

Policy Summary

Purpose	The purpose of this Policy is to establish a clear, consistent and transparent framework for the establishment, exercise, recording, maintenance and review of delegations and administrative authorities across Council.	
Scope	This Policy applies to Council, the Mayor, the Chief Executive Officer, Councillors, employees, contractors and other persons authorised to exercise a delegation or administrative authority on behalf of Council.	
Principles	Council's approach to Delegations is underpinned by the following principles: • Delegations and administrative authorities have a clear legal, policy or management basis. • Delegates remain responsible for decisions made under their authority. • Authority is assigned at a level proportionate to the decision and associated risk. • Delegations and administrative authorities are clearly documented, accessible and auditable. • Delegations and administrative authorities are monitored and reviewed to remain current and appropriate.	
Roles and responsibilities	Council Adopts this Policy, makes and reviews delegations that legislation reserves to Council, and retains oversight of powers delegated by Council. Mayor Exercises and, where legally permitted, delegates mayoral powers. Chief Executive Officer Establishes and administers delegations and administrative authorities within the CEO's authority and ensures an effective organisation-wide control framework. Governance Coordinates the overarching framework and legislative delegations, maintains relevant governance records and provides advice on validity, documentation and review requirements. Delegates Exercise authority only within its scope, maintain appropriate records, manage conflicts of interest and escalate matters outside or unsuitable for the authority held.	
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Delegations

1. Purpose

The purpose of this Policy is to establish a clear, consistent and transparent framework for the establishment, exercise, recording, maintenance and review of delegations and administrative authorities across Council.

The Policy explains how legislative, financial, human resources and other administrative delegations operate together while recognising the different legal and organisational bases on which those authorities are established.

2. Scope

This Policy applies to Council, the Mayor, the Chief Executive Officer, Councillors, employees, contractors and other persons authorised to exercise a delegation or administrative authority on behalf of Council. It applies to:

- legislative delegations made under the *Local Government Act 2009* or another Act;
- financial delegations;
- human resources delegations; and
- other administrative authorities established under Council policy or the Chief Executive Officer's management responsibilities.

Detailed authorities, financial limits, conditions and operational requirements are contained in the relevant instruments, registers, procedures and systems established under this Policy.

Nothing in this Policy permits the delegation of a power that legislation requires to be exercised by Council resolution or otherwise prohibits from delegation.

3. Intent

This Policy provides an integrated governance framework for delegations and administrative authorities, ensuring decision-making authority is clearly established, appropriately allocated and exercised with accountability.

4. Principles

Council's approach to Delegations is underpinned by the following principles:

Principle	Description
Lawful Authority	Delegations and administrative authorities have a clear legal, policy or management basis.
Accountability	Delegates remain responsible for decisions made under their authority.
Appropriate Allocation	Authority is assigned at a level proportionate to the decision and associated risk.

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Principle	Description
Clarity and Transparency	Delegations and administrative authorities are clearly documented, accessible and auditable.
Effective Oversight	Delegations and administrative authorities are monitored and reviewed to remain current and appropriate.

5. Outcomes

This Policy is designed to deliver the following organisational and governance outcomes:

- A coordinated framework for all delegations and administrative authorities across Council.
- Clear responsibility for establishing, maintaining, exercising and reviewing each category of authority.
- Timely and effective decision-making at an appropriate organisational level.
- Reliable records of the source, scope, conditions and limits of decision-making authority.
- Effective oversight and assurance that delegations and authorities remain lawful, current and appropriate.

6. Policy Statement

Council maintains an integrated framework for delegations and administrative authorities to support lawful, timely and accountable decision-making.

Delegations and administrative authorities must have a clear source of authority, be conferred by the person or body authorised to do so, and be documented in an approved instrument, register or system. They must identify the delegate or authorised position, the extent of the authority and any applicable conditions, limitations or reporting requirements.

Legislative delegations are established and exercised in accordance with the enabling legislation. Financial, human resources and other administrative authorities are established under the applicable policy or management authority and operate within approved budgets, employment arrangements, organisational responsibilities and internal controls.

A person exercising delegated or administrative authority remains accountable for the decision and must act within the scope of the authority, for a proper purpose, without an unmanaged conflict of interest and with appropriate regard to risk. The exercise of powers outside an approved delegation may result in the decision being reviewed, revoked or otherwise dealt with in accordance with applicable legislation, Council procedures, employment arrangements or other appropriate management action.

Where a decision requires more than one authority, the decision-maker must hold each relevant authority. For example, authority to undertake an employment action does not of itself provide authority to approve the associated expenditure, and financial authority does not of itself confer authority to exercise a statutory or human resources power.

Delegations and administrative authorities must be maintained, monitored and reviewed to ensure they remain current, appropriate and aligned with legislative requirements, organisational responsibilities and Council's risk settings.

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7. Categories of Delegations and Administrative Authorities

Category	Governance basis	Established by	Supporting Record
Legislative Delegations	A power under the <i>Local Government Act 2009</i> or another Act	Council, Mayor or CEO, as permitted by legislation	Instrument and Legislative Delegations Register
Financial Delegations	Authority arising under legislation, Council policy or the CEO's financial management responsibilities	CEO or other authorised decision-maker, subject to applicable legislative and policy requirements	Financial Delegations Register and financial systems
Human Resources Delegations	Authority arising under legislation, industrial instruments or the CEO's workforce management responsibilities	CEO or other authorised decision-maker, subject to legislation, industrial instruments and Council requirements	HR Delegations Instrument or Register and HR systems
Other Administrative Authorities	Internal decision-making or approval authority arising from management responsibility, policy or administrative arrangements	Person or body holding the relevant authority	Relevant instrument, register, procedure or system

Delegations and administrative authorities must be documented in the instrument, register or system applicable to their category. Legislative delegations required to be recorded in Council's Register of Delegations must be recorded and made available in accordance with legislative requirements. Financial, human resources and other administrative authorities must be maintained in the relevant controlled organisational register or system.

A delegation or authority must be classified and documented according to its source and legal effect. An internal administrative authority must not be represented as a statutory delegation unless it is supported by legislation.

8. Restrictions

The power to delegate is subject to the restrictions imposed by the *Local Government Act 2009* and any other applicable legislation. A delegation must not be made where legislation prohibits the delegation of a power or function (refer Schedule 1).

The Mayor must not:

- Delegate the power to give directions to the Chief Executive Officer.
- Further delegate a power delegated by Council where Council has directed that the power is not to be further delegated.

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The Chief Executive Officer must not:

- Further delegate a power delegated by Council where Council has directed that the power is not to be further delegated.
- Delegate the power to keep a Register of Interests.

9. Roles and Responsibilities

Role	Responsibility
Council	Adopts this Policy, makes and reviews delegations that legislation reserves to Council, and retains oversight of powers delegated by Council.
Mayor	Exercises and, where legally permitted, delegates mayoral powers.
Chief Executive Officer	Establishes and administers delegations and administrative authorities within the CEO's authority and ensures an effective organisation-wide control framework.
Governance	Coordinates the overarching framework and legislative delegations, maintains relevant governance records and provides advice on validity, documentation and review requirements.
Chief Financial Officer	Administers financial delegations, associated registers and financial system controls, and monitors compliance with financial limits.
Human Resources	Administers HR delegations, associated registers and system controls, and monitors alignment with employment legislation and industrial and organisational requirements.
Directors and Managers	Ensure delegations and authorities within their areas remain appropriate and that delegates understand and comply with applicable conditions.
Delegates	Exercise authority only within its scope, maintain appropriate records, manage conflicts of interest and escalate matters outside or unsuitable for the authority held.

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10. Monitoring

This Policy will be reviewed annually in alignment with Council's review of the Delegations Register.

Each category of delegation or authority must have an identified functional owner responsible for ensuring that it:

- is established by the appropriate person or body;
- is accurately documented and reflected in relevant systems;
- remains aligned with legislation, organisational responsibilities and approved policies;
- is reviewed following legislative or organisational change and at the frequency applicable to that category; and
- is varied or revoked when it is no longer required or appropriate.

Governance will coordinate oversight of the overall framework. Functional owners will monitor and report on the delegations and authorities they administer.

Delegations from Council to the CEO will be reviewed annually as required by legislation. Other delegations and authorities will be reviewed periodically and when triggered by relevant legislative, policy, organisational, position or system changes.

11. Related Documents

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Applicable legislation under which powers are delegated
- Register of Delegations
- Financial Delegations Register
- Human Resources Delegations Matrix / Register
- Relevant procedures and instruments established under this Policy.

12. Version Control

Version	Reason/Trigger	Resolution Number	Date
1	New Policy	OM2026/09/23.13	23/09/2026

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13. Schedule 1 – Matters Reserved for Council

Local Government Act 2009

- S 25C(1) Approval of constitution for a joint local government.
- S 29(2) Making of a local law.
- S 32(1) Adoption of a consolidated version of a local law.
- S 46(6)(b) Decision whether to apply the competitive neutrality principle to a new significant business activity.
- S 47(7) Decision whether to apply the code of competitive conduct to a prescribed business activity.
- S 48(1) Adoption of a process for resolving competitive neutrality complaints.
- S 74(4) Fixing a fee for obtaining a road map, register of roads or certificate.
- S 80A(5) Decision to pay compensation arising from the establishment, modification or closing of a mall.
- S 84(1) Decision to close a meeting relating to trust land to the public.
- S 85(2)(c) Decision that a proposal be dealt with as a trust change proposal.
- S 88(2)(a) Appointment of a community forum member (other than the chairperson).
- S 93(3)(h)(ii) Exemption of land from rating for showgrounds or horseracing.
- S 93(3)(i) Exemption of land from rating for charitable purposes.
- S 94(2) Decision on rates and charges to be levied for a financial year.
- S 97(1) Fixing of a cost-recovery fee.
- S 97(5)(b) Decision that a tax benefits the local government area.
- S 99(3) Levying a fee on occupiers of land below the high-water mark.
- S 100(2) Levying a resident fee by prescribed Indigenous local governments.
- S 118A(1) Setting rates and charges for the remaining part of the 2020/21 financial year.
- S 134(1) Approval of a systematic or selective inspection program.
- S 150G(1) Adoption of model meeting procedures or alternative meeting procedures.
- S 150AE(1) Adoption of a councillor conduct investigation policy.
- S 150AF(2)(b) Decision to investigate alleged inappropriate conduct by another method.
- S 150ES(3) Decision on participation of a councillor with a declarable conflict of interest.
- S 150EU(2)(b)-(c) Decisions where a quorum cannot be formed because of conflicts of interest.
- S 164(b) Appointment of a councillor to the office of Mayor in prescribed circumstances.
- S 165(2) Appointment of an Acting Mayor.
- S 165(3) Declaration that the office of Deputy Mayor is vacant.
- S 166(2) Filling a vacancy in the office of councillor.
- S 166B(2) Filling a former councillor vacancy.
- S 170A(7) Adoption of acceptable requests guidelines.
- S 175(2) Appointment of a Deputy Mayor at a post-election meeting.
- S 196(1) Adoption of an organisational structure.
- S 197A(1) Allowing appointment of councillor advisers.
- S 202(3)(b) Adoption of authorised persons from another local government.
- S 257(1) Delegation of local government powers.
- S 268 Adoption of a process for resolving administrative action complaints.
- S 276(4) Adoption or making of specified local laws.
- S 324(2) Decision about the procedure for investigating inappropriate conduct.
- S 324(4) Decision to deal with inappropriate conduct contrary to an assessor's recommendation.

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Local Government Regulation 2012

- S 29(1) Conversion of a business unit to a commercial business unit.
- S 30(1) Creation of a commercial business unit.
- S 55(1) Decision on implementation of Queensland Productivity Commission recommendations.
- S 74(3) Use of averaged land values for rating purposes.
- S 81(2) Determination of categories of rateable land.
- S 94(4), (6), (9) Adoption and amendment of overall plans and annual implementation plans.
- S 97(3)(a) Determination of surplus special rates or charges distribution.
- S 102(2) Decision about the deemed reading of a meter.
- S 116(1) Decision to limit increases in rates or charges.
- S 118(3) Determination of payment dates for rates and charges.
- S 122(1)(a)-(b) Granting of ratepayer concessions.
- S 129(2) Allowing payment of rates and charges by instalments.
- S 130(4), (7), (8) Discounts and amended due dates for rates and charges.
- S 133(4)(b) Determination of interest on overdue rates and charges.
- S 140(2) Sale of land for overdue rates and charges.
- S 149(1) Acquisition of land for overdue rates and charges.
- S 165(2)-(3) Adoption and amendment of the Corporate Plan.
- S 167(1) Adoption of a Long-Term Asset Management Plan.
- S 170(1), (3) Adoption and amendment of the annual budget.
- S 173(2) Authorisation of unauthorised expenditure in emergencies or hardship.
- S 174(1), (4) Adoption and amendment of the Annual Operational Plan.
- S 182(2) Adoption of the Annual Report.
- S 191(1) Adoption of an Investment Policy.
- S 192(1) Adoption of a Debt Policy.
- S 195 Adoption of a Community Grants Policy.
- S 196(1) Adoption of an Entertainment and Hospitality Policy.
- S 197(1) Adoption of an Advertising Spending Policy.
- S 198(1) Adoption of a Procurement Policy.
- S 201(3) Resolution that a trust-money purpose no longer exists.
- S 206(2) Valuation of non-current physical assets.
- S 218(1) Application of strategic contracting procedures.
- S 219(6) Removal of strategic contracting procedures.
- S 220(2), (7) Adoption and amendment of a contracting plan.
- S 221(5) Amendment of a significant contracting plan.
- S 222(1) Adoption of a contracting manual.
- S 228(3)(a) Public interest decision to call expressions of interest before tenders.
- S 230(1)(a)-(b) Preparation and adoption of a quote or tender consideration plan.
- S 235(a)-(b) Sole supplier and specialized/confidential procurement resolutions.
- S 236(2) Disposal of valuable non-current assets under an exception.
- S 247(2)-(3) Decisions regarding councillor remuneration.
- S 250(1)-(2) Adoption and amendment of an expenses reimbursement policy.
- S 254G Decision to exempt an advisory committee from taking minutes.
- S 254J(1) Decision to close a local government meeting to the public.
- S 257(3)(b) Decision on an alternative meeting location.
- S 306(2) Adoption of a complaints management process and supporting procedures.

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Planning Act 2016

- S 9(4) Giving a temporary local planning instrument or amendment to the Minister for approval.
- S 24(1) Repeal of a temporary local planning instrument or planning scheme policy.
- S 113(1) Adoption of a charges resolution for trunk infrastructure.

Planning Regulation 2017

- S 11(3) Setting fees for superseded planning scheme requests.
- S 68D(1) Adoption of an economic support instrument.
- S 68G(1) Revocation of an economic support instrument.
- Schedule 6, Part 2, clause 2(3)(b)(ii) Decision relating to support services and temporary accommodation for persons escaping domestic violence.
- Schedule 9, Part 3, Division 2, Table 1, Item 1, Column 2(b) Declaration regarding development with extreme amenity or character impacts.

Minister's Guidelines and Rules

- Chapter 2, Part 1, clause 3.1 Adoption of an administrative amendment to a planning scheme.
- Chapter 2, Part 2, clause 6.1 Adoption of a minor amendment to a planning scheme.
- Chapter 2, Part 3, clause 14.1 Adoption of a qualified state interest amendment.
- Chapter 2, Part 4, clause 22.1 Adoption of a major amendment to a planning scheme.
- Chapter 3, Part 1, clause 5.1 Adoption of a planning scheme policy or amendment.
- Chapter 3, Part 2, clause 9.1 Adoption of a temporary local planning instrument or amendment.
- Chapter 5, Part 2, clause 10.1 Adoption of a Local Government Infrastructure Plan or amendment.

Environmental Protection Act 1994

- S 514(5)(a) Setting fees for devolved environmental matters.
- S 518(1)(b) Delegation of Council powers under the Act to an appropriately qualified entity.

Land Act 1994

- S 56(4) Adoption of a model by-law where Council is trustee of trust land.

Waste Reduction and Recycling Act 2011

- S 125(1) Adoption of a Waste Reduction and Recycling Plan.
- S 127(1) Amendment of a Waste Reduction and Recycling Plan.

Waste Reduction and Recycling Regulation 2023

- S 5(a) Designation of areas for general waste or green waste collection services.

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14. Schedule 2 – Conditions and Limitations to the Exercising of Delegated Powers, Duties and Functions

In exercising a delegated power, duty or function on behalf of Council, delegates must comply with the conditions and limitations prescribed in this Schedule. These conditions and limitations form part of the delegation and are binding on all delegates.

A delegate must not exercise a delegated power, duty or function in a manner that is inconsistent with, or contrary to, any condition or limitation specified in this Schedule. Failure to comply with these conditions and limitations may invalidate the exercise of the delegation and may constitute a breach of Council policy.

All delegated powers, duties and functions must be exercised in accordance with the Local Government Act 2009, the Local Government Regulation 2012, Council policies, and any other applicable legislative or governance requirements.

No	Conditions and Limitations to the Exercising of Delegated Powers, Duties and Functions
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.
7	The delegate will only exercise a delegated power consistent with their financial delegations.

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