7.3. DELEGATIONS REGISTER COUNCIL TO CHIEF EXECUTIVE OFFICER

REPORT AUTHOR Acting Manager Governance

EXECUTIVE General Manager Corporate and Communities

DEPARTMENT Corporate and Communities

TEAM Governance

DATE 27 October 2026

RECOMMENDATION

That Council:

1. **In accordance with Section 257 of the *Local Government Act 2009*, resolves to delegate the exercise of powers contained within the "Delegations Register - Council to the Chief Executive Officer" as provided under separate cover to this report**

2. **Acknowledge that these powers must only be exercised subject to the limitations contained in the Delegations Register as listed**

EXECUTIVE SUMMARY

Douglas Shire Council (Council) is vested with authority to make a range of decisions and to take various actions under legislation and other statutory instruments.

The *Local Government Act 2009* (the Act) gives Council the authority to do its work and provides for the delegation of this authority from Council to the Chief Executive Officer (CEO).

PREVIOUS COUNCIL CONSIDERATIONS / RESOLUTIONS

The Delegation Register - Council to Chief Executive Officer was last approved by Council at its Ordinary Council Meeting held on 29 April 2025.

REPORT/BACKGROUND

Section 257 of *the Act* allows Council to delegate its powers under *the Act* to the Mayor, the CEO, the Chair of a Standing Committee, to Standing Committees or to another local government for the purpose of a joint government activity. However, the Council cannot delegate a power that an Act states must be exercised by Council resolution.

Further, Section 259 of *the Act* allows the CEO to subdelegate their powers to an appropriately qualified employee. The expression 'employee' includes a person who contracts to provide

services to the Council. Sub-delegation to Council officers provides for the effective and efficient delivery of services to the community.

It is to be noted that the delegation of the Council's powers does not involve the Council surrendering those powers. The Council continues to retain all powers that are the subject of the delegation. A delegation involves a 'sharing' of power so that both Council and the delegate can exercise the same power.

The Local Government Association of Queensland's (LGAQ) Delegations Register Service provides updates to the CEO each year regarding recommended changes to delegations. This includes both new registers and amendments to existing registers. The update of delegations from Council to the CEO has been reviewed and provided under separate cover to this report.

A summary of the amendments to the Delegations Register is listed below.

NEW REGISTERS added since the last approval by Council	**REGISTERS amended since the last approval by Council**
Aged Care Act 2024	*Animal Management (Cats and Dogs) Act 2008*
Aged Care (Consequential and Transitional Provisions) Rules 2025	*Electrical Safety Act 2002*
Aged Care Rules 2025	*Electrical Safety Regulation 2013*
Anti-Discrimination Act 1991	*Environmental Protection Act 2009*
Child Safe Organisations Act 2024	*Fire Services Act 1990*
Crime and Corruption Act 2001	*Industrial Relations Act 2016*
Explosives Act 1999	*Information Privacy Act 2009*
Explosive Regulation 2017	*Land Valuation Act 2010*
Libraries Act 1988	*Local Government Act 2009*
Local Government Electoral Act 2011	*Local Government Regulation 2012*
Nature Conservation (Protected Areas Management) Regulation 2024	*Medicines and Poisons (Pest Management Activities) Regulation 2021*

Ozone Protection and Synthetic Greenhouse Gas Management Act 1989	*Mining and Quarrying Safety and Health Act 1999*
Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995	*Nature Conservation (Animals) Regulation 2020*
Property Law Act 2023	*Nature Conservation (Plants) Regulation 2020*
Public Records Act 2023	*Petroleum and Gas (Production and Safety) Act 2004*
Queensland Competition Authority Act 1997	*Planning Act 2016*
Queensland Productivity Commission Act 2025	*Planning and Environment Court Act 2016*
Residential Tenancies and Rooming Accommodation Regulation 2025	*Plumbing and Drainage Regulation 2019*
Security of Critical Infrastructure Act 2018	*Retail Shop Leases Act 1994*
Sex Discrimination Act 1984	*Right to Information Act 2009*
Soil Conservation Act 1986	*Tobacco and Other Smoking Products Act 1998*
Trusts Act 2025	*Waste Reduction and Recycling Act 2011*
Vegetation Management Act 1999	*Work with Children Check Act 2000*
Workers Compensation and Rehabilitation Regulation 2025	*Work Health and Safety Regulation 2011*
	Workers Compensation and Rehabilitation Act 2003

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial and resource implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

The delegate must exercise a power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

CORPORATE AND OPERATIONAL PLAN

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 3 - Service Delivery
We deliver Council services effectively and efficiently to meet community expectations, focusing on the wellbeing of both the community and our employees.
3.6 - *Deliver Council services to meet community expectations.*

Operational Plan 2026-2027 Actions:

Legislative requirement.

LEGISLATION AND POLICY

- *Local Government Act 2009*
- *Local Government Regulation 2012*

CONSULTATION

Internal Consultation:

- Council workshop held on 6 October 2026
- Governance Department

External Consultation:

- Local Government Association of Queensland

CONCLUSION

Delegation of power in local government is essential for the effective and efficient governance of Councils. It allows Councils to focus on strategic issues and manage their operations more effectively. Delegations are made to ensure that Councils can handle complex decisions and responsibilities without being overwhelmed by the administrative tasks.

The *Local Government Act 2009* provides the legal framework for these delegations, allowing Council to delegate powers to the Chief Executive Officer.

ATTACHMENTS

Provided under separate cover