



ORDINARY MEETING

MINUTES

22 JUNE 2021

These Minutes were confirmed at the Council Meeting on 13 July 2021

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MEETING ATTACHMENTS

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 22 JUNE 2021 COMMENCING AT 9:01AM**

1 OPENING

- 1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor N K Fisher
Councillor S Latcham
Councillor G D Mathers
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr G Bowden – Executive Manager Advance Rockhampton
Mr J Webb – Manager Communities and Culture
Mr D Stevenson – Manager Corporate and Technology Services
Mr B Koelmeyer – Acting Senior Planning Officer
Ms L Leeder – Senior Committee Support Officer

Via Webex:

Ms A Cutler – General Manager Community Services
Mr P Kofod – General Manager Regional Services
Ms T Sweeney – Executive Manager Workforce and Governance
Ms M Taylor – Chief Financial Officer
Mr M O'Keeffe – Manager Rockhampton Regional Waste and Recycling
Mr A Russell – Manager Strategy and Planning
Mr M Mansfield – Coordinator Media and Communications
Ms A Brennan – Coordinator Legal and Governance

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 8 June 2021 be confirmed.

Moved by: Councillor Smith
Seconded by: Councillor Mathers

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Cherie Rutherford informed the meeting:

"I have a declarable conflict of interest in **Item 8.3 – Councillor Discretionary Fund Application – Councillor Cherie Rutherford – Victoria Park Gymnastic & Trampoline Club** as I coach voluntarily at the Victoria Park Gymnastic & Trampoline Club.

I proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

Councillor Ellen Smith informed the meeting:

"I have a prescribed conflict of interest in **Item 9.17 – Mount Morgan Water Supply Security** as my nephew Adam John McEvoy is a partner in MTC Industries who have recently commenced a contract with FRW to cart potable drinking water to Mount Morgan. My brother John James McEvoy is employed by MTC Industries to drive the water tanker.

I will deal with the conflict by leaving the room and staying away from the place where the meeting is being held when this matter is being discussed and voted on."

Mayor, Councillor Tony Williams informed the meeting:

"I have a declarable conflict of interest in **Item 9.16 – Local Government Association of Queensland Inc Annual Conference 25-27 October 2021 Mackay** as I received two complimentary tickets from the Local Government Association of Queensland for myself and my wife Lisa to attend the 2021 Beef Australia Gala Ball on Saturday 8 May 2021, valued at over \$500.

I believe that my attendance at this event was my civic duty as Mayor, and I wish for eligible Councillors to now determine, pursuant to section 150ES of the Local Government Act 2009, whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter."

9:04AM Councillor Williams invited Deputy Mayor Councillor Fisher to assume the role of Chairperson for the decision making process.

COUNCIL RESOLUTION

THAT the Mayor, Councillor Tony Williams does not have a conflict of interest, and that it is in the public interest that Councillor Williams remains in the meeting, participates in the decision including by voting on the matter.

Moved by: Councillor Fisher

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

Councillors Fisher, Mathers, Wickerson, Rutherford, Smith, Kirkland and Latcham voted in the affirmative.

Councillor Williams did not participate in the vote.

9:05AM Councillor Williams resumed the role of Chairperson.

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 PRESENTATION OF PETITIONS

Nil

8 COUNCILLOR/DELEGATE REPORTS**8.1 LEAVE OF ABSENCE FOR COUNCILLOR NEIL FISHER - 7 TO 20 JULY 2021 INCLUSIVE**

File No: 10072

Authorising Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

Author: Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Neil Fisher is requesting leave of absence from 7 to 20 July 2021 inclusive.

COUNCIL RESOLUTION

THAT Councillor Neil Fisher be granted leave of absence from 7 to 20 July 2021 inclusive.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED

8.2 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR SHANE LATCHAM - ROCKHAMPTON HORSE RIDING FOR THE DISABLED**File No: 8295****Authorising Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer****Author: Megan Careless - Executive Support Officer**

SUMMARY

This report requests the consideration of Council approval for an allocation from Councillor Shane Latcham's Councillor Discretionary Fund to assist with the purchase and installation of a bore for Rockhampton Horse Riding for the Disabled.

COUNCIL RESOLUTION

THAT Council approves the allocation of \$4,000.00 from Councillor Shane Latcham's Councillor Discretionary Fund towards the purchase and installation of a bore for Rockhampton Horse Riding for the Disabled.

Moved by: Mayor Williams
Seconded by: Councillor Smith**MOTION CARRIED**

8.3 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - VICTORIA PARK GYMNASTIC & TRAMPOLINE CLUB

9:07AM Councillor Rutherford, having earlier informed the meeting of a declarable conflict of interest and her decision not to participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

File No: 8295

Authorising Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

Author: Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Cherie Rutherford is seeking approval from Council to donate \$500.00 from her Councillor Discretionary Fund to the Victoria Park Gymnastic & Trampoline Club.

COUNCIL RESOLUTION

THAT Council approve a donation of \$500.00 from Councillor Cherie Rutherford's Councillor Discretionary Fund to the Victoria Park Gymnastic & Trampoline Club to install security lighting for the car park.

Moved by: Councillor Wickerson

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Mathers, Wickerson, Smith, Kirkland and Latcham voted in the affirmative.

9:08AM Councillor Rutherford returned to the meeting room

8.4 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR CHERIE RUTHERFORD - RIDGELANDS & DISTRICT SPORTING & AGRICULTURAL ASSOCIATION INCORPORATED**File No:** 8295**Authorising Officer:** Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer**Author:** Nicole Semfel - Executive Support Officer

SUMMARY

Councillor Cherie Rutherford is seeking approval from Council to donate \$1,500.00 from her Councillor Discretionary Fund to Ridgeland & District Sporting & Agricultural Association Incorporated to financially assist with the purchase of a PA system for the annual Ridgeland Show.

COUNCIL RESOLUTION

THAT Council approve a donation of \$1,500.00 from Councillor Cherie Rutherford's Councillor Discretionary Fund to Ridgeland & District Sporting & Agricultural Association Incorporated.

Moved by: Councillor Rutherford**Seconded by:** Councillor Mathers**MOTION CARRIED**

8.5 COUNCILLOR DISCRETIONARY FUND APPLICATION - COUNCILLOR DONNA KIRKLAND - ROCKHAMPTON RELAY FOR LIFE - CANCER COUNCIL**File No: 8295****Authorising Officer: Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer****Author: Nicole Semfel - Executive Support Officer**

SUMMARY

Councillor Donna Kirkland is seeking approval from Council to donate \$995.00 from her Councillor Discretionary Fund to the Rockhampton Relay for Life – Cancer Council. \$231 in the 2020/2021 financial year budget and the remaining \$764 from the 2021/2022 financial year budget.

COUNCIL RESOLUTION

THAT Council approve a donation of \$995.00 (\$231 from 2020/2021 financial year budget and the remaining \$764 from the 2021/2022 financial year budget) from Councillor Donna Kirkland's Councillor Discretionary Fund to the Rockhampton Relay for Life – Cancer Council to assist with the running of this community fundraising event (subject to adoption of the 2021/2022 budget).

Moved by: Councillor Fisher**Seconded by: Councillor Latcham****MOTION CARRIED**

9 OFFICERS' REPORTS

9.1 SPONSORSHIP OF WELCOME RECEPTION - NEDC 2021

File No: 7845

Authorising Officer: Greg Bowden - Executive Manager Advance
Rockhampton

Author: Wade Clark - Senior Executive Economic Development

SUMMARY

Rockhampton Regional Council through Advance Rockhampton has the opportunity to sponsor the Welcome Reception for the National Economic Development Conference (NEDC21). It is proposed that sponsorship is undertaken to better promote and position the Rockhampton Region across multiple industry groups.

COUNCIL RESOLUTION

THAT Rockhampton Regional Council and Advance Rockhampton sponsor the NEDC Welcome Reception for \$5,500.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED

9.2 AMENDMENT TO THE TENDER CONSIDERATION PLAN FOR BILLBOARDS AND DIGITAL SIGNAGE

File No: 11715

Authorising Officer: Graham Sheppard - Senior Executive Economic Development
Greg Bowden - Executive Manager Advance Rockhampton

Author: Rachael Wright-Coxon - Economic Development & Industry Engagement Advisor

SUMMARY

This report seeks Council approval for the updated Tender Consideration Plan for Billboards and Digital Signage.

COUNCIL RESOLUTION

THAT Council adopt the updated Tender Consideration Plan for Billboards and Digital Signage under s230 of the *Local Government Regulation 2012*.

Moved by: Councillor Fisher

Seconded by: Councillor Mathers

MOTION CARRIED

**9.3 COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION
- AUSTRALIAN SOUTH SEA ISLANDER UNITED COUNCIL INDEPENDENT
ROCKHAMPTON AND DISTRICT INC.**

File No: 12535

Authorising Officer: Alicia Cutler - General Manager Community Services

Author: Debbie Bulman - Administration Officer

SUMMARY

An application from the Australian South Sea Islander United Council Independent Rockhampton & District Inc (ASSIs) for Major Sponsorship Assistance towards the 21 Years 'Coming of Age' Queensland Recognition of ASSIs – Suite of Celebrations event is presented for Council consideration.

COUNCIL RESOLUTION

THAT Council considers the Major Sponsorship application from the Australian South Sea Islander United Council Independent Rockhampton & District Inc for funding to assist with the staging of 21 Years 'Coming of Age' Queensland Recognition of ASSIs – Suite of Celebrations to be held over 2½ weeks from 21 August – 7 September 2021, and approves a sponsorship amount of \$10,000.00 towards the event.

Moved by: Councillor Kirkland

Seconded by: Councillor Wickerson

MOTION CARRIED

**9.4 COMMUNITY ASSISTANCE PROGRAM - MAJOR SPONSORSHIP APPLICATION
- WOMEN THAT FISH BARRA CLASSIC INC****File No:** 12535**Authorising Officer:** Alicia Cutler - General Manager Community Services**Author:** Debbie Bulman - Administration Officer

SUMMARY

An application from the Women That Fish Barra Classic Inc for Major Sponsorship Assistance towards the Women That Fish Barra Classic 2021 event is presented for Council consideration.

COUNCIL RESOLUTION

THAT Council considers the Major Sponsorship application from the Women That Fish Barra Classic Inc for funding to assist with the staging of Women That Fish Barra Classic 2021 from 30 September – 2 October 2021, and approves a sponsorship amount of \$5,000.00 towards the event.

Moved by: Councillor Rutherford

Seconded by: Councillor Latcham

MOTION LOST**COUNCIL RESOLUTION**

THAT Council considers the Major Sponsorship application from the Women That Fish Barra Classic Inc. for funding to assist with the staging of Women That Fish Barra Classic 2021 from 30 September – 2 October 2021, and approves a sponsorship amount of \$10,000.00 towards the event.

Moved by: Councillor Wickerson

Seconded by: Councillor Mathers

MOTION CARRIED

Councillor Rutherford and Councillor Latcham recorded their vote against the motion

9.5 CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE MOUNT MORGAN RAIL MUSEUM AND VISITOR INFORMATION CENTRE**File No:** 13405**Authorising Officer:** Alicia Cutler - General Manager Community Services**Author:** John Webb - Manager Communities and Culture

SUMMARY

In 2018 Rockhampton Regional Council contracted the operation and management of the Mount Morgan Rail Museum to a community based organisation. This contract is now due for renewal.

COUNCIL RESOLUTION

THAT pursuant to s235(a) and s235(b) of the *Local Government Regulation 2012*, Council resolves:

- i. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought it would be impractical for Council to invite quotes for the management and operation of the site.
- ii. To enter into a contract for the Operation and Management of the Mount Morgan Rail Museum and Visitor Information Centre with Mount Morgan Promotion and Development Incorporated for a period of three years commencing on 1 July 2021 as detailed in the report.

Moved by: Councillor Wickerson**Seconded by:** Councillor Rutherford**MOTION CARRIED**

9.6 CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE ARCHER PARK RAIL MUSEUM**File No: 13405****Authorising Officer: Alicia Cutler - General Manager Community Services****Author: John Webb - Manager Communities and Culture**

SUMMARY

In 2018 Rockhampton Regional Council contracted the operation and management of the Archer Park Rail Museum to a community based organisation. This contract is now due for renewal.

9:54AM Chief Executive Officer left the meeting room

9:55AM Chief Executive Officer returned to the meeting room

COUNCIL RESOLUTION

1. THAT pursuant to s235(a) and s235(b) of the *Local Government Regulation 2012*, Council resolves:
 - i. That 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought it would be impractical for Council to invite quotes for the management and operation of the site.
 - ii. To enter into a contract for the Operation and Management of the Archer Park Rail Museum with Friends of Archer Park Station and Steam Tram Museum Incorporated for a period of three years commencing on 1 July 2021 as detailed in the report.
2. THAT a site inspection be arranged for Councillors and that a further report be provided to Council for additional operational options.

Moved by: Councillor Wickerson**Seconded by: Councillor Kirkland****MOTION CARRIED UNANIMOUSLY**

9:59AM Mayor Williams declared that the meeting be adjourned, to resume at 10:15am

10:15AM The meeting resumed

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor N K Fisher
Councillor S Latcham
Councillor G D Mathers
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Ms M Taylor – Chief Financial Officer
Mr J Webb – Manager Communities and Culture
Mr D Stevenson – Manager Corporate and Technology Services
Mr J Plumb – Manager Fitzroy River Water
Mr J Wallace – Chief Audit Executive
Ms A Brennan – Coordinator Legal and Governance
Ms K Ramm – Senior Risk and Assurance Advisor
Mr B Koelmeyer – Acting Senior Planning Officer
Ms L Leeder – Senior Committee Support Officer

Via Webex:

Ms A Cutler – General Manager Community Services
Mr P Kofod – General Manager Regional Services
Mr G Bowden – Executive Manager Advance Rockhampton
Ms T Sweeney – Executive Manager Workforce and Governance
Mr M O'Keeffe – Manager Rockhampton Regional Waste and Recycling
Mr A Russell – Manager Strategy and Planning
Ms C Pointing – Senior Communications Officer

9.7 D/15-2021 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR ANIMAL KEEPING (HORSE TRAINING)

File No: D/15-2021
Authorising Officer: Amanda O'Mara - Acting Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services
Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/15-2021
Applicant: Matthew Brian Moffat and Teah Ashlee Beak
Real Property Address: Lot 3 on RP601057
Common Property Address: 24 Murphy Road, Kabra
Area of Site: 46.27 hectares
Planning Scheme: Rockhampton Region Planning Scheme 2015 (version 2.1)
Planning Scheme Zone: Medium Impact Industry Zone
Planning Scheme Overlays: Airport Environs Overlay;
Biodiversity Areas Overlay;
Bushfire Hazard Overlay;
Flood Hazard Overlay; and
Steep Land Overlay.
Existing Approvals: D/145-2017 – Dwelling House
Existing Development: Farm Shed
Approval Sought: Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses)
Level of Assessment: Impact Assessable
Submissions: Nil
Referral Agency: Nil
Infrastructure Charges Area: Charge Area 1

COUNCIL RESOLUTION

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	The proposed development is for a Material Change of Use for Animal Keeping (horse training for four (4) horses)	
Reasons for Decision	<p>a) The development does not involve a sensitive land use, therefore, will not be detrimental to industrial development establishing, expanding or intensifying in the surrounding area;</p> <p>b) The proposed use does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i> (version 2.1);</p> <p>c) Assessment of the development against the relevant planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>d) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Medium Impact Industry Zone Code; • Airport Environs Overlay Code; • Biodiversity Areas Overlay Code; • Bushfire Hazard Overlay Code; • Flood Hazard Overlay Code; • Steep Land Overlay Code • Access, Parking And Transport Code; • Filling and Excavation Code; • Landscape Code; • Stormwater Management Code; and • Water and Sewer Code. 	
Compliance with assessment benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Medium Impact Industry Zone Code	<p><u>PO7</u></p> <p>The proposal does not include any formal landscaping and therefore does not meet the recommendations of Acceptable Outcome 2.1. This recommendation is for a landscaping strip to be provided for a minimum width of two (2) metres along all road frontages.</p> <p>However, the proposed unenclosed horse training structure is setback 50 metres from the Kabra Road frontage and is only approximately five (5) metres in height. Furthermore, despite the site being</p>

		<p>designated in the Medium Impact Industry Zone, the existing site and the surrounding area is predominantly used to accommodate Dwelling Houses on large parcels of land with associated rural uses.</p> <p>The development is appropriately located and designed to not represent the scale or bulk of an industrial built form. Therefore, the recommendation for a landscaping strip to be provided along all road frontages of the site is not appropriate for the subject development.</p>
Matters prescribed by regulation	<ul style="list-style-type: none"> • The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.1); and • The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 The following further Development Permit must be obtained prior to the commencement of any works associated with their purposes:
 - 1.4.1 Building Works.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.6 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

Drawing/report title	Prepared by	Date	Reference number	Revision
Proposed Shed for Exercising & Training Horses	GSPC	12 February 2021	211100-01, Sheet 1 of 1	-
Proposed Shed – Site Plan	-	-	-	-
Floor Plan	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat, Sheet 1 of 3	-
Section View	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat Sheet 2 of 3	-
Elevation Plan	ABC Sheds Global Pty Ltd	2 December 2020	#1388 Matt Moffat Sheet 3 of 3	-

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

3.0 ACCESS WORKS

- 3.1 All vehicles must ingress and egress the development in a forward gear.

4.0 STORMWATER WORKS

- 4.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

5.0 SITE WORKS

- 5.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 5.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

6.0 BUILDING WORKS

- 6.1 A Development Permit for Building Works must be obtained for the construction of any new structure on the development site.
- 6.2 Structures must not be located within any on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.
- 6.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

7.0 ASSET MANAGEMENT

- 7.1 Any alteration necessary to electricity, telephone and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 7.2 Any damage to existing stormwater or roadway, that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer.

8.0 ENVIRONMENTAL

- 8.1 An Erosion Control and Stormwater Control Management Plan in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

9.0 ENVIRONMENTAL HEALTH

- 9.1 Noise emitted from the activity must not cause an environmental nuisance.
- 9.2 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, odour, noise or dust.

10.0 OPERATING PROCEDURES

- 10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Kabra Road or Murphy Road.
- 10.2 All waste storage areas must be:
- 10.2.1 kept in a clean and tidy condition; and
 - 10.2.2 maintained in accordance with *Environmental Protection Regulation 2019*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships website: www.datsip.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Compliance with Local Laws

The activity must be operated in accordance with Rockhampton Regional Council Local Laws Number 1 (Administration) and Number 2 (Animal Management) 2011.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping (horse training for four (4) horses), made by Matthew Brian Moffat and Teah Ashlee Beak, located at 24 Murphy Road, Kabra, described as Lot 3 on RP601057, Council resolves not to issue an Infrastructure Charges Notice.

Moved by: Councillor Smith

Seconded by: Councillor Rutherford

MOTION CARRIED

9.8 LOCAL AUTHORITY WASTE MANAGEMENT ADVISORY COMMITTEE (LAWMAC) MEMBERSHIP**File No:** 7927**Authorising Officer:** Peter Kofod - General Manager Regional Services**Author:** Michael O'Keeffe - Manager Rockhampton Regional Waste and Recycling

SUMMARY

The purpose of this report is to provide Council with an update on the status of the Local Authority Waste Management Advisory Committee (LAWMAC), the proposal to transition LAWMAC to an incorporated association and to seek endorsement for Rockhampton Regional Council to continue to be a member of LAWMAC when it becomes an incorporated association.

COUNCIL RESOLUTION**THAT:**

1. Council continue to be a member of the Local Authority Waste Management Advisory Committee (LAWMAC) whilst it remains a sub-committee of the Northern Alliance of Councils Incorporated; and
2. Council provide in principle agreement to become a member of LAWMAC when it transitions to an incorporated association subject to Council being satisfied with the association rules.

Moved by: Councillor Latcham**Seconded by:** Councillor Smith**MOTION CARRIED**

9.9 FITZROY RIVER WATER SPECIALISED ITEMS - SOLE SUPPLIER REQUEST

File No: 1466
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details a number of items of equipment or products that are important to Fitzroy River Water's water and sewerage operations for which Council approval is sought for these items to be provided by the listed sole suppliers in accordance with s235(b) of the Local Government Regulation (2012).

COUNCIL RESOLUTION

THAT pursuant to s235(b) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers for the items listed without the need to seek additional quotes or tenders:

Item	Supplier
Access Chamber Bases (supply)	Coral Coast Composites
Metered Stand Pipes (supply and maintenance)	Flowtech Water Meters
Penstocks and Customised Valving (supply)	Australian Water Engineers
Danfoss Variable Speed Drives and Power Quality Solutions (supply, servicing, technical support)	Electronic Power Solutions

Moved by: Councillor Kirkland

Seconded by: Councillor Latcham

MOTION CARRIED

9.10 ANNUAL POLICY REVIEW - PURCHASING POLICY - ACQUISITION OF GOODS AND SERVICES

File No: 5883
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

The annual review of the Purchasing Policy – Acquisition of Goods and Services is presented for consideration and adoption.

COUNCIL RESOLUTION

THAT Council adopts the revised Purchasing Policy – Acquisition of Goods and Services.

Moved by: Mayor Williams
Seconded by: Councillor Mathers
MOTION CARRIED

9.11 FRAUD AND CORRUPTION RISK CHECKLIST - ANNUAL PRESENTATION

File No: 8780
Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Acting Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Presentation of the Fraud and Corruption Risk Checklist for adoption by Council.

COUNCIL RESOLUTION

THAT Council adopts the Fraud and Corruption Risk Checklist as at 31 May 2021.

Moved by: Councillor Smith
Seconded by: Councillor Kirkland
MOTION CARRIED

9.12 FEES AND CHARGES 2021-2022 AMENDMENTS

File No: 7816
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The intention of this report is to submit minor amendments to Council's Fees and Charges Schedule for the 2021-2022 financial year.

COUNCIL RESOLUTION

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendments to the Fees and Charges Schedule for the 2021-2022 financial year with the following amendments in rows 2 to 18, and replacing as follows –

2 RHV General Entry

3 All patrons 3 years and over - Free Entry

4 All patrons under 3 years - Free Entry

5 RHV Groups

6 Group minimum of ten with transport no guide - \$10 per person

7 School groups minimum of ten with tram and guide - \$15 per person

(Teachers and accompany person 1 Free of charge per 10 children or by negotiation for additional needs groups)

(Note all prices exclude special events, school holiday activities etc.)

Moved by: Councillor Wickerson

Seconded by: Councillor Latcham

MOTION LOST**DIVISION:**

Councillors Fisher, Wickerson, Smith and Latcham voted in the affirmative

Councillors Kirkland, Mathers, Rutherford and Williams voted in the negative

Councillor Williams used his casting vote in the negative

COUNCIL RESOLUTION

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendments to the Fees and Charges Schedule for the 2021-2022 financial year, as attached to the minutes.

Moved by: Councillor Kirkland

Seconded by: Councillor Mathers

MOTION CARRIED

Councillors Latcham, Fisher and Smith recorded their vote against the motion

SUMMARY OF PROPOSED CHANGES

Rockhampton Heritage Village

Fees proposed to be removed are:

SECTION:		Heritage Village					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
1	Rockhampton Heritage Village (RHV)						
2	RHV - General Entry						
3	Adults	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
4	Concession - Pensioners, Seniors Card, Students (High School/University)	Commercial	GST Applies	\$12.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
5	Children - 3-14 years. Must be accompanied by an adult	Commercial	GST Applies	\$9.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
6	Family - 2 Adults & 2 Children over the age of 3 yrs	Commercial	GST Applies	\$40.00	per family	Local Government Act 2009	Part 6 S262 (3) (c)
7	Family Extra Children (over three years of age)	Commercial	GST Applies	\$6.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
8	LOCAL GENERAL ENTRY FEE (paid once retain ticket for 12 months if accompanied by tourist) Does not include entry to Special events, School Holiday activities, Tours)	Commercial	GST Applies	\$5.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
9	RHV - Tours (Groups of 10 or more paying participants)						
10	Adults - Groups of 10 or more	Commercial	GST Applies	\$17.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
11	Concessions - Groups of 10 or more	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
12	High School - 1 FoC Adult per 10 Children	Commercial	GST Applies	\$13.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
13	Tertiary Students	Commercial	GST Applies	\$15.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
14	Primary School - 1 FoC Adult per 10 Children	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
15	Child Care Group - All Staff FOC per group	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
16	Extra Adults for Above Tours	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
17	School Holiday Activities - Children 18mths and up - includes rides. Must Be accompanied by an adult	Commercial	GST Applies	\$10.00	per child	Local Government Act 2009	Part 6 S262 (3) (c)
18	School Holiday Activities - Adult - 1 per family FOC - Extras to pay	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)

New fees proposed are:

SECTION:		Heritage Village					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
1	Rockhampton Heritage Village (RHV)						
2	RHV - General Entry						
3	All patrons 3 years and over	Commercial	GST Applies	\$5.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
4	All patron under 3 years	Commercial	GST Applies	-	per person	Local Government Act 2009	Part 6 S262 (3) (c)
5	RHV - Tours (Groups of 10 or more paying participants) (Note all prices exclude special events, school holiday activities, etc.)						
6	Group minimum of ten with transport no guide	Commercial	GST Applies	\$7.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)
7	School groups minimum of ten with tram and guide. (Teachers and accompany person 1 FoC per 10 Children, or by negotiation for additional needs groups)	Commercial	GST Applies	\$10.00	per person	Local Government Act 2009	Part 6 S262 (3) (c)

Regional Cemeteries

Fees proposed to be removed are:

SECTION:		Regional Cemeteries						
Fee number	Item name	Fee Type	GST Authority	Current Fee (incl GST)	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
167	Chapel/Refreshment Area - Memorial Gardens							
168	Chapel/Refreshment area Use	Commercial	GST Applies	\$74.00	\$74.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
169	Chapel area use - EXTRA MARQUEE SET UP	Commercial	GST Applies	\$110.00	\$110.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
170	Chapel + Refreshment use (Maximum 2 hours Refreshment)	Commercial	GST Applies	\$88.00	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
171	Chapel + Refreshment use (Maximum 2 hours Refreshment)-COVID-19 Period	Commercial	GST Applies	Waive	Waive	per service	Local Government Act 2010	Part 6 S262 (3) (c)
172	Refreshment per hour after	Commercial	GST Applies	\$62.00	\$62.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
173	Garden Setting Funeral Service set up (includes marquees - over 30 attendees)	Commercial	GST Applies	\$284.00	\$284.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
174	Garden Setting Funeral Service set up (includes marquees) -COVID-19 Period	Commercial	GST Applies	\$88.00	\$88.00	per service	Local Government Act 2010	Part 6 S262 (3) (c)

New fees proposed are:

SECTION:		Regional Cemeteries					
Fee number	Item name	Fee Type	GST Authority	2021/2022 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
167	Chapel/Refreshment Area - Memorial Gardens						
168	Chapel + Refreshment use (Maximum 2 hours Refreshment)	Commercial	GST Applies	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
169	Chapel (Maximum 2 hours) (no refreshments)	Commercial	GST Applies	\$70.00	per service	Local Government Act 2010	Part 6 S262 (3) (c)
170	Refreshment per hour after	Commercial	GST Applies	\$62.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
173	Standard Garden Setting Funeral Service set up (includes marquee and 30 chairs)	Commercial	GST Applies	\$88.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)
174	Standard Garden Setting Funeral Service set up with additional marquees and chairs	Commercial	GST Applies	\$176.00	per service	Local Government Act 2009	Part 6 S262 (3) (c)

9.13 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2021

File No: 8148
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2021.

COUNCIL RESOLUTION

That the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2021 be 'received'.

Moved by: Mayor Williams
Seconded by: Councillor Fisher
MOTION CARRIED

9.14 REGIONAL COUNCIL OF MAYORS - MEMBERSHIP INVITATION

File No: 11092
Authorising Officer: Damon Morrison - Manager Office of the Mayor
Ross Cheesman - Acting Chief Executive Officer
Author: Emma Brodel - Senior Executive Assistant to the Mayor

SUMMARY

This report details an invitation for Council to become a member of the Regional Queensland Council of Mayors Incorporated.

COUNCIL RESOLUTION

THAT Council:

1. approves and accepts the membership invitation from the Regional Queensland Council of Mayors Incorporated; and
2. appoints Mayor Tony Williams to represent Council at the Regional Queensland Council of Mayors Incorporated.

Moved by: Councillor Rutherford

Seconded by: Councillor Fisher

MOTION CARRIED

9.15 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER**File No:** 12660**Authorising Officer:** Tracy Sweeney - Executive Manager Workforce and Governance**Author:** Allysa Brennan - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of Delegation Register – *Land Act 1994*, as attached to the minutes.
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Register, as attached to the minutes.

Moved by: Councillor Smith**Seconded by:** Councillor Kirkland**MOTION CARRIED**

Delegations Register – Land Act 1994 {LANA}

Under section 257 of the Local Government Act 2009, **ROCKHAMPTON REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 13A(4)	Entity Power Given To: Person who may take water under the <i>Water Act 2000</i> , Section 96	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as a person who may take water under the <i>Water Act 2000</i> , section 96, to exercise a right of access, a right of grazing and a right to bring an action for trespass over the adjacent land.	Delegation to the CEO
Section 13AC(1)(a)	Entity Power Given To: Adjacent owner for the land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Delegation to the CEO
Section 13B(1)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an owner of land (the relevant land) having a non-tidal boundary (watercourse) to apply to the Chief Executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Delegation to the CEO
Section 13B(2)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land.	Delegation to the CEO
Section 13B(6)	Entity Power Given To: A person (Applicant) who is the owner of land	Chapter 1 – Preliminary Part 4 – Tidal And Non-Tidal Boundaries And Associated Matters Division 3 – The Non-Tidal Environment	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Delegation to the CEO
Section 18(1)	Entity Power Given To: Registered Owner	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Delegation to the CEO
Section 18(2)	Entity Power Given To: Lessee Of A Freeholding Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of a freeholding lease over unallocated state land.	Delegation to the CEO
Section 18(3)	Entity Power Given To: Lessee Of A Term Lease	Chapter 2 – Land Allocation Part 1 – Allocation Powers	Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Delegation to the CEO
Section 23A(1)	Entity Power Given To: A Person seeking to have a plan of subdivision registered	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Delegation to the CEO
Section 23A(6)	Entity Power Given To: Applicant	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.	Delegation to the CEO
Section 24(3)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as registered owner of the deed of a grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Delegation to the CEO
Section 25(2)	Entity Power Given To: Registered Owner or Lessee	Chapter 2 – Land Allocation Part 2 – Reservations	Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the Land Act 1994.	Delegation to the CEO
Section 26(2)	Entity Power Given To: Registered Owner, Lessee Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries on the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 26(4)	Entity Power Given To: Lessee, Registered Owner Or Trustee	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Delegation to the CEO
Section 26B(2)	Entity Power Given To: Lessee or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	To Remain with Council
Section 26B(8)	Entity Power Given To: Lessee Or Registered Owner	Chapter 2 – Land Allocation Part 2 – Reservations	Power, as lessee or registered owner, to appeal against the value decided by the Minister for the commercial timber on a forest entitlement area that the local government is buying.	Delegation to the CEO
Section 31C(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister for the dedication of a reserve.	Delegation to the CEO
Section 31C(2) and 31C(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the person's intention to apply for the dedication of a reserve.	Delegation to the CEO
Section 31D(1)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 31D(2) and 31D(3)	Entity Power Given To: Trustee Of A Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Delegation to the CEO
Section 32	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds of Grant in Trust and Roads Part 1 – Reserves And Deeds of Grant in Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Delegation to the CEO
Section 34(1)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34(2) and 34(3)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Delegation to the CEO
Section 34H(1)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 34H(2)	Entity Power Given To: Owner of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 1 – Reserves Generally	Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Delegation to the CEO
Section 34I(1)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to apply for a deed of grant over a reserve.	Delegation to the CEO
Section 34I(3) and 34I(4)	Entity Power Given To: Trustee Of An Operational Reserve	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 2 – Reserves Subdivision 2 – Operational Reserves	Power, as trustee of an operational reserve, to give notice of the intention to apply for a deed of grant over the reserve.	Delegation to the CEO
Section 38A(1)	Entity Power Given To: Trustee Of Deed Of Grant In Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Delegation to the CEO
Section 38A(2)	Entity Power Given To: Any Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee to apply for the cancellation of a deed of grant in trust under section 38.	Delegation to the CEO
Section 38A(3) and 38A(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as trustee, to give notice of the intention to apply under section 38A.	Delegation to the CEO
Section 38G(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, an owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on a deed of grant in trust.	Delegation to the CEO
Section 38G(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 3 – Deeds Of Grant In Trust	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Delegation to the CEO
Section 44	Entity Power Given To: Proposed Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power to accept appointment as trustee.	Delegation to the CEO
Section 45	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to advise the chief executive of change in details.	Delegation to the CEO
Section 46 and 47	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 48	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power, as trustee, to: (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; and (c) register any management plan in the appropriate register.	Delegation to the CEO
Section 49	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 5 – Appointments, Functions And Removal Of Trustees	Power as trustee, to: (a) allow the, auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Delegation to the CEO
Section 52(1)	Entity Power Given To: Trustee of Trust Land	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power to take all necessary action for the maintenance and management of trust land.	Delegation to the CEO
Section 55(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Delegation to the CEO
Section 55A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55A(2) and 55A(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Delegation to the CEO
Section 55H(1)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Delegation to the CEO
Section 55H(2)	Entity Power Given To: Owner Of Improvements	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 6 – Powers Of Trustee	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Delegation to the CEO
Section 57(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written "in principle" approval to the lease.	Delegation to the CEO
Section 57(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Delegation to the CEO
Section 57(7)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to register a trustee lease in the appropriate register.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 57A(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval to amend a trustee lease.	Delegation to the CEO
Section 58(1)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of: (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Delegation to the CEO
Section 58(7)	Entity Power Given To: Trustee Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Delegation to the CEO
Section 60(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Delegation to the CEO
Section 60(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to lodge a trustee permit in the appropriate register.	Delegation to the CEO
Section 62	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek consent to group trust land reserved for similar purposes together.	Delegation to the CEO
Section 63(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Delegation to the CEO
Section 64(1)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Delegation to the CEO
Section 64(4)	Entity Power Given To: Relevant Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Delegation to the CEO
Section 65(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Delegation to the CEO
Section 66(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 7 – Trustee Leases And Trustee Permits	Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 67(2)	Entity Power Given To: Trustee of a Deed of Grant in Trust	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the Land Act 1994, subject to the Minister's approval under section 67(4).	Delegation to the CEO
Section 67(3)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 8 – Mortgaging Trust Land	Power to mortgage a deed of grant in trust issued after the commencement of the Land Act 1994 subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	Delegation to the CEO
Section 80(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Delegation to the CEO
Section 81(1)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister that a cemetery on trust land be closed to further burials.	To Remain with Council
Section 81(4)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to ask the Minister to re-open a cemetery previously closed for further burials.	To Remain with Council
Section 82	Entity Power Given To: Local Government	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to agree to take on the trusteeship of a cemetery and to agree on the terms of the transfer.	Delegation to the CEO
Section 83(1)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 10 – Cemeteries	Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Not Relevant to Council
Section 84(1)	Entity Power Given To: Trustee Of Land Granted For An Estate In Fee Simple For Some Community, Public Or Similar Purpose	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 1 – Reserves And Deeds Of Grant In Trust Division 11 – Other Grants For Public Purposes	Power to apply to the Minister seeking approval to surrender land granted for an estate in a fee simple for some community, public, or similar purpose, the land to the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	Delegation to the CEO
Section 94(2)	Entity Power Given To: Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 1 – Deciding And Opening Roads	Power to apply for land to be dedicated as a road for public use.	Delegation to the CEO
Section 99(1)	Entity Power Given To: Public Utility Provider Or Adjoining Owner For The Road	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the minister to permanently close a road.	Delegation to the CEO
Section 99(3)	Entity Power Given To: Adjoining Owner For The Road Or, In Certain Circumstances, Another Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to apply to the Minister to temporarily close a road.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 99(4)	Entity Power Given To: Adjoining Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the Land Act 1994, to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	Delegation to the CEO
Section 100	Entity Power Given To: A Person	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 2 – Closing Roads	Power to object to a road closure application in response to a public notice.	Delegation to the CEO
Section 105(3)	Entity Power Given To: Road Licensee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 3 – Road Licenses	Power, as a road licensee, to surrender all or part of a road licence.	Delegation to the CEO
Section 109A(1)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Delegation to the CEO
Section 109A(2)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Delegation to the CEO
Section 109A(3)	Entity Power Given To: Registered Owner	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	Delegation to the CEO
Section 109B(1)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee of lessee, to apply for the simultaneous opening and closing of roads subject to section 109B(1)(a), (b) and (c).	Delegation to the CEO
Section 109B(2)	Entity Power Given To: Trustee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Delegation to the CEO
Section 109B(3)	Entity Power Given To: Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).	Delegation to the CEO
Section 109B(4)	Entity Power Given To: Trustee Or Lessee	Chapter 3 – Reserves, Deeds Of Grant In Trust And Roads Part 2 – Roads Division 4 – Permanently Closed Roads	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	Delegation to the CEO
Section 120A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 1 – Making Land Available Division 2 – Interests In Land Available Without Competition	Power to apply for an interest in land that may be granted without competition.	Delegation to the CEO
Section 154	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1 – Preliminary	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Delegation to the CEO
Section 155A(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply to for extension of a term lease (40 years).	Delegation to the CEO
Section 155B(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (50 years).	Delegation to the CEO
Section 155BA(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 1B – Extension Of Particular Term Leases	Power, as lessee, to apply for extension of a term lease (75 years).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 158	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Delegation to the CEO
Section 160(3)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 2 – Renewal	Power, as an applicant for a renewal application, to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 164C(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Delegation to the CEO
Section 164C(7)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 2 – Expiry, Renewal And Extension Subdivision 3 – Extensions Of Rolling Term Leases	Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Delegation to the CEO
Section 166(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Delegation to the CEO
Section 168(5)	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 3 – Conversion Of Tenure	Power, as applicant for a conversion application, to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.	Delegation to the CEO
Section 176(1)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power, as lessee, to apply for approval to subdivide the lease.	Delegation to the CEO
Section 176(2)	Entity Power Given To: Lessee	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to provide a statement of Council's views on the proposed subdivision.	Delegation to the CEO
Section 176E	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 3 – Leases Division 4 – Subdividing Leases	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Delegation to the CEO
Section 176K(1)	Entity Power Given To: Lessee Of Two Or More Leases	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Delegation to the CEO
Section 176K(3)(b)	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Delegation to the CEO
Section 176N	Entity Power Given To: Local Government	Chapter 4 – Land Holdings Part 3 – Leases Division 5 – Amalgamating Leases	Power to give the chief executive an opinion in respect of a proposed road closure.	Delegation to the CEO
Section 177	Entity Power Given To: Trustee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Delegation to the CEO
Section 177A(1)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 177A(2)	Entity Power Given To: Any Person	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Delegation to the CEO
Section 179	Entity Power Given To: Applicant	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 180(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to surrender a permit to occupy on terms agreed to between the Chief Executive and the permittee and with the Chief Executive's written approval.	Delegation to the CEO
Section 180A	Entity Power Given To: Relevant Entity	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Delegation to the CEO
Section 180H(1)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittees improvements on the permit land.	Delegation to the CEO
Section 180H(2)	Entity Power Given To: Permittee	Chapter 4 – Land Holdings Part 4 – Permits To Occupy Particular Land	Power, as a permittee, to remove improvements with the chief executive's written approval.	Delegation to the CEO
Section 201	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 1 – General Mandatory Conditions	Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Delegation to the CEO
Section 210	Entity Power Given To: Lessee, Licensee Or Permittee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Delegation to the CEO
Section 212(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 3 – Changing And Reviewing Imposed Conditions	Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Delegation to the CEO
Section 214A	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power to make written submissions to the Minister in response to a warning notice.	Delegation to the CEO
Section 214B	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Delegation to the CEO
Section 214D	Entity Power Given To: Lessee Or Licensee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Delegation to the CEO
Section 214F(3)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 2 – Conditions Division 5 – Remedial Action	Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Delegation to the CEO
Section 219(3)	Entity Power Given To: A Person Who Has A Lawful Interest in the Matters	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the Acquisition of Land Act 1967.	Delegation to the CEO
Section 222(6)	Entity Power Given To: A Compensation Claimant	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption and Compensation Division 1 – Resumption of a Lease of Easement	Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Delegation to the CEO
Section 225(2)	Entity Power Given To: Owner of Lawful Improvements on a Lease or Part of Lease	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Delegation to the CEO
Section 226(5)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 2 – Resumption Of A Lease Under A Condition Of The Lease	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 230(2)	Entity Power Given To: Owner Of The Improvement	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Delegation to the CEO
Section 232(5)	Entity Power Given To: Owner	Chapter 5 – Matters Affecting Land Holdings Part 3 – Resumption And Compensation Division 3 – Resumption Of A Reservation For A Public Purpose	Power, as owner, to appeal against the Minister's decision on compensation payable.	Delegation to the CEO
Section 239(4)	Entity Power Given To: Relevant Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 2A – Forfeiture Of Leases By Referral To Court Or For Fraud	Power, as a relevant local government of a term or perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Delegation to the CEO
Section 240E(1)	Entity Power Given To: Lessee	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 1 – Sale By Lessee	Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Delegation to the CEO
Section 240G	Entity Power Given To: Local Government	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 3A – Sale Of Lease Instead Of Forfeiture Subdivision 3 – Sale By Local Government	Power, as a local government, to apply to the chief executive to sell a lease.	Delegation to the CEO
Section 243(1A)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Delegation to the CEO
Section 243(1)	Entity Power Given To: Lessee Of A Forfeited Lease	Chapter 5 – Matters Affecting Land Holdings Part 4 – Forfeiture Division 4 – Forfeiture	Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Delegation to the CEO
Section 288(1)	Entity Power Given To: Transferor or a Person Creating the Interest	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Delegation to the CEO
Section 288(1)(b)	Entity Power Given To: Transferee or the Person in Whose Favour the Interest is to be Created	Chapter 6 – Registration and Dealings Part 1 – Land Registry and Registers Division 3 – General Requirements for Documents in Registers	Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.	Delegation to the CEO
Sections 318 and 319	Entity Power Given To: Person	Chapter 6 – Registration And Dealings Part 3 – Documents Division 2 – Documents Forming Part Of Standard Terms Documents	Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Delegation to the CEO
Section 322(3)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or license under the Act with the approval of the chief executive.	Delegation to the CEO
Section 322(5)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 322(8)	Entity Power Given To: Lessee, Licensee Or The Holder Of A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 1 – Transfers	Power, as a lessee, license or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Delegation to the CEO
Section 327	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Delegation to the CEO
Section 327A	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Delegation to the CEO
Section 327B	Entity Power Given To: Registered Owner	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Delegation to the CEO
Section 327C(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Delegation to the CEO
Section 327C(2)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Delegation to the CEO
Section 327I(1)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Delegation to the CEO
Section 327I(2)	Entity Power Given To: Owner Of Improvements On A Lease That Has Been Surrendered	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Delegation to the CEO
Section 329(1)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 2 – Surrender	Power, as lessee, to give notice of the intention to surrender a lease.	Delegation to the CEO
Section 332(1) and (2)	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to sublease a lease issued under the Act.	Delegation to the CEO
Section 332(7)	Entity Power Given To: Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Delegation to the CEO
Section 336	Entity Power Given To: Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3 – Subleases	Power to seek the Minister's approval to amend a sublease.	Delegation to the CEO
Section 339F	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339G	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Delegation to the CEO
Section 339H(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 2 – Notice of Disputes	Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Delegation to the CEO
Section 339I(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339I(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339I(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Delegation to the CEO
Section 339J(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Delegation to the CEO
Section 339J(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Delegation to the CEO
Section 339K	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Delegation to the CEO
Section 339L	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 3 – Mediation	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Delegation to the CEO
Section 339O(1)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339O(2)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Delegation to the CEO
Section 339Q(3)(c)	Entity Power Given To: Party To A Sublease	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Delegation to the CEO
Section 339R(1)(b)	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 339R(2)	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Delegation to the CEO
Section 339T	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Delegation to the CEO
Section 339U	Entity Power Given To: Party To A Sublease and A Party To Dispute	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 3A – Process For Resolving Disputes Under Particular Subleases Subdivision 4 – Arbitration	Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Delegation to the CEO
Section 358(1)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as the registered owner of trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Delegation to the CEO
Section 358(2)	Entity Power Given To: Registered Owner Or Trustee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power as registered owner or trustee, to surrender land contained in the registered owner's deed of grant or trustee's deed of grant in trust if, on resurvey of the land, the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	Delegation to the CEO
Section 360C(1)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Delegation to the CEO
Section 360C(2)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Delegation to the CEO
Section 360C(3)	Entity Power Given To: Lessee Or A Person Acting For The Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).	Delegation to the CEO
Section 360D	Entity Power Given To: Lessee or a Person Acting for a Lessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 7 – Correcting And Changing Deeds Of Grant And Leases	Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Delegation to the CEO
Section 363(1)(b)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign the document creating the easement where Council is the public utility provider or the owner of the land to be burdened.	Delegation to the CEO
Section 371(2)	Entity Power Given To: Owner Of Land Or Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Delegation to the CEO
Section 372(2)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or license ends or the dedication of the reserve is revoked.	Delegation to the CEO
Section 372(5)	Entity Power Given To: Public Utility Provider	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8 – Easements	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Delegation to the CEO
Section 373A	Entity Power Given To: Trustee, Lessee or Sublessee	Chapter 6 – Registration And Dealings Part 4 – Dealings Affecting Land Division 8A – Covenants	Power, as the trustee, lessee or sublessee of non-freehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Delegation to the CEO
Section 415	Entity Power Given To: Trustee, Lessee, Licensee Or Permittee	Chapter 7 – General Part 2 – Unlawful Occupation Of Non-Freehold And Trust Land Division 3 – Action By Lessee, Licensee, Permittee Or Trustee	Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	To Remain with Council

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 420CB	Entity Power Given To: Entity Given a Notice	Chapter 7 – General Part 2A – General Provisions For Applications	Power to make a submission in response to a notice received under the Act about a proposed application.	Delegation to the CEO
Section 420E	Entity Power Given To: Applicant	Chapter 7 – General Part 2A – General Provisions For Applications	Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Delegation to the CEO
Section 423	Entity Power Given To: Person Who Has A Right Of Appeal Against An Original Decision	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 2 – Internal Review Of Decisions	Power to apply to the Minister for a review of a decision.	Delegation to the CEO
Section 427	Entity Power Given To: A Person Who Has Applied For The Review Of A Decision Under Division 2	Chapter 7 – General Part 3 – Review Of Decisions And Appeals Division 3 – Appeals	Power to appeal to the Court against a decision.	Delegation to the CEO
Section 431V(2)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area.	Not Relevant to Council
Section 431V(3)	Entity Power Given To: Local Government	Chapter 7 – General Part 3B – Making Land Available For Public Use As Beach	Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area.	Not Relevant to Council
Section 431ZG	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Delegation to the CEO
Section 431ZH(2)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Delegation to the CEO
Section 431ZH(5)	Entity Power Given To: An Interested Person and Owner of Adjacent Land	Chapter 7 – General Part 3C – Access to State Land Division 3 – Damage to Adjacent Land	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	To Remain with Council
Section 481A	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee, to surrender all or part of an occupation licence on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Delegation to the CEO
Section 481B(1) and 481B(2)	Entity Power Given To: Public Utility Provider or a Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481B(4) and 481B(5)	Entity Power Given To: Applicant	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, to give notice of an intention to apply to as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Delegation to the CEO
Section 481J(1)	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove licensee's improvements on the licence.	Delegation to the CEO
Section 481J(2)	Entity Power Given To: Licensee	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Delegation to the CEO
Section 482	Entity Power Given To: Licensee Of Occupation Licence	Chapter 8 – Continued Rights And Tenures Part 5 – Licences And Permits Division 1 – Occupation Licences	Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Delegation to the CEO

Section of LANA	Entity Power Given To	Title	Description	Recommendation
Section 492(1)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 1 – Sale To Local Authorities Land Act 1882	Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the Land Act 1994.	Delegation to the CEO
Section 505(2)	Entity Power Given To: Local Government	Chapter 8 – Continued Rights And Tenures Part 7 – Tenures Under Other Acts Division 3 – Port and Harbour Lands	Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the Transport Infrastructure Act 1994.	Delegation to the CEO

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

9.16 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC ANNUAL CONFERENCE, 25-27 OCTOBER 2021, MACKAY**File No:** 8291**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Evan Pardon - Chief Executive Officer

SUMMARY

Local Government Association of Queensland Inc advising the Annual Conference will be held at the Mackay Entertainment and Convention Centre from 25 to 27 October 2021.

COUNCIL RESOLUTION

THAT:

1. Councillor Williams, Councillor Fisher, Councillor Smith, Councillor Kirkland, Councillor Latcham be authorised to attend the Local Government Association of Queensland's Annual Conference to be held at the Mackay Entertainment and Convention Centre from 25 to 27 October 2021 as a matter of Council business;
2. Councillor Williams and Councillor Fisher be appointed as delegates with voting rights for Rockhampton Regional Council;
3. Application for Certificate of Service be submitted for Councillor Neil Fisher;
4. Council submit any Conference Motions prior to 16 August 2021.

Moved by: Councillor Fisher**Seconded by:** Councillor Kirkland**MOTION CARRIED UNANIMOUSLY**

Councillors Williams, Fisher, Mathers, Wickerson, Rutherford, Smith, Kirkland and Latcham voted in the affirmative.

9.17 MOUNT MORGAN WATER SUPPLY SECURITY

11:14AM Councillor Smith, having earlier informed the meeting of a prescribed conflict of interest, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

File No: 1466

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report provides a summary overview of the options available for increasing Mount Morgan's water supply security, assesses them using a multi-criteria comparative analysis and makes recommendations based on this analysis of a shortlist of options that adopted for the preparation of a detailed business case to determine how the preferred option/s can be progressed to completion.

11:37AM Chief Executive Officer left the meeting room

11:41AM Chief Executive Officer returned to the meeting room

COUNCIL RESOLUTION

THAT based on the multi-criteria analysis of the options to increase water supply security in Mount Morgan, the option associated with the construction of a drinking water pipeline (Option 5) and the option associated with the construction of a raw water pipeline (Option 6) be pursued for the development of a detailed business case to progress these options towards implementation.

Moved by: Councillor Rutherford

Seconded by: Councillor Kirkland

MOTION CARRIED UNANIMOUSLY

Councillors Williams, Fisher, Mathers, Wickerson, Rutherford, Kirkland and Latcham voted in the affirmative.

11:50AM Councillor Smith returned to the meeting room

10 NOTICES OF MOTION

10.1 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - PROPOSED TRAVEL: LAWMAC EXECUTIVE MEETING, MACKAY 2 JULY 2021

File No: 8291

Responsible Officer: Emma Brodel - Senior Executive Assistant to the Mayor
Damon Morrison - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Neil Fisher has indicated his intention to move the following Notice of Motion at the next Council Meeting, as follows:

COUNCIL RESOLUTION

THAT Councillor Neil Fisher be approved to attend the LAWMAC Executive meeting in Mackay on 2 July 2021.

Moved by: Councillor Smith

Seconded by: Councillor Latcham

MOTION CARRIED

11 QUESTIONS ON NOTICE

Nil

12 URGENT BUSINESS\QUESTIONS

Nil

13 CLOSED SESSION

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

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

14.1 Property Matter

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government. (Proposal to purchase property)

Moved by: Councillor Mathers
Seconded by: Councillor Wickerson
MOTION CARRIED

COUNCIL RESOLUTION

11:52AM

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Fisher
Seconded by: Councillor Smith
MOTION CARRIED

COUNCIL RESOLUTION

12:09PM

THAT pursuant to s5.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Wickerson
Seconded by: Councillor Smith
MOTION CARRIED

14 CONFIDENTIAL REPORTS

14.1 PROPERTY MATTER

File No: 2021

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Angus Russell - Manager Strategy and Planning

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government. (Proposal to purchase property)

SUMMARY

The report presents discussion of and recommendations on a property matter.

COUNCIL RESOLUTION

THAT Council authorise the Chief Executive Officer (CEO) or delegate to enter into negotiations to purchase the property.

Moved by: Councillor Fisher

Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

15 CLOSURE OF MEETING

There being no further business the meeting closed at 12:09pm.

SIGNATURE

CHAIRPERSON

DATE



MEETING ATTACHMENTS

22 JUNE 2021

ANNEXURE A

Documents presented to Councillors for their reference during the Council meeting when dealing with:

Item 9.7 - D/15-2021 – Development Application for a Material Change of Use for Animal Keeping (Horse Training)

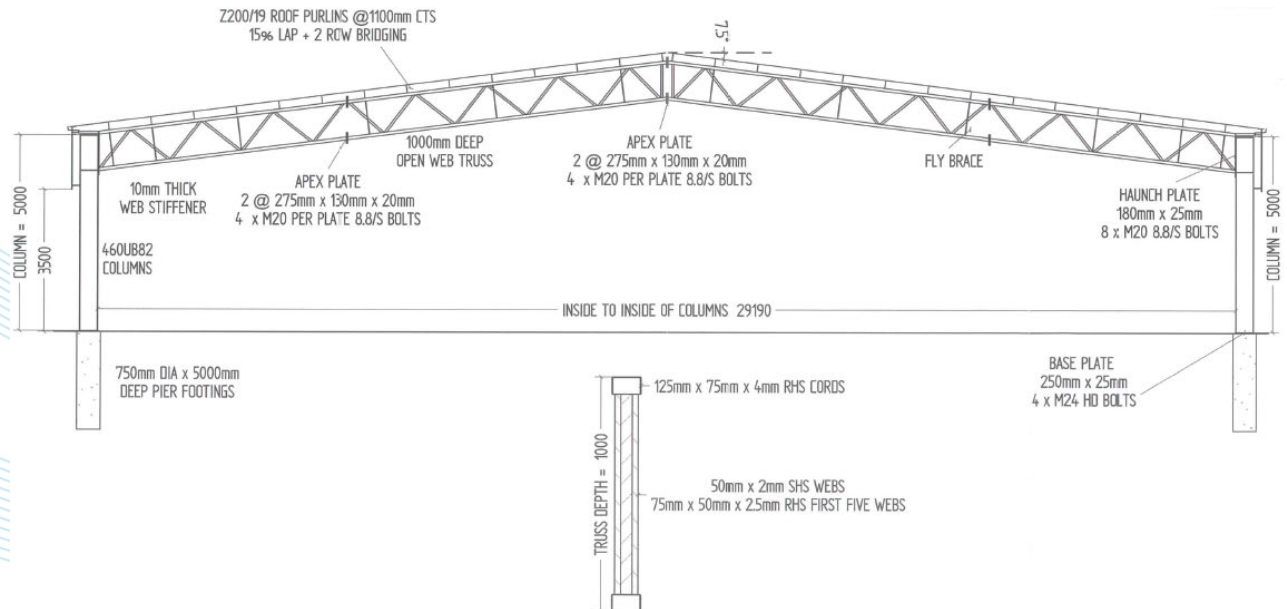
D/15-2021 - Development Application for a Material Change of Use for Animal Keeping (Horse Training for four (4) horses)

24 Murphy Road, Kabra (Lot 3 on RP601057)

Ordinary Council Meeting – 22 June 2021

Bevan Koelmeyer – Acting Senior Planning Officer

Development Proposal (24 Murphy Road, Kabra)



Surrounding Area/Locality

24 Murphy Road, Kabra



Reasons for Decision

24 Murphy Road, Kabra

- The site is designated in the 'future' Industrial Area under the strategic framework of the Rockhampton Region Planning Scheme 2015 (version 2.1). However, it is noted that the 'existing' Industrial Area of Gracemere, still has a number of unutilised parcels, which unlike the subject site, have access to Council infrastructure services such as water and sewer. From a sequencing point of view, it is anticipated that these sites will be utilised for significant industrial uses before the subject site becomes a viable option.
- The development does not involve a sensitive land use and is not anticipated to be detrimental to industrial development establishing, expanding or intensifying in the surrounding area or even on the balance area of the subject site itself.
- No public submissions were received against the application.