

## Waste Reduction and Recycling Act 2011

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to form a reasonable belief: (a) there is or will be a serious local event in the local government's local government area; and (b) an exemption from the levy on types of waste generated as a result of the serious local event and delivered to particular waste disposal sites should be allowed.	Section 27A(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	In the specified circumstances, the power to give to the Chief Executive a notice, as soon as practicable of the specified matters.	Section 27A(2)(a) to (c) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive for approval of waste, identified in the application (an <b>exempt waste application</b> ), as exempt waste.	Section 28(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	An application for serious local event waste may only be made by the CEO pursuant to section 28(3A).
Chief Executive Officer	Power to make an application about serious local event waste generated in the local government area.	Section 28(3A) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to provide the Chief Executive with the further reasonable information or documents sought.	Section 29(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.	Section 29(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to ask for or agree to conditions being imposed on the approval.	Section 31(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree to amendment of the approval.	Section 33(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to make written submissions to show why the action proposed by the Chief Executive should not be taken.	Section 34(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	In the specified circumstances, the power to agree to a method of working out the waste that is taken to have been generated outside the non-levy zone and the total amount of that waste.	Section 40(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	In the specified circumstances, the power to make a reasonable estimate of the amount of each type of waste included in the mixed waste using the information given to the operator under section 53.	Section 42(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive for approval of a discounted rate for the waste levy for residue waste identified in the application (a <b>residue waste discounting application</b> ).	Section 44(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.	Section 45(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree to or ask for a condition to be imposed on the approval.	Section 47(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power In the specified circumstances, the power to agree with the Chief Executive to the amendment of the approval.	Section 49(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make written submissions to show why the proposed action should not be taken.	Section 50(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to form a belief regarding what is reasonably required from the person who delivers waste to a waste disposal site to identify: (a) how much of the waste is exempt waste and how much of it is leviable waste; and (b) for each type of waste required to be measured by the operator under section 59 – how much waste there is; and (c) whether the waste was generated in the waste levy zone, the non-levy zone or outside Queensland.	Section 53(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	In the specified circumstances, the power to ask a person for information in the approved form.	Section 53(5) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	In the specified circumstances, the power is to form a view about what is reasonably required to identify: (a) how much of the waste is exempt waste and how much of it is leviabale waste; and (b) whether the waste was generated in the waste levy zone or outside Queensland.	Section 54(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to require a person to give the delivery information to the operator or entity in the approved form.	Section 54(4) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree with the Chief Executive how to measure and record a particular amount of waste or other material	Section 60(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to approve a person to erase or destroy a recording.	Section 64(3)(f)(i) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to destroy a recording.	Section 64(4)(b) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to approve a person to operate a monitoring system.	Section 64(5)(a)(ii) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive to enter into a waste levy instalment agreement for a waste levy amount the operator must pay the State.	Section 72C(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive for an amendment of the waste levy instalment agreement in the prescribed manner.	Section 72D(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	In the specified circumstances, the power to apply to the Chief Executive for an extension of time to submit a waste data return and pay a waste levy amount.	Section 72H(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	In the specified circumstances, the power to apply to the Chief Executive for relief.	Section 72L(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents requested by the Chief Executive.	Section 72M(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to declare an area within the site a <b>resource recovery area</b> .	Section 72R <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to give the Chief Executive notice of a proposed resource recovery area at least 20 days before using the area as a resource recovery area.	Section 72S(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to amend the area's declaration as resource recovery area by giving the Chief Executive notice of the proposed amendment at least 20 days before the amendment is to take effect.	Section 72U(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to cancel the area's declaration as a resource recovery area by giving the Chief Executive notice of the proposed cancellation at least 30 days before the cancellation is to take effect.	Section 72V(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to: (a) make written submission to show why the proposed action should not be taken; or (b) take stated actions, if any, to avoid the taking of the proposed action.	Section 72VA(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to make written submissions to show why the proposed action should not be taken.	Section 72W(2)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to request payment of an additional amount for the financial year to further mitigate the direct effects of the waste levy on households in the local government's local area.	Section 73DB(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	In certain circumstances, the power to claim the recovery amount for a quantity of containers from the Organisation of the operator.	Section 99ZH(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	Power to apply to the chief executive for an exemption (an <b>extraordinary circumstances exemption</b> ).	Section 99ZY(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to hold a belief on reasonable grounds that documents have been distributed by being placed in or on motor vehicles, or attached to buildings or other fixed structures in contravention of s109.	Section 110(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to s110(1), power to give a notice to a person who is an adult if on the reasonable belief that the person:- a) authorised or arranged for the distribution of the documents; or b) authorised or arranged for the printing of the documents; or c) placed or attached any of the documents.	Section 110(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to hold a belief on reasonable grounds that advertising material has been distributed in an area by being delivered to premises in contravention of the unlawful delivery provision or the secure delivery provision.	Section 111(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to s111(1), power to give a notice to a person who is an adult if on the reasonable belief that the person:- a) authorised or arranged for the distribution of the documents; or b) authorised or arranged for the printing of the documents; or c) placed or attached any of the documents.	Section 111(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the circumstances and subject to s112(4), power to direct a responsible entity to collect material from premises within a period of time.	Section 112(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make written submissions.	Section 128(3)(c) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to apply to the Chief Executive to amend an end of waste code.	Section 168 <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	Power to give the Chief Executive a notice that Council intends to become a registered resource producer for the code.	Section 173B(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to give the Chief Executive notice, in the approved form, that it is no longer a registered resource producer for an end of waste code.	Section 173B(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make a written submission to the Chief Executive about why the proposed action should not be taken.	Section 173D(1)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive for an end of waste approval for one kind of waste to be used as a resource.	Section 173I(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive, on 1 occasion, to extend the approval.	Section 173L(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive to amend the approval.	Section 173M(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to apply to the Chief Executive to transfer the approval to another person.	Section 173O(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to consent to a proposed transfer.	Section 173O(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to, within a stated period (the <b>show cause period</b> ), make a written submission to the Chief Executive about why the proposed action should not be taken.	Section 173ZB(3)(f) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to surrender the approval by giving the Chief Executive a notice about the surrender.	Section 173ZE <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	Power to provide Chief Executive with information about an approval.	Section 173ZF(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to conditions, power to consider an application for an internal review of a decision.	Section 175 <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	The power can only be exercised as it relates to sections 248(2) ( <b>Giving a compliance notice</b> ) and 253(3) ( <b>When waste audit required</b> ) of the Act.
Chief Executive Officer	Power to extend the time for making an internal review application.	Section 176(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	The power can only be exercised as it relates to sections 248(2) ( <b>Giving a compliance notice</b> ) and 253(3) ( <b>When waste audit required</b> ) of the Act.
Chief Executive Officer	Power to apply for a stay of an original decision.	Section 177(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to conduct an internal review of the decision the subject of the application.	Section 178(1)(a) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	The power can only be exercised as it relates to sections 248(2) ( <b>Giving a compliance notice</b> ) and 253(3) ( <b>When waste audit required</b> ) of the Act.
Chief Executive Officer	Power to make a decision to:- i) confirm the original decision; or ii) amend the original decision; or iii) substitute another decision for the original decision.	Section 178(1)(b) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	The power can only be exercised as it relates to sections 248(2) ( <b>Giving a compliance notice</b> ) and 253(3) ( <b>When waste audit required</b> ) of the Act.
Chief Executive Officer	Subject to conditions, power to appoint an authorised person.	Section 183(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	To issue an identify card to an authorised person.	Section 187 <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to hold the reasonable belief that a person has contravened a prescribed provision.	Section 246(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Subject to 246(1), power to give a person a show cause notice.	Section 246(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	Power to reasonably consider that it is not appropriate in the circumstances to give the show cause notice.	Section 246(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to s246 (2) and subject to holding a reasonable belief that a person has contravened, or is contravening, a prescribed provision, power to give a compliance notice to a person requiring the person to do either or both of the following – a) to refrain from contravening the prescribed provision; b) to remedy the contravention in the way stated in the notice.	Section 248(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to s249(1), power to give a person a compliance notice about a contravention, only if:- a) considered all submissions made by the person about the show cause notice within the stated period; and b) still believes it is appropriate to give a compliance notice.	Section 249(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Subject to holding a reasonable suspicion that a person is contravening or has contravened a prescribed provision, power to give a notice requiring a person to commission a waste audit of the matter and to provide a waste report on the audit.	Section 253(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make and provide a statutory declaration.	Section 256(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make a residue waste discounting application.	Section 278(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to agree to a later date for the provision of further information.	Section 279(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	



*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to agree to or ask for a condition to a grant of application.	Section 281(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	Power to make a transition period exempt residue waste application.	Section 287(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to agree to or ask for a condition to a grant of application.	Section 290(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to make written submissions.	Section 293(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	Power to, before the collection transition day, deal with or do the specified things in relation to a container that does not display the refund marking.	Section 308(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to apply to the Chief Executive for an approval that residue waste identified in the application (a <b>transition period exempt residue waste application</b> ) is exempt waste for the transition period.	Section 310(1) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to agree to or ask for a condition.	Section 313(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power within a stated period to make written submissions to show why the proposed action should not be taken.	Section 315(3)(e) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to apply to the Chief Executive for an exemption during the transition period from the requirements under section 57.	Section 317(2) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive Officer	In the specified circumstances, the power to ask for or agree to a condition with the Chief Executive.	Section 320(3) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	

*Register of Delegations - Council to Chief Executive Officer*

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	In the specified circumstances, the power to give the Chief Executive notice that it is not practicable to use the weighbridge to measure and record waste or other material delivered to the site.	Section 322(a) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	
Chief Executive officer	In the specified circumstances, the power to give the Chief Executive written notice of a proposed alternative methodology for measuring and recording waste at the site.	Section 325(a) <i>Waste Reduction and Recycling Act 2011</i>	23 August 2023	