                                                                                                                                                                                                                                                                                                                                                                                      |      | <b>3,051,492</b> | <b>3,042,798</b> |
| Detailed remuneration disclosures are provided in the annual report.                                                                                                                                                                                                                                                                                                                                 |      |                  |                  |
| <b>(c) Transactions with other related parties</b>                                                                                                                                                                                                                                                                                                                                                   |      |                  |                  |
| <i>(i) Employee expenses for close family members of key management personnel.</i>                                                                                                                                                                                                                                                                                                                   |      |                  |                  |
| All close family members of key management personnel were employed through an arm's length process. They are paid in accordance with the Award and Council Enterprise Bargaining Agreement for the duties they perform.                                                                                                                                                                              |      |                  |                  |
| Council employ 426 staff of which only 8 are close family members of key management personnel (2022/23: 7 close family members). Total employee expenses applicable to these 8 employees are:-                                                                                                                                                                                                       |      | <b>525,340</b>   | <b>455,655</b>   |
| Council have reviewed all other related party transactions and found that there were no materially relevant amounts to report. There are no loans or guarantees to/from related parties.                                                                                                                                                                                                             |      |                  |                  |
| <b>(d) Transactions with related parties that have not been disclosed</b>                                                                                                                                                                                                                                                                                                                            |      |                  |                  |
| Most of the entities and people that are related parties of Council live and operate within the Whitsunday Regional Council. Therefore, on a regular basis ordinary citizen transactions occur between Council and its related parties. Some examples include:                                                                                                                                       |      |                  |                  |
| - Payment of rates                                                                                                                                                                                                                                                                                                                                                                                   |      |                  |                  |
| - Dog registration                                                                                                                                                                                                                                                                                                                                                                                   |      |                  |                  |
| - Borrowing books from a council library                                                                                                                                                                                                                                                                                                                                                             |      |                  |                  |

Whitsunday Regional Council

**FINANCIAL STATEMENTS**  
**For the year ended 30 June 2024**

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**MANAGEMENT CERTIFICATE**  
For the year ended 30 June 2024

These general purpose financial statements have been prepared pursuant to sections 176 and 177 of the *Local Government Regulation 2012* (the Regulation) and other prescribed requirements.

In accordance with section 212(5) of the Regulation we certify that:

- (i) the prescribed requirements of the *Local Government Act 2009* and *Local Government Regulation 2012* for the establishment and keeping of accounts have been complied with in all material respects; and
- (ii) the general purpose financial statements, as set out on pages 1 to 33, present a true and fair view, in accordance with Australian Accounting Standards, of the Council's transactions for the financial year and financial position at the end of the year.

  
\_\_\_\_\_  
Mayor

Cr Ry Collins

Date: 20 / 8 / 24.

  
\_\_\_\_\_  
Chief Executive Officer

Warren Bunker

Date: 20 / 08 / 24



## INDEPENDENT AUDITOR'S REPORT

To the councillors of Whitsunday Regional Council

### Report on the audit of the financial report

#### Opinion

I have audited the financial report of Whitsunday Regional Council.

The financial report comprises the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including material accounting policy information and the certificate given by the Mayor and Chief Executive Officer.

In my opinion, the financial report:

- a) gives a true and fair view of the council's financial position as at 30 June 2024, and of its financial performance for the year then ended; and
- b) complies with the *Local Government Act 2009*, the Local Government Regulation 2012 and Australian Accounting Standards.

#### Basis for opinion

I conducted my audit in accordance with the *Auditor-General Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial report section of my report.

I am independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Other information

The councillors are responsible for the other information.

The other information comprises the information included in the entity's annual report for the year ended 30 June 2024, but does not include the financial report and our auditor's report thereon.

At the date of this auditor's report, the available other information in Whitsunday Regional Council's annual report for the year ended 30 June 2024 was the current year financial sustainability statement, current year financial sustainability statement - contextual ratios and long-term financial sustainability statement.



My opinion on the financial report does not cover the other information and accordingly I do not express any form of assurance conclusion thereon. However, as required by the Local Government Regulation 2012, I have formed a separate opinion on the current year financial sustainability statement.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report and my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this information, I am required to report that fact. I have nothing to report in this regard.

#### **Responsibilities of the councillors for the financial report**

The councillors are responsible for the preparation of the financial report that gives a true and fair view in accordance with the *Local Government Act 2009*, the Local Government Regulation 2012 and Australian Accounting Standards, and for such internal control as the councillors determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

The councillors are also responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless it is intended to abolish the council or to otherwise cease operations of the council.

#### **Auditor's responsibilities for the audit of the financial report**

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at:

[https://www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf)

This description forms part of my auditor's report.

#### **Report on other legal and regulatory requirements**

In accordance with s. 40 of the *Auditor-General Act 2009*, for the year ended 30 June 2024:

- a) I received all the information and explanations I required
- b) I consider that, the prescribed requirements in relation to the establishment and keeping of accounts were complied with in all material respects.





**Prescribed requirements scope**

The prescribed requirements for the establishment and keeping of accounts are contained in the *Local Government Act 2009*, and the Local Government Regulation 2012. The applicable requirements include those for keeping financial records that correctly record and explain the council's transactions and account balances to enable the preparation of a true and fair financial report.

*Jacques Coetzee*

Jacques Coetzee  
as delegate of the Auditor-General

21 August 2024  
Queensland Audit Office  
Brisbane

# Whitsunday Regional Council

## CURRENT-YEAR FINANCIAL SUSTAINABILITY STATEMENT For the year ended 30 June 2024

Measures of Financial Sustainability

| Type                    | Measure                               | Target                | As at June 2024 | 5 Year     | Council Narrative                                                                                                                                                                                                                                                                                           |
|-------------------------|---------------------------------------|-----------------------|-----------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Audited ratios</b>   |                                       |                       |                 |            |                                                                                                                                                                                                                                                                                                             |
| Liquidity               | Unrestricted Cash Expense Cover Ratio | Greater than 4 months | 12.22 months    | N/A        | The unrestricted cash expense cover ratio is an indicator of the unencumbered liquidity available to a council to meet ongoing and emerging financial demands, which is a key component to solvency. It represents the number of months a council can continue operating based on current monthly expenses. |
|                         | Operating Surplus Ratio               | Greater than 0%       | (1.84%)         | 3.51%      | The operating surplus ratio is an indicator of the extent to which operating revenues generated cover operational expenses. Any operating surplus would be available for capital funding or other purposes.                                                                                                 |
| Operating Performance   | Operating Cash Ratio                  | Greater than 0%       | 20.91%          | 27.80%     | The operating cash ratio is a measure of a council's ability to cover its own operational expenses and generate a cash surplus excluding depreciation, amortisation, and finance costs.                                                                                                                     |
|                         | Asset Sustainability Ratio            | Greater than 80%      | 127.61%         | 108.38%    | The asset sustainability ratio approximates the extent to which the infrastructure assets managed by a council are being replaced as they reach the end of their useful lives.                                                                                                                              |
| Asset Management        | Asset Consumption Ratio               | Greater than 60%      | 69.13%          | 72.61%     | The asset consumption ratio approximates the extent to which council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.                                                                                                 |
|                         | Leverage Ratio                        | 0 to 3 times          | 2.04 times      | 2.03 times | The leverage ratio is an indicator of a council's ability to repay its existing debt. It measures the relative size of the council's debt to its operating performance.                                                                                                                                     |
| Debt Servicing Capacity |                                       |                       |                 |            |                                                                                                                                                                                                                                                                                                             |

### Note 1 - Basis of Preparation

The current year financial sustainability statement is prepared in accordance with the requirements of the Local Government Regulation 2012 and the Financial Management (Sustainability) Guideline 2024. The amounts used to calculate the six reported measures are prepared on an accrual basis and are drawn from the Council's audited general purpose financial statements for the year ended 30 June 2024.

### Certificate of Accuracy

For the year ended 30 June 2024.

This current-year financial sustainability statement has been prepared pursuant to Section 178 of the Local Government Regulation 2012 (the Regulation).

In accordance with Section 212(5) of the Regulation we certify that this current-year financial sustainability statement has been accurately calculated.

  
Mayor  
Cr Ry Collins  
Date: 20/08/24

  
Chief Executive Officer  
Warren Bunker  
Date: 20/08/24



## INDEPENDENT AUDITOR'S REPORT

To the Councillors of Whitsunday Regional Council

### Report on the Current-Year Financial Sustainability Statement

#### Opinion

I have audited the accompanying current year financial sustainability statement of Whitsunday Regional Council for the year ended 30 June 2024, comprising the statement, explanatory notes, and the certificate of accuracy given by the Mayor and the Chief Executive Officer.

In accordance with s.212 of the Local Government Regulation 2012, in my opinion, in all material respects, the current year financial sustainability statement of Whitsunday Regional Council for the year ended 30 June 2024 has been accurately calculated.

#### Basis of opinion

I conducted my audit in accordance with the *Auditor-General Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the current year financial sustainability statement* section of my report.

I am independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the statement in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Emphasis of matter – basis of accounting

I draw attention to Note 1 which describes the basis of accounting. The current year financial sustainability statement has been prepared in accordance with the Financial Management (Sustainability) Guideline 2013 for the purpose of fulfilling the council's reporting responsibilities under the Local Government Regulation 2012. As a result, the statement may not be suitable for another purpose. My opinion is not modified in respect of this matter.

#### Other Information

The councillors are responsible for the other information.

The other information comprises the information included in the entity's annual report for the year ended 30 June 2024, but does not include the financial sustainability statement and our auditor's report thereon.

At the date of this auditor's report, the available other information in Whitsunday Regional Council's annual report for the year ended 30 June 2024 was the general-purpose financial statements, current-year financial sustainability statement - contextual ratios, and the long-term financial sustainability statement.



My opinion on the current year financial sustainability statement does not cover the other information and accordingly I do not express any form of assurance conclusion thereon. However, as required by the Local Government Regulation 2012, I have formed a separate opinion on the general-purpose financial report.

In connection with my audit of the financial sustainability statement, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial sustainability statement and my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this information, I am required to report that fact. I have nothing to report in this regard.

**Responsibilities of the councillors for the current year financial sustainability statement**

The councillors are responsible for the preparation and fair presentation of the current year financial sustainability statement in accordance with the Local Government Regulation 2012. The councillors responsibility also includes such internal control as the councillors determine is necessary to enable the preparation and fair presentation of the statement that is accurately calculated and is free from material misstatement, whether due to fraud or error.

**Auditor's responsibilities for the audit of the current year financial sustainability statement**

My objectives are to obtain reasonable assurance about whether the current year financial sustainability statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this statement.

My responsibility does not extend to forming an opinion on the appropriateness or relevance of the reported ratios, nor on the council's future sustainability.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control.
- Evaluate the appropriateness of material accounting policy information used and the reasonableness of accounting estimates and related disclosures made by the council.



I communicate with the council regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

*Jacques Coetzee*

Jacques Coetzee  
as delegate of the Auditor-General

21 August 2024  
Queensland Audit Office  
Brisbane

Whitsunday Regional Council

CURRENT-YEAR FINANCIAL SUSTAINABILITY STATEMENT - Contextual Ratios  
For the year ended 30 June 2024

| Type                          | Measure                    | Target | As at June 2024 | 5 Year | Council Narrative                                                                                                                                                                   |
|-------------------------------|----------------------------|--------|-----------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contextual ratios (unaudited) | Council-Controlled Revenue | N/A    | 86.58%          | 83.51% | Council-controlled revenue is an indicator of a council's financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks. |
|                               | Population Growth          | N/A    | 2.30%           | 1.88%  | Population growth is a key driver of a council's operating income, service needs, and infrastructure requirements into the future.                                                  |

**Note 1 - Basis of Preparation**  
The current year financial sustainability statement - Contextual Ratios is prepared in accordance with the requirements of the Local Government Regulation 2012 and the Financial Management (Sustainability) Guideline 2024. The amounts used to calculate the two reported measures are prepared on an accrual basis and are drawn from the Council's audited general purpose financial statements for the year ended 30 June 2024.

**Certificate of Accuracy**  
**For the year ended 30 June 2024**  
  
This current-year financial sustainability statement - Contextual Ratios has been prepared pursuant to Section 176 of the Local Government Regulation 2012 (the Regulation).  
  
In accordance with Section 212(5) of the Regulation we certify that this current-year financial sustainability statement - Contextual Ratios has been accurately calculated.

  
Mayor  
Cr Ry Collins  
Date 10, 08, 24

  
Chief Executive Officer  
Warren Bunker  
Date 20, 08, 24



# Whitsunday Regional Council

## UNAUDITED LONG-TERM FINANCIAL SUSTAINABILITY STATEMENT Prepared as at 30 June 2024

| Type                                 | Measure                               | Target                | As at June 2024 | As at June 2023 | As at June 2025 | As at June 2027 | As at June 2028 | As at June 2029 | As at June 2030 | As at June 2031 | As at June 2032 | As at June 2033 |
|--------------------------------------|---------------------------------------|-----------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Audited ratios</b>                |                                       |                       |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Liquidity                            | Unrestricted Cash Expense Cover Ratio | Greater than 4 months | 12.22 months    | 9.02 months     | 7.61 months     | 6.78 months     | 6.82 months     | 6.74 months     | 6.83 months     | 6.43 months     | 6.12 months     | 6.16 months     |
| Operating Performance                | Operating Surplus Ratio               | Greater than 0%       | -1.84%          | 0.15%           | 1.00%           | 1.07%           | 1.10%           | 1.24%           | 1.37%           | 1.09%           | 1.04%           | 1.21%           |
| Asset Management                     | Operating Cash Ratio                  | Greater than 0%       | 20.91%          | 23.86%          | 24.78%          | 24.77%          | 24.73%          | 24.38%          | 24.17%          | 24.05%          | 23.73%          | 23.38%          |
|                                      | Asset Sustainability Ratio            | Greater than 80%      | 127.61%         | 190.66%         | 124.34%         | 103.97%         | 96.79%          | 97.75%          | 115.76%         | 106.27%         | 84.21%          | 87.97%          |
|                                      | Asset Consumption Ratio               | Greater than 60%      | 69.13%          | 71.25%          | 70.37%          | 69.26%          | 68.11%          | 66.80%          | 65.75%          | 64.54%          | 63.13%          | 61.77%          |
| Debt Servicing Capacity              | Leverage Ratio                        | 0 to 3 times          | 2.04 times      | 1.44 times      | 1.21 times      | 1.02 times      | 0.85 times      | 0.79 times      | 0.84 times      | 0.72 times      | 0.62 times      | 0.54 times      |
| <b>Contextual ratios (unaudited)</b> |                                       |                       |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Financial Capacity                   | Council-Controlled Revenue            | N/A                   | 86.58%          | 83.67%          | 85.77%          | 86.25%          | 86.79%          | 86.97%          | 87.47%          | 87.87%          | 88.45%          | 88.85%          |
|                                      | Population Growth                     | N/A                   | 2.30%           | 1.18%           | 1.16%           | 1.18%           | 1.18%           | 1.18%           | 1.18%           | 1.18%           | 1.18%           | 1.18%           |

### Financial Management Strategy

Council measures revenue and expenditure trends over time as a guide to future requirements and to make decisions about the efficient allocation of resources to ensure the most effective provision of services. Council ensures that its financial management strategy is prudent and that its long-term financial forecast shows a sound financial position whilst also being able to meet the community's current and future needs.

### Certificate of Accuracy

For the long-term financial sustainability statement prepared as at 30 June 2024

This long-term financial sustainability statement has been prepared pursuant to Section 178 of the Local Government Regulation 2012 (the Regulation).

In accordance with Section 212(5) of the Regulation we certify that this long-term financial sustainability statement has been accurately calculated.

  
Mayor  
Cr Ry Collins  
Date: 20, 8, 24.

  
Chief Executive Officer  
Warren Bunker  
Date: 20, 08, 24.



## Whitsunday Regional Council

21 August 2024

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Mr R Collins  
Mayor  
Whitsunday Regional Council

Dear Mayor

#### **Final management report for Whitsunday Regional Council**

We have completed our 2024 financial audit for Whitsunday Regional Council and issued an unmodified audit opinion on your financial statements.

The purpose of this report is to update you on any matters that have arisen since we presented our Closing Report on 16 August 2024.

#### **Reporting on issues identified after the closing report**

I can confirm that we have not identified significant issues since the presentation of our closing report to the audit and risk committee. The issues and other matters we have formally reported to management and an update on management's actions taken to resolve these issues is included as Appendix A.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

#### **Report to parliament**

Each year, we report the results of all financial audits and significant issues to parliament.

We intend to include the results of our audit of Whitsunday Regional Council in our report to parliament Local Government 2024. We will comment on the results of our audit, any significant internal control issues, and the overall results for the sector including major transactions and events. We will discuss the proposed report content with your entity contact and continue to consult as we draft it. Formally, entities have an opportunity to comment on our report, and for these comments to be included in the final version tabled in parliament.

#### **Audit fee**

The final audit fee for this year is \$137,600, exclusive of GST. This fee is in line with the amount estimated in our external audit plan.

We would like to thank you and your staff for your engagement in the audit this year and look forward to working with your team again next year.

If you have any questions about this report or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on 3229 5100.

Yours sincerely

Matthew Monaghan  
Partner

Queensland Audit Office  
Level 13, 53 Albert Street, Brisbane Qld 4000  
PO Box 15396, City East Qld 4002

Phone 07 3149 6000  
Email [gao@gao.qld.gov.au](mailto:gao@gao.qld.gov.au)  
Web [www.gao.qld.gov.au](http://www.gao.qld.gov.au)  
 Queensland Audit Office (QAO)

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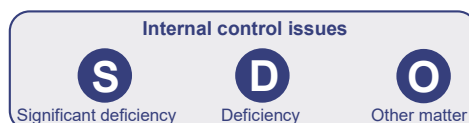
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## Appendix A1 – Status of issues

### Internal control issues

This section provides an update on the significant control deficiencies we have identified in our closing report. It includes a response from management.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: [www.qao.qld.gov.au/information-internal-controls](http://www.qao.qld.gov.au/information-internal-controls) or scan the QR code.



#### **S** Significant Deficiency

##### 24CR – 1 No reconciliation between valuation reports, asset registers and financial statements

###### Observation

When performing our reconciliation between the valuation reports, client asset registers and financial statements we identified that Council's water and sewerage assets were overstated by \$121 million.

Due to an error in the asset registers that were run post revaluation and Council not performing its own reconciliation between the valuation reports and its financial reporting system, as part of the financial statement preparation process, Council recorded a revaluation adjustment that was \$121 million overstated. Council identified that the three key causes of the above were limited resources, a non-integrated asset system (with the asset system being separate from the general ledger) and the asset register structure.

###### Implication

If Council does not perform a reconciliation between the valuation reports, asset registers and the financial statements material errors may be missed.

###### QAO recommendation

We recommend that Council update its valuation procedures to include:

- A reconciliation between the financial statements and the valuation reports at year end
- Review the asset register structure to ensure that the correct registers are extracted for the year end reconciliations.

###### Management response

Council agrees with QAO's recommendation and provides additional comments:

1. **Limited Resources** – this was driven by vacancies and multiple backfills in the Asset Management team during the revaluation process. Changes in resources and limited documentation also led to more hands being involved and potential overlap where a centralised resource would have provided a single point of view rather than multiple people involved. Bringing in external resources has helped with efficiency but may have also meant the assurance was not at the level it should have been with changing resources.
2. **Non-integrated system** – having Council's asset register (Assetic) sitting separate to what is reported in our Financial Statements through Technology One creates additional reconciliations and a probability of data not being reflected accurately without strong internal controls and oversight in place, and importing and exporting data from multiple systems always carries risk.

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3. **Asset Register structure** – the current system does not have the ability to flag or alert parent/child asset duplicate financial fields/values so a 'wild card' was used in the asset ID. As this was the first time this approach had been used from the data continuous improvement approach, it was missed when the data extract was provided to another team to do the revaluation journals within the Technology One system. A reconciliation should have been undertaken from Technology One not just to the asset system (Assetic) but also to the Revaluation report final figure as this would have highlighted the variance reported in the financial system. Council is currently implementing a Technology One asset register later this year, to ensure we have an integrated system which will streamline our processes and have more robust controls in place. System improvements will ensure that the actions that occurred this year will not be repeated in the future.

Responsible officer: Manager Financial Services

Status: Work in progress

Action date: 30 August 2025

## Matters previously reported

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised but are not yet resolved. The listing includes issues from our report this year and those issues raised in prior years.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: [www.qao.qld.gov.au/information-internal-controls](http://www.qao.qld.gov.au/information-internal-controls) or scan the QR code.



| Ref.   | Rating   | Issue                                                                                                                                                                                                                                                                                                                                                                             | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24IR-1 | <b>S</b> | <b>Purchase Orders being raised and approved after the supplier invoice date.</b><br><br>Testing of the procurement cycle identified 26% of transactions where the purchase order has been raised and approved after the invoice was received. Based on Council policy and Local Government procurement regulations a purchase order would be required before a purchase is made. | <b>Work in progress</b><br><br>Council operates within the default contracting provisions under the Local Government Regulation 2012. Generally, Council includes within supply agreements and contracts that no work shall commence without the provision of a Purchase Order in most circumstances. To this end a concentrated effort has been made to put in place more structured arrangements.<br><br>Council conducts monthly transactional audits of all purchase orders to identify non-conformances which are addressed with the requisitioner and the manager.<br><br>Follow up training has occurred with high volume users such as Roads and Drainage to address repeat issues. Continued focus will also occur with the Leadership Team to enable their management of their non-compliances within their teams.<br><br>Further work is ongoing in relation to the current culture and acceptance of non-compliance without consequences and this remains an active issue for the executive leaders.<br><br>Responsible officer: Executive Manager Procurement, Property and Fleet<br>Action date: 30/09/2024 |

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| Ref.   | Rating                                                                            | Issue                                                                                                                                                                                                                                                                                                                                                                                                                  | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22CR-1 |  | <b>Capitalisation of work in progress</b><br>Council had \$13.3million in projects in work in progress at 30 June 2022 that were marked as completed but not capitalised. We understand that delays in mapping the assets are generally the cause of lengthy times to capitalise. An unadjusted audit difference for the impact of depreciation not yet calculated on these projects was noted arising from this issue | <b>Work in progress.</b><br>At the end of FY 2024, Council had cleared Work in Progress of \$44.4M of the \$76.8M prior year WIP. The focus for the team was on clearing as much prior year WIP as possible having achieved 56% completion. Due to resourcing issues through the year and the size of the 23/24 Revaluation, there will be a WIP balance reported in Council's Audited Financial Statements.<br>The team will continue to capitalise assets that are in a position to be capitalised by mid Aug 2024. Prior year WIP remains at \$32.4M with an estimated \$13.1M ready for capitalisation by mid-August 2024 post-Audit.<br>Council will actively continue to focus on clearing WIP where projects are completed and available for capitalisation through Council's Project Management Framework.<br>The Asset Management Improvement Project (AMI) has progressed with the team involved in reviewing the current capitalisation process across all teams involved aiming to improve the capital project settlement process by embedding effective robust systems and processes across each stage of the project capitalisation process to make significant improvements moving forward to keep the focus on minimising the WIP balances at year end.<br>Responsible officer: Manager Financial Services.<br>Action date: 30/06/2023<br>Revised action date: 31/10/2023<br>Further Revised action date: 30/06/2025 |





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**12.1 - Sub-Lease - Shute Harbour Marine Terminal****CONFIDENTIAL*****S254J Local Government Regulation 2012 - Closed Meetings***

- (1) A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
  - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.*

## 13 LATE REPORT ITEMS

There are no late report items for this meeting.

## 14 MATTERS OF IMPORTANCE

This item on the agenda allows Councillors the opportunity to raise an item not included on the agenda for discussion as a matter of importance.