

## 5.10. DELEGATIONS COUNCIL TO CEO UPDATES

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<b>DEPARTMENT</b>	Governance

### RECOMMENDATION

**That Council resolves to delegate, under Section 257(1)(b) of the Local Government Act 2009, the authority as listed in Attachment 1 of this report to the Chief Executive Officer.**

### EXECUTIVE SUMMARY

The Local Government Act 2009 gives Council the authority to do its work, and also provides for the delegation of this authority from Council through to the Chief Executive Officer (CEO), and through the CEO to Council Officers, in order to provide the effective delivery of services to the community.

LGAQ provides updates to the CEO twice each year regarding recommended changes to delegations. A report of recommended updates to the delegations register will be presented to Council on a six monthly basis.

An update of delegations from Council to the CEO has now been completed and is presented to Council for consideration.

### BACKGROUND

There are over 70 Acts and Regulations that relate to local government. The legislative framework to undertake delegations is as follows:

- Section 257 of *the Local Government Act 2009* (the Act) allows a Council to delegate a power, other than where an Act specifically states that the power must be exercised by Council resolution.
- Section 257(1)(b) of the Act provides for a power to be delegated to the CEO.
- Section 259 of the Act allows a CEO to on-delegate their powers to appropriately qualified Officers, other than where the local government specifically directs that the power not be further delegated or it is a power to keep a register of interests.

### COMMENT

When determining which powers should be delegated from Council to the CEO, a differentiation has been made between 'making the decision' (to remain with Council) and 'implementation of the decision' (to be delegated to the CEO).

In addition, it was determined that policy matters, land matters, and matters relating to public liability insurance would all remain with Council. It should be noted that, delegated matters can be brought to Council by the CEO on a case by case basis.

Current updates include:

New Registers:-

- Water Regulation 2016

Changes to Existing Registers:-

- Environmental Protection Regulation 2008
- Fire and Emergency Service Act 1990
- Tobacco and Other Smoking Products Act 1998
- Transport Operations (Marine Pollution) Act 1995
- Transport Operations (Marine Safety) Act 1994
- Transport Operations (Marine Safety) Regulation 2004
- Waster Reduction and Recycling Act 2011
- Water Act 2000
- Workers Compensation and Rehabilitation Act 2003

## FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications to this process. Appropriate implementation of delegations to the CEO ensures the efficient use of Council resources.

## RISK MANAGEMENT IMPLICATIONS

The administration of Council's responsibilities under the Local Government Acts, carries with it inherent risk. Appropriate delegations form part of the risk management framework associated with these responsibilities.

This process is part of Council meeting its legislative delegation requirements under the *Local Government Act 2009*. It is also a major part in Council eliminating legal non-compliance issues impacting upon the legal validity/enforceability of Council decisions, or Council's ability to legally enforce or litigate breaches of Local Government Acts.

## CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

### Corporate Plan 2014-2019 Initiatives:

#### Theme 5 – Governance

*5.2.1 - Provide Councillors and community with accurate, unbiased and factual reporting to enable accountable and transparent decision-making.*

*5.2.2 - Implement adopted policies and guidelines to ensure consistency in administrative management which also encourages innovation in Council operations.*

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance.

The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

**Regulator** Meeting the responsibilities associated with regulating activities through legislation or local law.

### **CONSULTATION**

**Internal:** Managers and other key staff.

**External:** LGAQ

### **ATTACHMENTS**

1. Council to CEO Delegation Register Updates 1 August 2017 **[5.10.1]**



## Douglas Shire Council Register of Delegations State Legislation Council to the Chief Executive Officer

Council delegates under section 257 (1)(b) of the Local Government Act 2009, the following powers to the Chief Executive Officer.

Chief Executive Officer	Delegation to CEO
	Delegation to Remain with Council
Deleted items	
New and updated items	
Repealed Acts or Regulations	

Legend

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### **Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a generator, to give the transporter the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 81I Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a transporter, to give the receiver the prescribed information about the waste in the prescribed form and to record the prescribed information about the waste.	Section 81J(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 81J(3) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81K(1) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority.	Section 81K(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to give the administering authority notice of a discrepancy in information received from the transporter.	Section 81K(3) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to record the prescribed information about the waste.	Section 81O(1) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to give a copy of the prescribed information about the waste to the administering authority.	Section 81O(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a receiver, to give the administering authority notice of a discrepancy in information received from the transporter.	Section 81O(3) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a generator, to give the transporter the prescribed information about the waste and to record the prescribed information about the waste.	Section 81R(1) Environmental Protection Regulation 2008	

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**Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a generator, to give the prescribed information about the waste to the administering authority.	Section 81R(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as a transporter, to give the administering authority notice of a discrepancy in information received from the generator.	Section 81S(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power to apply to the administering executive for approval of a particular way of giving prescribed information to the administering authority under division 3 and to take all steps necessary to advance the application.	Section 81W Environmental Protection Regulation 2008	
Chief Executive Officer	Power to apply to the administering executive for a consignment number for loads of trackable waste to be transported into Queensland and to take all steps necessary to advance the application.	Section 81X Environmental Protection Regulation 2008	
Chief Executive Officer	Power to apply to the administering executive for an exemption for the transportation of trackable waste to which Chapter 5, Part 9 applies and to take all steps necessary to advance the application.	Section 81Y Environmental Protection Regulation 2008	
Chief Executive Officer	Power to apply to the administering executive for a generator identification number.	Section 81ZB Environmental Protection Regulation 2008	
Chief Executive Officer	Power to require an owner or occupier of relevant premises to supply waste containers other than standard general waste containers. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZF(1)(b) Environmental Protection Regulation 2008	
Chief Executive Officer	Power to supply premises with standard general waste containers. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZF(2) Environmental Protection Regulation 2008	

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**Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to require a waste container to be kept at a particular place at a premises. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZH(1)(a) Environmental Protection Regulation 2008	
Chief Executive Officer	Power to require a prescribed person of serviced premises, other than a detached dwelling, to supply: (a) an elevated stand; or (b) an imperviously paved and drained area for the waste containers, and (c) a hose cock and hose in the vicinity of the stand or paved area; and (d) a suitable enclosure for the waste containers. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZI(2) Environmental Protection Regulation 2008	
Chief Executive Officer	Power to give a written notice about the removal of general waste. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZJ Environmental Protection Regulation 2008	
Chief Executive Officer	Power to give written approval to the owner or occupier of relevant premises for depositing and disposing of general waste and to impose conditions on the approval. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZK Environmental Protection Regulation 2008	

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### **Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to require the occupier of relevant premises where there is industrial waste to: (a) supply industrial waste containers; (b) keep the waste containers in a specified location; and (c) keep the waste containers clean and in good repair. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZL Environmental Protection Regulation 2008	
Chief Executive Officer	Power to require the occupier of relevant premises, where there is industrial waste, to treat the waste to the standard required by Council for disposal of the waste at a waste facility. ##Please note this section applies only until Council passes a local law which states it replaces Chapter 5A of the Regulation or 1 September 2016 (whichever is the earlier)##	Section 81ZM Environmental Protection Regulation 2008	
Chief Executive Officer	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 (2).	Section 85(2) Environmental Protection Regulation 2008	
Chief Executive Officer	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 (6).	Section 85(7) Environmental Protection Regulation 2008	
Chief Executive Officer	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 87.	Section 87 Environmental Protection Regulation 2008	



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### **Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	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 (4).	Section 88 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an occupier of a reporting facility that under NPI NEPM exceeds the reporting threshold for a substance in the facility's reporting period, to apply to the chief executive for an estimation technique approval and to respond to any request for further information.	Section 91 Environmental Protection Regulation 2008	
Chief Executive Officer	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 85(2) or (7) should be treated as confidential and to respond to any requests for further information.	Section 95 Environmental Protection Regulation 2008	
Chief Executive Officer	Power to administer and enforce those provisions of the Act devolved to Council.	Sections 98, 99, 100, 101 and 102 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to recover as a debt an unpaid fee under the Act.	Section 116A Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to recover as a debt from the holder of an environmental authority an unpaid supplementary annual fee for an amended environmental authority.	Section 134 Environmental Protection Regulation 2008	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### **Environmental Protection Regulation 2008**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to administer and enforce former environmentally relevant activities devolved to Council.	Section 156 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to refund:- a) the application fee for a later application; and b) the annual fee for a development approval for chemical storage.	Section 164 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to refund to the holder of an environmental authority an annual fee if environmental authorities are amalgamated.	Section 168 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to exercise the power contained in previous section 135 where the circumstances in subsection 177(1) apply.	Section 177 Environmental Protection Regulation 2008	
Chief Executive Officer	Power, as an administering authority, to exercise the power contained in previous section 136 where the circumstances in subsection 178(1) apply.	Section 178 Environmental Protection Regulation 2008	

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**Fire and Emergency Service Act 1990**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to comply with a requirement issued by an authorised fire officer under subsection (2).	Section 58D Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to comply with a requisition notice.	Section 69 Fire and Emergency Service Act 1990	
Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to provide information sought by the commissioner in a notice.	Section 96 Fire and Emergency Service Act 1990	
Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to prepare an off-site emergency plan and to amend the plan.	Sections 97, 99 and 100 Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of an off-site emergency plan.	Section 98(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to implement an off-site emergency plan.	Section 101 Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to give written notice to the chief executive of a change of circumstances affecting an off-site emergency plan.	Section 102(1) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power, as the occupier of a building, to maintain a fire and evacuation plan and to provide instructions to prescribed persons in the building concerning the action to be taken by them in the event of fire threatening the building.	Section 104E Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.	Section 104F(2) Fire and Emergency Service Act 1990	

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**Fire and Emergency Service Act 1990**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to consult with the commissioner about a notice under section 104G(1).	Section 104G(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 104G(1).	Section 104G(3) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to consult with an authorised officer about a notice under section 104I(7) or (8).	Section 104I(9) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to nominate a person to be appointed an assessor by the commissioner to help QCAT in section 104SG(1) proceedings.	Section 104SI(2)(b)(ii) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to furnish to the chief executive a return disclosing the particulars prescribed under a regulation relating to certain properties.	Section 109(1) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to collect annual contributions and other amounts imposed by the local government pursuant to Chapter 3, Part 10 of the Fire and Emergency Service Act.	Section 111(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to, in respect of each financial year: (a) determine the prescribed properties within its area; and (b) determine the annual contributions payable in respect of prescribed properties by reference to the categories prescribed under a regulation made under section 108.	Section 112(1) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to give the owner of a prescribed property a levy notice.	Section 112(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to give the chief executive information which is relevant to the determination of an appeal against a local government's determination, if required by the chief executive.	Section 113(3) Fire and Emergency Service Act 1990	

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**Fire and Emergency Service Act 1990**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to amend, revoke or revoke and give a new levy notice if the chief executive allows an appeal.	Section 113(5) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to refund to the appellant any amount paid in respect of contributions, for the financial year to which the notice relates and for any previous financial year, in excess of the amount calculated in accordance with the chief executive's determination.	Section 113(7) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to decide the way in which it keeps an administration fee for performing functions under Chapter 3, Part 10 of the Fire and Emergency Service Act.	Section 117(3) Fire and Emergency Service Act 1990	
Chief Executive Officer	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 Chapter 3, Part 10.	Section 118(1) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to prepare and submit a return in the approved form	Section 118(4) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 121(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	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.	Section 126(1) Fire and Emergency Service Act 1990	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Fire and Emergency Service Act 1990

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to make and levy special rates or charges or separate rates or charges and to contribute amounts raised to rural fire brigades operating in Council's local government area.	Section 128A Fire and Emergency Service Act 1990	Power to make and levy - remain with Council Power to pay - delegate to CEO
Chief Executive Officer	Power to consult with the commissioner about the establishment of an SES unit in Council's local government area.	Section 133(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to nominate a person to be the local controller for an SES unit.	Section 134(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power as a local government affected by a disaster to request the commissioner to appoint a person as a SES coordinator.	Section 136(3) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to consult with the commissioner about the appointment of a person as a SES coordinator.	Section 136(4) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to enter an agreement with the Department which sets out the responsibilities of each party in relation to the SES in Council's local government area.	Section 140 Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to consult with the commissioner about the establishment of an ES unit in Council's local government area.	Section 141(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to consult with the commissioner about the functions of an ES unit in Council's local government area.	Section 142(3) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to nominate a person to be a ES unit coordinator.	Section 146(2) Fire and Emergency Service Act 1990	
Chief Executive Officer	Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4) Fire and Emergency Service Act 1990	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### *Tobacco and Other Smoking Products Act 1998*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an occupier of an enclosed space, to give directions to stop persons from smoking in the enclosed space.	Section 26U(1) Tobacco and Other Smoking Products Act 1998	
<del>Chief Executive Officer</del>	<del>Power to administer and enforce Part 2C, Division 3 of the Act within Council's area and, for a patrolled beach area of a patrolled beach or a prescribed outdoor swimming area, adjacent to or within Council's area.</del>	<del>Sections 26ZM and 26ZN Tobacco and Other Smoking Products Act 1998</del>	
<del>Chief Executive Officer</del>	<del>Power to commence a proceeding concerning an offence under Part 2C, Division 3 of the Act.</del>	<del>Section 26ZP Tobacco and Other Smoking Products Act 1998</del>	
<del>Chief Executive Officer</del>	<del>Power to commence a proceeding for a contravention of a local law made pursuant to Part 2C, Division 4 of the Act.</del>	<del>Section 26ZPE Tobacco and Other Smoking Products Act 1998</del>	
Chief Executive Officer	Power to consult with the Department about a proposed local law under section 26ZPA.	Section 26ZPB Tobacco and Other Smoking Products Act 1998	
Chief Executive Officer	Power to respond to a request for information from the chief executive about a local law made under section 26ZPA.	Section 26ZPC Tobacco and Other Smoking Products Act 1998	
Chief Executive Officer	Power to administer and enforce Part 2BB, divisions 4 to 8 and Part 2C, division 3 of the Act.	Sections 26ZU and 26ZV Tobacco and Other Smoking Products Act 1998	
Chief Executive Officer	Power to respond to a request for information from the chief executive about the local government's administration and enforcement.	Section 26ZW Tobacco and Other Smoking Products Act 1998	
Chief Executive Officer	Power, as an occupier of a place, to give consent to an authorised person to enter the place.	Section 33(1)(a) Tobacco and Other Smoking Products Act 1998	

**REGISTER OF DELEGATIONS  
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**Tobacco and Other Smoking Products Act 1998**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an occupier of a place, to sign an acknowledgement confirming that consent to enter the place was given to an authorised person.	Section 34(3) Tobacco and other Smoking Products Act 1998	
Chief Executive Officer	Power, as an owner of a seized thing, to inspect the thing seized by an authorised person and, if it is a document, to copy it.	Section 44B(1) Tobacco and Other Smoking Products Act 1998	



**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

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

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	<del>Power to consult with the chief executive in relation to the development of marine pollution prevention and response programs if the chief executive believes that Council would be affected by the programs.</del>	<del>Section 17(4) Transport Operations (Marine Pollution) Act 1995</del>	
Chief Executive Officer	Power to consult with the State, the port authority or port operator, if required, in preparing a response to a discharge or probable discharge of pollutant into coastal waters.	Section 93(5) Transport Operations (Marine Pollution) Act 1995	

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

**Transport Operations (Marine Safety) Act 1994**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<del>Chief Executive Officer</del>	<del>Power to consult with the chief executive in developing marine safety implementation programs, if the chief executive considers Council would be affected by the programs.</del>	<del>Section 25(4) Transport Operations (Marine Safety) Act 1994</del>	
Chief Executive Officer	Power as a public authority to make a submission on a proposal to prepare a draft standard.	219C(4) Transport Operations (Marine Safety) Act 1994	
Chief Executive Officer	Power as a public authority to make a submission on a draft standard.	219E(3) Transport Operations (Marine Safety) Act 1994	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### *Transport Operations (Marine Safety) Regulation ~~2004~~ 2016*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to give the general manager a proposal for an area (a proposed area) to be a marine zone under section <del>222A</del> 177 of the Transport Operations (Marine Safety) Regulation <del>2004</del> 2016.	Section <del>222B</del> 179(1) Transport Operations (Marine Safety) Regulation <del>2004</del> 2016	
Chief Executive Officer	Power to consult with the proposing entity, if it is a government entity, about a proposal under section <del>222B</del> 179 of the Transport Operations (Marine Safety) Regulation <del>2004</del> 2016.	Section <del>222C</del> 180(1)(a)(iii) Transport Operations (Marine Safety) Regulation <del>2004</del> 2016	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Waste Reduction and Recycling Act 2011	<p><b>NOTE: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the Waste Reduction and Recycling Act 2011 This has been done via:</b></p> <ul style="list-style-type: none"> <li>• <b>the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015</b></li> </ul> <p><b>The delegations specifically include the power to sub-delegate to an “appropriately qualified entity”</b></p>		
Chief Executive Officer	Power, as the operator of a waste disposal site required to hold an environmental authority for the disposal of more than 10000t of waste in a year at the site to install prescribed under a regulation, to install and keep in proper working order, a weighbridge (Nb. this obligation does not come into operation until the day provided in section 8(2) of the Regulation).	Section 43 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as the operator of a waste disposal site at which a weighbridge is installed, to measure and record waste.	Section 44 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as the operator of a waste disposal site, to prepare a waste data return for each reporting period.	Section 52 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	Section 95 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as scheme manager of an accredited stewardship scheme that the minister is proposing to revoke, to make written submissions to show why the proposed action to revoke the accreditation should not be taken.	Section 97 Waste Reduction and Recycling Act 2011	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 110 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 111 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises.	Section 112 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as a local government, to prepare and implement a waste reduction and recycling plan (Nb. this obligation does not commence until 30 June 2015).	Section 123 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to make written submissions where the chief executive intends to prepare a waste reduction and recycling plan for the local government to address an aspect that is relevant to the local government.	Section 128 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as a local government, to give the chief executive a report about the operation, in the financial year, of all the local government's waste reduction and recycling plans in force in its local government area (Nb. this obligation does not commence until 2 months after 30 June 2015).	Section 147 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as a reporting entity, to give the chief executive a report about the entity's receiving, sorting, recycling, treatment or disposal of waste in the financial year.	Section 152 Waste Reduction and Recycling Act 2011	
<del>Chief Executive Officer</del>	<del>Power to apply to the chief executive for a specific approval of a resource.</del>	<del>Section 157 Waste Reduction and Recycling Act 2011</del>	
<del>Chief Executive Officer</del>	<del>Power to agree with the chief executive to extend the time for providing additional material requested by the chief executive on an application for a specific approval of a resource.</del>	<del>Section 158 Waste Reduction and Recycling Act 2011</del>	
Chief Executive Officer	Power to make a submission about a potential end of waste code	Section 160 Waste Reduction	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
		and Recycling Act 2011	
Chief Executive Officer	Power to make a submission about a draft end of waste code	Section 165 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to apply to amend an end of waste code	Section 168 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a request from the chief executive for further information on an amendment application and agree to extend the stated period.	Section 170 Waste Reduction and Recycling Act 2011	
<del>Chief Executive Officer</del>	<del>Power, as holder of a specific approval of a resource, to apply to the chief executive to transfer the benefit of the approval or amend the approval.</del>	<del>Section 168 Waste Reduction and Recycling Act 2011</del>	
<del>Chief Executive Officer</del>	<del>Power to agree with the chief executive to extend the time for providing additional material requested by the chief executive on an application to transfer or amend a specific approval of a resource.</del>	<del>Section 169 Waste Reduction and Recycling Act 2011</del>	
Chief Executive Officer	Power, in relation to an approval which the minister intends to amend, cancel or suspend, to make written submissions to show why the proposed actions should not be taken.	Section 172 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to give the chief executive a notice stating that Council intends to become a registered resource producer for the code.	Section 173B Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a notice issued by the chief executive.	Section 173D Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a request for advice, comment or information about the operation of an end of waste code issued by the chief executive.	Section 173H Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to apply to the chief executive for an end of waste approval for 1 kind of waste.	Section 173I Waste Reduction and Recycling Act 2011	

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

**Waste Reduction and Recycling Act 2011**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to respond to a request from the chief executive for further information or documents required to decide the end of waste approval application and to agree to extend the stated period.	Section 173J Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to comply with the conditions of an end of waste approval.	Section 173P Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to apply to the chief executive to extend an end of waste approval.	Section 173Q Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to apply to the chief executive to amend or transfer an end of waste approval.	Section 173S Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a request from the chief executive for further information or documents required to decide the amendment application and to agree to extend the stated period.	Section 173T Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a notice received from the chief executive proposing to amend, cancel or suspend an end of waste approval.	Section 173Y(3)(f) Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to surrender an end of waste approval by giving notice to the chief executive.	Section 173ZA Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to respond to a notice from the chief executive requiring information about an end of waste approval.	Section 173ZB Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power to give the chief executive advice, comment or information about the operation of Chapter 8, Part 3.	Section 173ZC Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, where given, or entitled to be given an information notice for a	Section 175 Waste Reduction	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Waste Reduction and Recycling Act 2011

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	decision, to apply to the chief executive for an internal review of the decision.	and Recycling Act 2011	
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, apply for an internal review of the decision.	Section 175 Waste and Reduction and Recycling Act 2011	As the power relates to sections 248(2) and 253(3) of the Act.
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, extend the time for making an internal review application.	Section 176(2) Waste Reduction and Recycling Act 2011	As the power relates to sections 248(2) and 253(3) of the Act.
Chief Executive Officer	Power, where an internal review application has been made, to apply for a stay of the original decision.	Section 177 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, where given, or entitled to be given, a QCAT information notice under section 179 of the Waste Reduction and Recycling Act 2011, to apply to QCAT, under the QCAT Act, for external review of the decision.	Section 180 Waste Reduction and Recycling Act 2011	
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to appoint a person as an authorised person.	Section 183 Waste Reduction and Recycling Act 2011 and	See clause 6 of the Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2012
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	Section 187 Waste Reduction and Recycling Act 2011	See clause 6 of the Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2012
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a show cause notice.	Section 246 Waste Reduction and Recycling Act 2011	See clause 6 of Waste Reduction and Recycling (Local Government – Waste Management) Delegation (No. 1) 2012



**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

**Waste Reduction and Recycling Act 2011**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a compliance notice.	Sections 248 and 249 Waste Reduction and Recycling Act 2011	See clause 6 of Waste Reduction and Recycling (Local Government – Waste Management) Delegation (No. 1) 2012
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice requiring the person to commission a waste audit and to provide a waste report on the audit.	Sections 253 Waste Reduction and Recycling Act 2011	See clause 6 of Waste Reduction and Recycling (Local Government – Waste Management) Delegation (No. 1) 2012
Chief Executive Officer	Power to bring a proceeding in a Magistrates Court for an order to remedy or restrain an offence against the Act, or a threatened or anticipated offence against the Act.	Sections 261 Waste Reduction and Recycling Act 2011	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	<del>Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.</del>	<del>Section 20C(2) Water Act 2000</del>	
Chief Executive Officer	<del>Power, as a constructing authority, to take water to construct or maintain infrastructure if the taking of the water is for a purpose stated under a regulation.</del>	<del>Section 20C(3) Water Act 2000</del>	
Chief Executive Officer	Power, as a service provider directed to impose water restrictions under section 25D, to provide the Minister with a response stating the way it intends to ensure the restrictions are complied with.	Section 25C(d)(iii) Water Act 2000	
Chief Executive Officer	Power, as a service provider directed to achieve outcomes, to provide the Minister with a response stating: <ol style="list-style-type: none"> <li>1. its intended actions to achieve those outcomes; and</li> <li>2. if the actions include restrictions; how it intends to ensure compliance with the restrictions.</li> </ol>	Section 25C(d)(v) Water Act 2000	
Chief Executive Officer	Power, as a service provider, to comply with a direction given under a water supply emergency declaration.	Section 25E Water Act 2000	
Chief Executive Officer	Power, as a service provider and to the extent stated in a declaration or regulation, to recover, as a debt due, from Council's customers or other service providers: <ol style="list-style-type: none"> <li>(a) contributions made by the State; and</li> <li>(b) costs in section 25O(1) Water Act 2000 to the extent approved by the Minister; and</li> <li>(c) the rate of return.</li> </ol>	Section 25O Water Act 2000	
Chief Executive Officer	Power, as a service provider, to apply to the Minister for compensation for loss or damage because of actions taken under Chapter 2 1A, Part 2 1, <del>Division 2A</del> Water Act 2000 and to provide other relevant information required by the Minister.	Section 25R Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a service provider who has made an application under section 25R, to provide the information the Minister requires to decide the application.	Section 25T Water Act 2000	
Chief Executive Officer	Power, as a service provider, to comply with a notice requiring information issued by the chief executive.	Section 25Y Water Act 2000	
Chief Executive Officer	Power, as a service provider <del>outside the SEQ region or a designated region</del> , to apply for written approval to restrict the use of subartesian water by a customer of the water service provider in an area if the water is taken, other than for stock purposes, for a purpose mentioned in subsections 25ZA(1)(a) or (b).	Section 25ZA(1) Water Act 2000	
Chief Executive Officer	Power, as a service provider, to respond to a request for further information about the application from the chief executive.	Section 25ZA(3) Water Act 2000	
Chief Executive Officer	Power, as a service provider outside the SEQ region or a designated region, with the written approval of the chief executive, to impose a restriction on the use of subartesian water.	Section 25ZE Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as owner of land a moratorium notice affects and completing works that will not be completed by the date stated in the moratorium notice, to seek an extension of time to complete the works.</del>	<del>Section 27 Water Act 2000</del>	
Chief Executive Officer	Power, as a person who is completing works that have been started, to give the chief executive notice about the works by the day stated in the moratorium notice.	Section 30(3)(d) Water Act 2000	
Chief Executive Officer	Power, as an owner of land, to stop construction of the work by the completion day and apply to the Minister for an extension of the completion day.	Section 33(2) Water Act 2000	
Chief Executive Officer	Power, as person who is authorised, or has an entitlement to take or interfere with water, to provide information requested by the chief executive under section 35.	Section 35 Water Act 2000	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, <del>as a holder of an authority or entitlement to take or interfere with water, to provide information requested by the chief executive under section 36 of the Water Act 2000.</del> as an owner of land, to give the chief executive an owner's notice.	Section 36 Water Act 2000	
Chief Executive Officer	Power to respond to a notice of public consultation on a proposed water plan.	Section 44 Water Act 2000	
Chief Executive Officer	Power to make a submission on a draft water plan.	Section 46 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as a service provider, to provide information requested by the chief executive under section 36 of the Water Act 2000.</del>	<del>Section 36A Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the Minister's intention to prepare a draft water resource plan or further proposed draft water resource plan.</del>	<del>Section 40 &amp; 40A Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the Minister's draft water resource plan or further draft water resource plan.</del>	<del>Section 49 &amp; 49A Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to make available for inspection by the public a notice received from the Minister pursuant to section 52B(4).</del>	<del>Section 52B(5) Water Act 2000</del>	
Chief Executive Officer	Power to make a submission in response to a notice of the Minister's intention to postpone the expiry of a water plan.	Section 54 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the Minister's intention to prepare an amending water resource plan or new draft water resource plan.</del>	<del>Section 56 Water Act 2000</del>	
Chief Executive Officer	Power to make submissions in response to a notice of the Minister's intention to prepare a making of a draft water use plan.	Section 61 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the Minister's draft water use plan.</del>	<del>Section 64 Water Act 2000</del>	

REGISTER OF DELEGATIONS  
COUNCIL TO CEO

**Water Act 2000**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to <del>make submissions in response to a notice of the Minister's intention to prepare an amending water use plan or new draft water use plan.</del> Consult with the chief executive about the amendment or replacement of a water management protocol.	Section 69(2)(c) Water Act 2000	
Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water entitlement notice.	Section 72 Water Act 2000	
Chief Executive Officer	Power to take water for any of the purposes referred to in section 93.	Section 93 Water Act 2000	
Chief Executive Officer	Power to interfere with water for any of the purposes referred to in section 94.	Section 94 Water Act 2000	
Chief Executive Officer	Power to <del>make submissions in response to a notice of the chief executive's intention to prepare a draft resource operations plan.</del> As owner of land to take water for stock or domestic purposes.	Section 96 Water Act 2000	
Chief Executive Officer	Power, <del>as the holder of an interim resource operations licence, a resource operations licence or other authorisation to operate water infrastructure, to provide proposed arrangements for the management of the water.</del> To take overland flow water that is not more than the volume necessary to satisfy the requirements of:- (a) an environmental authority; or (b) a development permit for carrying out an environmentally relevant activity.	Section 97(1) Water Act 2000	
Chief Executive Officer	Power to interfere with the flow water by impoundment if the interference is not more than is necessary to satisfy the requirements of an environmental authority.	Section 97(2) Water Act 2000	
Chief Executive Officer	Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.	Section 99(1) Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a constructing authority, to take water to construct or maintain infrastructure.	Section 99(2) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the chief executive's draft resource operations plan.</del>	<del>Section 100 Water Act 2000</del>	
Chief Executive Officer	Power, <del>as existing water entitlement holder and in response to a notice for a draft resource operations plan that establishes water allocations, to give the chief executive notice of its wish to be recorded on the water allocations register as other than as tenant in common in equal shares.</del> Subject to any relevant alteration or limitation prescribed under a moratorium notice, water plan or a regulation under section 1046 to:- <ul style="list-style-type: none"> <li>(a) take water to carry out an activity prescribed by regulation;</li> <li>(b) take overland flow water;</li> <li>(c) take or interfere with underground water;</li> <li>(d) take water that has been collected in a dam other than a dam across a watercourse or lake.</li> </ul>	Section 101(1)(a) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as existing interest holder and in response to a notice for a draft resource operations plan that establishes water allocations, to give the chief executive notice of intention to take action to have the interest recorded on the water allocations register.</del>	<del>Section 101(1)(b) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as existing interest holder who gives the chief executive a notice under section 101(1)(b) of the Water Act 2000, to give the chief executive notice of the consent of the water allocation holder or other authority to take water.</del>	<del>Section 101(1)(c) Water Act 2000</del>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to, in a water plan area, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume stated in the water plan for the area; (b) take water if doing so is necessary to carry out an activity stated in the water plan for the area; interfere with water to the extent stated in the water plan for the area.	Section 102(1) Water Act 2000	
Chief Executive Officer	Power to, where there is no water plan or where the water plan for the area does not provide for the taking or interfering with water up to a volume stated in the plan, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume prescribed by regulation; interfere with water to the extent prescribed by regulation.	Section 102(3) Water Act 2000	
Chief Executive Officer	Power, as an owner of land, to take water from a watercourse, lake or spring for stock or domestic purposes in the circumstances described in subsections (a) or (b).	Section 103 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a notice of the chief executive's intention to amend a resource operations plan.</del>	<del>Section 105(4) Water Act 2000</del>	
Chief Executive Officer	Power, as an owner of a parcel or parcels of land, to apply for a water licence for the parcel or parcels.	Section 107 Water Act 2000	
Chief Executive Officer	Power, as a prescribed entity, to apply for a water licence for taking water or interfering with the flow of water.	Section 107(4) Water Act 2000	
Chief Executive Officer	Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.	Section 108 Water Act 2000	
Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 111 Water Act 2000	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	<del>Power to apply for a distribution operations licence other than one granted under a resource operations plan.</del>	<del>Section 108A Water Act 2000</del>	
Chief Executive Officer	<del>Power, as an applicant for a distribution operations licence, to provide whatever information the chief executive may request.</del>	<del>Section 108B Water Act 2000</del>	
Chief Executive Officer	Power to <del>make submissions in response to a show cause notice received from the chief executive regarding an intention to amend a condition of a resource operations licence or a distribution operations licence</del> give public notice of an application for a water licence in compliance with a notice received from the chief executive.	Section 112 (3), (4), (5) Water Act 2000	
Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 112(6) Water Act 2000	
Chief Executive Officer	<del>Power, as the holder of a resource operations licence or a distribution operations licence, to consent to amendments the chief executive wishes to make to the licence.</del>	<del>Section 113 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as resource operations licence holder or distribution operations licence holder or interim resource operations licence holder, to apply to the chief executive to transfer all or part of a resource operations licence or distribution operations licence or interim resource operations licence.</del>	<del>Section 114 &amp; 186 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as the current infrastructure owner or incoming owner to consent to an application made under section 114 of the Water Act 2000.</del>	<del>Section 115 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as the holder of a resource operations licence or distribution operations licence, to provide the chief executive any additional information about an application made under section 114 of the Water Act 2000.</del>	<del>Section 115A Water Act 2000</del>	
Chief Executive Officer	<del>Power, as resource operations licence holder, to apply to the chief executive to amalgamate, into a single licence, the resource operations licence with another resource operations licence in the same water supply scheme.</del>	<del>Section 118A(1) Water Act 2000</del>	



# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	<del>Power, as distribution operations licence holder, to apply to the chief executive to amalgamate, into a single licence, the distribution operations licence with another distribution operations licence in the same water supply scheme.</del>	<del>Section 118A(2) Water Act 2000</del>	
Chief Executive Officer	<del>Power, as the holder of a resource operations licence or distribution operations licence, to provide written consent for its licence to be amalgamated with another licence in the same water supply scheme.</del>	<del>Section 118A(3)(b) Water Act 2000</del>	
Chief Executive Officer	<del>Power, as the owner of water infrastructure to provide written consent to an application made under section 118A(2).</del>	<del>Section 118A(4) Water Act 2000</del>	
	<del>Power, as the owner of water infrastructure subject to a distribution operations licence held by the approved nominee of the water infrastructure owner, to request cancellation of the distribution operations licence.</del>	<del>Section 119 Water Act 2000</del>	
Chief Executive Officer	<del>Power to make submissions in response to a show cause notice issued by the chief executive in relation to the proposed cancellation of a resource operations licence or distribution operations licence.</del>	<del>Section 119A Water Act 2000</del>	
Chief Executive Officer	<del>Power, as resource operations licence holder or distribution operations licence holder or interim resource operations licence holder, to agree with the chief executive to cancel a resource operations licence or distribution operations licence or interim resource operations licence.</del>	<del>Section 119B &amp; 186 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as resource operations licence holder or a distribution operations licence holder or the owner of water infrastructure subject to a distribution operations licence held by the approved nominee of the water infrastructure owner, 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.</del>	<del>Section 119D Water Act 2000</del>	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	Power to apply for 1 or more dealings with a water licence, take all steps to progress the application and give notice of the application (if required).	Sections 121, 122, 123, 126 and 127 Water Act 2000	Remain with Council
<del>Chief Executive Officer</del>	<del>Power, as resource operations licence holder or water allocation holder, to enter into a supply contract with a resource operations licence holder or allocation holder, where a different entity, for an allocation.</del>	<del>Section 122A(4)(a) Water Act 2000</del>	<del>Subject to financial delegations.</del>
<del>Chief Executive Officer</del>	<del>Power, as a party to a standard supply contract, to review the contract within 1 year of the contract taking effect.</del>	<del>Section 122A(5) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as resource operations licence holder, to require a water allocation holder to provide reasonable security for supplying and storing the water allocation.</del>	<del>Section 124 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water allocation holder, to provide the chief executive with information required by the chief executive to correct the name of the entitlement holder.</del>	<del>Section 126 Water Act 2000</del>	
Chief Executive Officer	Power to apply to have a water licence reinstated.	Section 125 Water Act 2000	
Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 128 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as distribution licence holder, to agree that the water allocation holder has satisfied their obligation to pay a charge under the distribution arrangements between the parties.</del>	<del>Section 127C Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water allocation holder, to apply to the chief executive to:</del> <del>(a) amalgamate 2 or more water allocations into a single water allocation;</del> <del>or</del> <del>(b) subdivide a water allocation into 2 or more water allocations.</del>	<del>Section 128A Water Act 2000</del>	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	<del>Power, as water allocation holder, to notify the chief executive of a proposal to transfer or lease a water allocation not managed under a resource operations licence.</del>	<del>Section 128B Water Act 2000</del>	
Chief Executive Officer	<del>Power, as water allocation holder, to apply to the chief executive to change the allocation in accordance with the change rules of a resource operations plan.</del>	<del>Section 129 &amp; 129A Water Act 2000</del>	
Chief Executive Officer	<del>Power, as water allocation holder, to apply to the chief executive to change the allocation where the change is not mentioned in a resource operations plan.</del>	<del>Section 130 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as water allocation holder who has made an application under sections 129A or 130 to provide the chief executive with the additional information requested.</del>	<del>Section 131 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as an applicant to change a water allocation under section 130 Water Act 2000, to publish stated information required by a notice issued by the chief executive and to give the chief executive evidence of the publication.</del>	<del>Sections 132(2) &amp; 132(5) Water Act 2000</del>	
Chief Executive Officer	<del>Power to make submissions in response to a notice advising an application to change a water allocation under section 130 Water Act 2000.</del>	<del>Section 132 Water Act 2000</del>	
Chief Executive Officer	Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).	Section 134 Water Act 2000	
Chief Executive Officer	Power to surrender a water licence.	Section 136 Water Act 2000	
Chief Executive Officer	Power to apply for a water permit for an activity.	Section 137 Water Act 2000	
Chief Executive Officer	<del>Power, as water allocation holder or an interim water allocation licence holder, to make submissions in response to a show cause notice given where Council has been convicted of an offence against the Water Act 2000.</del>	<del>Section 138 &amp; 196 Water Act 2000</del>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<del>Chief Executive Officer</del>	<del>Power, as resource operations licence holder or distribution operations licence holder, to sell a water allocation in accordance with the supply contract or distribution arrangements.</del>	<del>Section 140 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water allocation holder or seasonal water assignment holder, to apply to the chief executive for a seasonal water assignment.</del>	<del>Section 142 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water allocation holder who has made an application under section 142 to provide the chief executive with the additional information requested.</del>	<del>Section 143 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water allocation holder, to enter into an arrangement for a seasonal water assignment in relation to the water allocation.</del>	<del>Section 146B Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as resource operations licence holder, to consent to an arrangement for a seasonal water assignment with a water allocation holder where the seasonal water assignment rules require the consent.</del>	<del>Section 146B(2)(b) Water Act 2000</del>	
Chief Executive Officer	Power, as a allocation holder and as a resource operations licence holder to enter a supply contract for the allocation.	Section 147(4) Water Act 2000	
Chief Executive Officer	Power, licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.	Section 149 Water Act 2000	
Chief Executive Officer	Power to respond to a requirement from the chief executive to give additional information about the correction and to verify the information by statutory declaration.	Section 151 Water Act 2000	
	<del>Power, as existing interest holder, to lodge a caveat claiming an interest in a water allocation.</del>	<del>Section 150A(3) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to search and obtain a copy of a water allocation, an instrument in relation to an allocation and information about the allocation.</del>	<del>Section 153 Water Act 2000</del>	

**REGISTER OF DELEGATIONS**  
**COUNCIL TO CEO**

**Water Act 2000**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to agree that the obligation on the water allocation holder to pay a charge has been satisfied.	Section 154(2) Water Act 2000	
Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to give notice in the approved form to the chief executive of an agreement reached under subsection (2).	Section 154(3) Water Act 2000	
Chief Executive Officer	Power, as an allocation holder in a circumstance prescribed in subsection (1), to give a disclosure statement and acknowledgement notice for the water allocation before entering a contract for the transfer or lease of the water allocation.	Section 155 Water Act 2000	
Chief Executive Officer	Power, as a water allocation holder who proposes to transfer or lease a water allocation not managed under a resource operations licence, to give the chief executive notice of the proposed transfer or lease.	Section 157 Water Act 2000	
Chief Executive Officer	Power, as a water allocation holder, to apply to the chief executive for a water allocation dealing, other than a transfer or lease, under the water allocation dealing rules and to take all steps to comply with the rules.	Section 159 Water Act 2000	
Chief Executive Officer	Power, as a water allocation holder, given a certificate under sections 157 or 159 to lodge it with the registrar.	Section 161 Water Act 2000	
Chief Executive Officer	Power, as a water allocation holder, to surrender the water allocation by agreement with the chief executive.	Section 162(1) Water Act 2000	
Chief Executive Officer	Power, as the holder of a licence, to consent to the surrender of the water allocation with or without conditions.	Section 162(2) Water Act 2000	
Chief Executive Officer	Power, as the holder of a resource operations licence or distribution operations licence, to otherwise agree with the chief executive about the liability for fees under the supply contract or distribution arrangements.	Section 162(3) Water Act 2000	
Chief Executive Officer	Power, as the holder of water allocation, to respond to a show cause notice as to why the allocation should not be forfeited.	Section 164(2) Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to give notice of the proposed exercise of the power to any person having a registered interest in the water allocation.	Section 166(5) Water Act 2000	
Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to apply an amount received on the sale of the water allocation in the way mentioned in section 164(7).	Section 166(6) Water Act 2000	
Chief Executive Officer	Power to search and obtain copies of documents in the water allocations register and pay any fees associated with the request.	Section 175 Water Act 2000	
Chief Executive Officer	Power, as a nominator, to give the chief executive notice in the approved form nominating a nominee to be the holder of a distribution operations licence.	Section 178 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as interim resource operations licence holder, to apply to amend the interim resource operations licence.</del>	<del>Section 179 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as interim resource operations licence holder who has made an application under section 179, to provide any additional information requested by the chief executive.</del>	<del>Section 180 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a public notice to amend an interim resource operations licence.</del>	<del>Section 181 Water Act 2000</del>	
Chief Executive Officer	Power, as an entity mentioned in section 176(2) to apply for a resource operations licence for existing or proposed water infrastructure.	Section 181(1) Water Act 2000	
Chief Executive Officer	Power, as an entity mentioned in section 177(2) to apply for a distribution operations licence for existing or proposed water infrastructure.	Section 181(2) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as an applicant to change an interim resource operations licence, to publish stated information required by a notice issued by the chief executive and to give the chief executive evidence of the publication.</del>	<del>Sections 182(2) &amp; 182(5) Water Act 2000</del>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to consult with the chief executive about a proposed amendment of the licence.	Section 183(3) Water Act 2000	
Chief Executive Officer	Power, as <del>interim resource operations licence holder, to respond to a show cause notice issued by the chief executive about its intention to amend the interim resource licence</del> the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend the licence and pay any fee associated with the application.	Section 184 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make submissions in response to a public notice by the chief executive to amend an interim resource operations licence.</del>	<del>Section 184 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as the holder of an interim resource operations licence, to apply to the chief executive to amend the water sharing rules in a water year or part of a water year.</del>	<del>Section 185A(1)(a)(ii) Water Act 2000</del>	
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive about the amendment of the licence.	Section 186 Water Act 2000	
Chief Executive Officer	Power, as the holder of a resource operations licence or the holder of a distribution operations licence or the current infrastructure owner, to apply to the chief executive to transfer the licence and pay any fee associated with the application.	Section 187 Water Act 2000	
Chief Executive Officer	Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.	Section 188 Water Act 2000	
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 189 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as <del>interim resource operations licence holder or resource operations licence holder, to apply to transfer all or part of an interim water allocation not attached to land, to any of the listed entities</del> the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amalgamate the licence with another licence in the same water supply scheme and pay any fee associated with the application.	Section 193 Water Act 2000	
Chief Executive Officer	Power, as <del>interim water allocation holder, to transfer to other land, all or part of the authority to take water under the allocation</del> allocation licence holder, to respond to a show cause notice issued by the chief executive about the proposed cancellation of the licence.	Section 195 Water Act 2000	
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive that the licence is no longer required and that it can be cancelled.	Section 196 Water Act 2000	
Chief Executive Officer	Power, as <del>interim water allocation holder, to surrender the allocation</del> as the holder of a resource operations licence or a distribution operations licence, to prepare the operations manual and submit it together with the sufficient information to the chief executive for approval.	Section 197 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as interim water allocation holder, to consult with the chief executive about dealing with the interim water allocation under an interim resource operations licence.</del>	<del>Section 197A(2) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as a proposed transferee, to apply for the transfer of an interim water allocation under an interim resource operations licence to the transferee.</del>	<del>Section 197A(3) Water Act 2000</del>	



# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, <del>as interim water allocation holder that attaches to land, part of which has been disposed of, to apply or consent to the other land holder/s application, to have one or more interim water allocations to replace the jointly held interim water allocation licence</del> as the holder of a resource operations licence or a distribution operations licence, to publish the approved operations manual on Council's website.	Section 198(3) Water Act 2000	
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to have those parts of the operations manual that were not approved referred to a referral panel.	Section 199(3) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as interim water allocation holder that attaches to land, part of which has been disposed of, to make a written submission to the chief executive in response to a notice to replace the allocation.</del>	<del>Section 198(7) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as interim water allocation holder, to enter into an arrangement for a seasonal water assignment in relation to the allocation.</del>	<del>Section 200(1) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as interim resource operations licence holder or resource operations licence holder, to consent to an arrangement under section 200(1) Water Act 2000.</del>	<del>Section 200(3) Water Act 2000</del>	
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend or replace an operations manual.	Section 200(1) Water Act 2000	
Chief Executive Officer	Power, as the holder of a relevant licence, to apply to the chief executive to amend the relevant licence.	Section 200(4) Water Act 2000	
Chief Executive Officer	Power, as the holder of the licence, to publish a statement of the changes made to the operations manual.	Section 200(6) Water Act 2000	
Chief Executive Officer	Power, in the circumstances prescribed in subsections (1) or (3), to review the operations manual and apply to the chief executive to amend it.	Section 201 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an entity referred to in subsection (1), to give an authorised person free and uninterrupted access to the water infrastructure to which the licence applies and any records relating to the water infrastructure.	Section 203(2) Water Act 2000	
	Power, <del>as owner of land or owner of contiguous parcels of land, to apply for a water licence to take water and use water on the land or interfere with the flow of water on, under or adjoining the land</del> to apply for an operations licence.	Section 206(1) Water Act 2000	
	<del>Power, as owner of intervening land, to grant the applicant for a water licence a registrable lease or easement over Council's land to enable them to take the water.</del>	<del>Section 206(3) Water Act 2000</del>	
	<del>Power, as a listed entity, to apply for a water licence to take water or interfere with the flow of water.</del>	<del>Section 206(4) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as an applicant for a water licence under section 206 or an applicant for the transmission of a water licence under section 212A, to provide any additional information requested by the chief executive.</del>	<del>Section 207 &amp; 212A(5) Water Act 2000</del>	
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 207 Water Act 2000	
Chief Executive Officer	Power to apply to the chief executive to amend an operations licence.	Section 211 Water Act 2000	
Chief Executive Officer	Power, as the holder of an operations licence, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of the licence.	Section 212 Water Act 2000	
Chief Executive Officer	Power, as the holder of an operations licence, to consent to a different day being stated in the operations licence.	Section 213(4) Water Act 2000	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as a licensee or a new water entitlement holder, in circumstances where subsection (2) applies, to consent to the amendment including the new holder instead of the previous holder.	Section 213(5) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as an applicant for a water licence, to publish stated information required by a notice issued by the chief executive and to give the chief executive evidence of the publication.</del>	<del>Sections 208(2) and 208(6) Water Act 2000</del>	
	<del>Power to make submissions in relation to another entity's application for a water licence under section 206 of the Water Act 2000.</del>	<del>Section 208(4) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as relevant entity for a recycled water scheme or entity nominated by such a relevant entity, to apply for a transmission water licence for taking water from a receiving water source.</del>	<del>Section 212A Water Act 2000</del>	<del>Delegation not below General Manager</del>
<del>Chief Executive Officer</del>	<del>Power, as an applicant for a water licence to which section 206(3) applies, to register the instrument of lease or easement under the Land Title Act 1994.</del>	<del>Sections 214(4) Water Act 2000</del>	
Chief Executive Officer	Power, as water licence holder, to apply to amend a water licence as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender.	Section 216 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power to make written submissions in relation to another entity's application to amend a water licence.</del>	<del>Section 216A(3) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder or a water permit holder, to make submissions in response to a show cause notice issued by the chief executive in relation to a proposed amendment to the water licence or cancellation of the water permit.</del>	<del>Section 218 &amp; 244 Water Act 2000</del>	
Chief Executive Officer	Power to apply to the chief executive for a permit to excavate or place fill in a watercourse, lake or spring.	Section 218 Water Act 2000	
Chief Executive Officer	Power as the registered owner of land to consent to the making of an application for a permit to excavate or place fill in a watercourse, lake or spring.	Section 218(3) Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 219 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder, to apply for renewal of a water licence.</del>	<del>Section 220 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder or the owner of land to which a water licence was attached, to apply for reinstatement of an expired water licence.</del>	<del>Section 221 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder or the constructing authority acquiring land under the Acquisition of Land Act 1967 to which an interim water allocation or water licence is attached, to apply to transfer a water licence or the interim water allocation or water licence.</del>	<del>Section 222 &amp; 198A &amp; 229B Water Act 2000</del>	
Chief Executive Officer	Power, as a permittee, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of a riverine protection permit.	Section 222 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder, to apply to amalgamate 2 or more water licences.</del>	<del>Section 224 Water Act 2000</del>	
Chief Executive Officer	Power, <del>as water licence holder, to apply to divide a water licence into 2 or more water licences</del> as an owner of land to comply with a notice issued by the chief executive pursuant to subsection (3).	Section 225 (5) Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder, to surrender a water licence.</del>	<del>Section 226 Water Act 2000</del>	
Chief Executive Officer	Power to apply for an allocation of quarry material.	Section 227 Water Act 2000	
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application, to pay the chief executive the reasonable amount and to verify the information by statutory declaration.	Section 228 Water Act 2000	

# REGISTER OF DELEGATIONS COUNCIL TO CEO

## Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
<del>Chief Executive Officer</del>	<del>Power, as the new owner of land to which a water licence attaches, to give the chief executive notice that the previous licensee has ceased to be the licensee.</del>	<del>Section 228(5) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as owner of land to which a jointly held water licence attaches, to apply for 1 or more licences to replace the jointly held licence.</del>	<del>Section 229(3) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as owner of land to which a jointly held water licence attaches and to whom a notice has been given under section 229(7) of the Water Act, to make a submission about the chief executive's proposal to amend, subdivide or cancel the licence.</del>	<del>Section 229(3) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder or seasonal water assignment notice holder, to apply for a seasonal water assignment.</del>	<del>Section 231 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as an applicant under section 231, to provide any additional information requested by the chief executive.</del>	<del>Section 232 Water Act 2000</del>	
	Power, as an allocation notice holder, to apply to transfer all or part of the allocation to another person and pay any fee associated with the application.	Section 235 Water Act 2000	Remain with Council
	Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.	Section 236 Water Act 2000	Remain with Council
Chief Executive Officer	Power <del>to apply for a water permit for taking water for an activity with a reasonably foreseeable conclusion date</del> as an allocation holder, to respond to a show cause notice issued by the chief executive about the proposed amendment, suspension or cancellation of the allocation notice.	Section 237 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power as an applicant for a water permit under section 237 to provide the chief executive with any additional information requested.</del>	<del>Section 238 Water Act 2000</del>	
Chief Executive Officer	Power, as an allocation holder, to surrender the allocation notice by giving the chief executive a notice of surrender.	Section 239 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an allocation holder, to pay the royalty or price payable for quarry material removed under the allocation notice.	Section 240 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as water permit holder or the holder of a seasonal water assignment notice, to surrender the water permit.</del>	<del>Section 243 &amp; 146 &amp; 236 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as water licence holder or water permit holder, to apply for a replacement licence or permit where the licence or permit has been lost or destroyed.</del>	<del>Section 245 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to apply to the chief executive for a permit to:</del> <del>(a) excavate in a watercourse, lake or spring;</del> <del>(b) place fill in a watercourse, lake or spring.</del>	<del>Section 266 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as the registered owner of the land containing the watercourse or part of the lake or spring or adjoining the watercourse, lake or spring to which an application under section 266 relates, to provide written consent to the proposed activity.</del>	<del>Section 266(2A) Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as an applicant under section 266 to provide any additional information requested by the chief executive.</del>	<del>Section 267 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as permit holder under section 266 of the Water Act 2000, to respond to a show cause notice issued by the chief executive as to why the conditions of the permit should not be amended, or the permit should not be cancelled.</del>	<del>Section 270 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power to apply for an allocation of quarry material.</del>	<del>Section 280 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as quarry material allocation notice holder, to apply to transfer all or part of the allocation to another person.</del>	<del>Section 288 Water Act 2000</del>	
<del>Chief Executive Officer</del>	<del>Power, as quarry material allocation notice holder, to apply to renew the allocation notice.</del>	<del>Section 289 Water Act 2000</del>	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	<del>Power, as quarry material allocation notice holder, to respond to a show cause notice issued by the chief executive as to why the allocation notice should not be amended, suspended or cancelled.</del>	<del>Section 290 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as quarry material allocation notice holder, to surrender the allocation notice.</del>	<del>Section 291A Water Act 2000</del>	
Chief Executive Officer	<del>Power, as operations licensee, to apply to amend an operations licence.</del>	<del>Section 333 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as operations licensee, to make submissions in response to a notice issued by the chief executive regarding proposed the proposed amendment to a licence.</del>	<del>Section 334(3) Water Act 2000</del>	
Chief Executive Officer	<del>Power, as operations licensee, to apply to transfer the operations licence.</del>	<del>Section 337 Water Act 2000</del>	
Chief Executive Officer	<del>Power, as operations licensee, to surrender an operations licence.</del>	<del>Section 338 Water Act 2000</del>	
Chief Executive Officer	Power to make written submissions in response to a notice published pursuant to section 345 of the Water Act 2000	Section 345 Water Act 2000	
Chief Executive Officer	Power to prepare a draft water security program	Section 354 Water Act 2000	
Chief Executive Officer	Power to prepare a revised draft water security program	Section 357(4) Water Act 2000	
Chief Executive Officer	Power to decide not to prepare a revised draft water security program	Section 357(6) Water Act 2000	
Chief Executive Officer	Power to finalise a water security program	Section 358 Water Act 2000	
Chief Executive Officer	Power to review a water security program	Section 359 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to amend a water security program	Section 360 Water Act 2000	
	Power, as a bulk water party, to amend a bulk water supply agreement	Section 360H Water Act 2000	
	Power, as a bulk water party to an amended bulk water supply agreement, to respond to Minister's notice under section 360I	Section 360I Water Act 2000	
Chief Executive Officer	Power, as a code regulated entity to make submissions to the Minister about the making or amending of the bulk water code	Section 360U Water Act 2000	
Chief Executive Officer	Power to make a submission to the responsible entity about a proposed underground water impact report or final report and give a copy of the submission to the chief executive.	Section 382 Water Act 2000	
<del>Chief Executive Officer</del>	<del>Power, as responsible entity for an approved report, which the chief executive considers requires amendment, to make a submission regarding the proposed amendment.</del>	<del>Section 393 Water Act 2000</del>	
Chief Executive Officer	Power, as an owner of land, to comply with any reasonable request by the holder made under subsection (1).	Section 404 Water Act 2000	
Chief Executive Officer	Power, as an owner of a water bore the holder reasonably believes has an impaired capacity, to negotiate and enter into an agreement with the holder about the matters listed in subsection (2).	Section 406 Water Act 2000	
Chief Executive Officer	Power, as an owner of a water bore, to comply with any reasonable request by the tenure holder made under subsection (1).	Section 416 Water Act 2000	
Chief Executive Officer	Power, as an owner of a water bore for which a responsible tenure holder has undertaken a bore assessment under division 2, to negotiate and enter into make good agreement for the bore.	Section 423 Water Act 2000	



**REGISTER OF DELEGATIONS**  
**COUNCIL TO CEO**

**Water Act 2000**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an owner of a water bore who has entered a make good agreement for the bore, to terminate the agreement within the cooling off period by giving written notice to the responsible tenure holder for the water bore.	Section 423A Water Act 2000	
Chief Executive Officer	Power, as a party to a make good agreement, in the circumstances specified in subsection (1), to:- (c) give a notice under subsection (2); and negotiate a variation of a make good agreement for the water bore.	Section 424 Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 to give the other party, and where necessary the chief executive, an election notice.	Section 426 Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to ask for and agree to a longer period to finish the conference or ADR.	Section 427(4) Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to attend a conference.	Section 429(1) Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to seek the authorised officer's approval for someone else to be present at the conference.	Section 429(3) Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to agree to the other party being represented by a lawyer.	Section 429(4) Water Act 2000	
Chief Executive Officer	Power, as a party who attended the conference where the other party did not attend, to apply to the Land Court for Council's costs.	Section 430 Water Act 2000	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to negotiate an agreement about the matters the subject of the conference and to sign the agreement on Council's behalf.	Section 433 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	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.	Section 434(3) Water Act 2000	
Chief Executive Officer	Power, as an owner of a water bore, to comply with a requirement of the chief executive to give the information referred to in subsection (2).	Section 454 Water Act 2000	
Chief Executive Officer	Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.	Section 556 Water Act 2000	
Chief Executive Officer	Power to make a submission in response to a proposal to change the composition of the board of a water authority.	Section 598A Water Act 2000	
	Power, as a landholder who receives a notice from the chief executive, to make a submission regarding a proposed amalgamation or dissolution of water authorities.	Section 692 Water Act 2000	
Chief Executive Officer	Power, as a relevant registered owner of land in the authority area, to enter a closed water activity agreement.	Section 695A Water Act 2000	
	Power to agree in writing with the water authority to a proposed transfer by the water authority to the local government of all or part of the authority's functions and on how to implement the proposed transfer.	Section 700A(1)(a)(i) Water Act 2000	
Chief Executive Officer	Power, together with a water authority, to notify the Minister of their agreement about the proposed transfer and on how it is to be implemented and ask for the Minister's approval of the proposed transfer.	Section 700A(1)(b) Water Act 2000	
Chief Executive Officer	Power to comply with a requirement of the Minister made under this subsection.	Section 700A(2) Water Act 2000	
Chief Executive Officer	Power, as interested person who has been given an information notice or compliance notice by the chief executive, to apply for an internal review of the original decision to give the notice.	Section 862 Water Act 2000	

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## REGISTER OF DELEGATIONS COUNCIL TO CEO

### Water Act 2000

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	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.	Section 877 Water Act 2000	
Chief Executive Officer	Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.	Section 988 Water Act 2000	
	Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement.	Section 992C Water Act 2000	
Chief Executive Officer	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 to replace the licence and make a validating declaration.	Section 1273A Water Act 2000	
Chief Executive Officer	Power, as holder of the new licence, to request the chief executive to make a validating declaration in relation to the licence.	Section 1273B Water Act 2000	

**REGISTER OF DELEGATIONS**  
**COUNCIL TO CEO**

**Water Regulation 2016 - New**

## NEW REGISTER

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, in relation to an original licence, to apply to the chief executive for a transfer, amendment or amalgamation and to pay the application fee.	Section 34 Water Regulation 2016	
Chief Executive Officer	Power, as the holder of the original licence, to swear the statutory declaration required in subsection (3)(b)(i)	Section 34(3)(b)(i) Water Regulation 2016	
Chief Executive Officer	Power, as an interested entity, to provide written consent to the proposed transfer, amendment or amalgamation.	Section 34(3)(b)(ii) Water Regulation 2016	
Chief Executive Officer	Power, as an applicant under section 34, to give the chief executive a transfer notice.	Section 37 Water Regulation 2016	
Chief Executive Officer	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 year in which the application is made and to pay the application fee.	Section 58 Water Regulation 2016	
Chief Executive Officer	Power to comply with a notice issued by the chief executive under subsection (2).	Section 64(2) Water Regulation 2016	
Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 64(5)(a) Water Regulation 2016	
Chief Executive Officer	Power to give the chief additional information required under subsection (1) and to verify the information by statutory declaration.	Section 65 Water Regulation 2016	
Chief Executive Officer	Power, where Council has made an application under section 63, to pay the estimated cost to the chief executive.	Section 66(3) Water Regulation 2016	
Chief Executive Officer	Power to comply with a meter notice issued by the chief executive.	Section 108 Water Regulation 2016	

**REGISTER OF DELEGATIONS**  
**COUNCIL TO CEO**

**Water Regulation 2016 - New**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to arrange for a validation inspection to be carried out on a meter and to give a copy of the validation certificate to the chief executive.	Section 112 Water Regulation 2016	
Chief Executive Officer	Power to comply with a notice from the chief executive requiring Council to read a meter and provide the meter reading to the chief executive.	Section 113(3) Water Regulation 2016	
Chief Executive Officer	Power to pay a meter operating charge to the chief executive.	Section 115 Water Regulation 2016	
Chief Executive Officer	Power to pay a meter use charge to the chief executive.	Section 116 Water Regulation 2016	
Chief Executive Officer	Power to give the chief executive a notice that Council has decided to stop using an approved meter.	Section 117(1) Water Regulation 2016	
Chief Executive Officer	Power to pay the metering exit charge.	Section 117(3) Water Regulation 2016	
Chief Executive Officer	Power, after receiving a transfer notice, to give written notice to the chief executive that Council is refusing to accept the transfer	Section 119(3) Water Regulation 2016	
Chief Executive Officer	Power as a licensee to pay the water licence fee stated in the notice received from the chief executive.	Section 131(2)(b) Water Regulation 2016	
Chief Executive Officer	Power to pay a charged levied by a notice received from the chief executive pursuant to this section.	Section 134(1)(d) Water Regulation 2016	

## REGISTER OF DELEGATIONS COUNCIL TO CEO

### *Workers' Compensation and Rehabilitation Act 2003*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power, as an employer, to insure and keep insured all Council's employees and Councillors.	Section 48 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	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 Workers' Compensation and Rehabilitation Act 2003.	Section 107E(2) Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	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 Workers' Compensation and Rehabilitation Act 2003.	Section 107E(6) Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.	Section 144 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.	Section 207B(3-4) Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer, to appoint a Rehabilitation and Return to Work Coordinator where the employer meets the criteria prescribed under a regulation.	Section 226 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.	Section 227 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer, to assist or provide an injured worker with rehabilitation.	Section 228(1) and 228(2) Workers' Compensation and Rehabilitation Act 2003	

**REGISTER OF DELEGATIONS  
COUNCIL TO CEO**

**Workers' Compensation and Rehabilitation Act 2003**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
		Rehabilitation Act 2003	
Chief Executive Officer	Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.	Section 532C Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer or contractor, to keep the documents about workers, and contracts for the performance of work, prescribed under a regulation.	Section 532D Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as an employer who is a self-insurer, to give the Regulator information the employer has in relation to a person defrauding, or attempting to defraud, the self-insurer, or in relation to a person stating anything, or giving a document containing information, to the self-insurer or a registered person that the person knows is false or misleading in a material particular.	Section 536(4) Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power to apply for a review of a decision identified in section 540(1) of the Workers' Compensation and Rehabilitation Act 2003 and to take all steps necessary to conduct the application and to appear at the hearing.	Section 541 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power to appeal to an appeal body against the following decisions of the Regulator or the insurer: (a) a review decision, other than a decision to return a matter to a decision-maker under section 545 of the Workers' Compensation and Rehabilitation Act 2003; and (b) a decision under Chapter 3 or Chapter 4 of the Workers' Compensation and Rehabilitation Act 2003 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	Section 549, 550, 552A and 554 Workers' Compensation and Rehabilitation Act 2003	

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
	appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.		
Chief Executive Officer	Power to seek the consent of the other party or the leave of the appeal body for Council to be represented by a lawyer at a conference under section 552A or at the hearing of an appeal.	552B Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power to appeal against a decision of the Regulator identified in section 567 of the Workers' Compensation and Rehabilitation Act 2003 and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 568 Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as a prospective employer, to request in writing that a prospective worker disclose to Council the worker's pre-existing injury or medical condition, if any.	Section 571B Workers' Compensation and Rehabilitation Act 2003	
Chief Executive Officer	Power, as a principal contractor for a construction project to, by written notice, ask the relevant contractor for a copy of a required document.	Section 576C Workers' Compensation and Rehabilitation Act 2003	