

**Building Act 1975**

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to give a building development approval for the work may be given if the approval is given under the building assessment provisions in force immediately before the amendment, and IDAS.	Section 37(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give a building development approval for the work may be given if the approval is given under the building assessment provisions in force immediately before the amendment, and IDAS.	Section 51(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power to issue the building development approval applied for only if: (a) a local government building certifier has carried out the building assessment work for the application; and (b) the building certifier is appropriately licensed to carry out the building assessment work.	Section 52 <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power to accept and, without further checking, rely and act on the certificate or other document: (a) the original application; (b) another building development application for all or part of the building work under the original application.	Section 53(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances, power to, without further checking, rely and act on the document for the purpose of making the document publicly available.	Section 54(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power to resume or start the application process at any stage of <del>IDAS</del> the development assessment process under the Planning Act the assessment manager considers appropriate.	Section 55(3) <i>Building Act 1975</i>	25 January 2018	

*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	<p>Power for the assessment manager to approve a building application subject to the requirement in Part 4 as follows:</p> <ul style="list-style-type: none"> <li>(a) the fire safety management plan accompanying the application complies with the Fire and Rescue Service Act 1990, section 104FC, or</li> <li>(b) the building work involves an alternative solution, for performance requirements under the BCA, that includes a fire safety management procedure as a condition of the occupation and use of the building and the fire safety management plan adequately reflects the procedure.</li> </ul>	Section 63 <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power for the assessment manager to approve the building application (subject to conditions) if each registered holder of the easement or covenant has consented to the building work.	Section 65(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	<p>Power for the assessment manager to approve the building application if the special structure:</p> <ul style="list-style-type: none"> <li>(a) complies with the building assessment provisions; and</li> <li>(b) reasonably provides for all of the following: <ul style="list-style-type: none"> <li>(i) the safety of persons using the structure if there is a fire (including, for example, means of egress);</li> <li>(ii) the prevention and suppression of fire;</li> <li>(iii) the prevention of the spread of fire;</li> <li>(iv) the health and amenity of persons using the structure.</li> </ul> </li> </ul>	Section 66(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power for the assessment manager to approve the building application if subsections (3)(a) and (3)(b) have been complied with.	Section 67(3) <i>Building Act 1975</i>	25 January 2018	

*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	<p>Power for the assessment manager to approve a building application if the building certifier has decided the alterations do not unduly reduce the following:</p> <ul style="list-style-type: none"> <li>(a) the existing level of fire protection for persons accommodated in, or using, the building or structure;</li> <li>(b) the existing level of resistance to fire of the building or structure;</li> <li>(c) the existing safeguards against spread of fire to adjoining buildings or structures;</li> <li>(d) the existing level of emergency egress from the building or structure.</li> </ul>	Section 68(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to consult with any other entity the local government considers appropriate in deciding the application.	Section 71(8) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to decide the application.	Section 71(9) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give the applicant and the assessment manager for the building work notice of the decision.	Section 71(11) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to require the person installing the service to give a copy of the notices to the assessment manager when they are given to QFRS.	Section 74(2)(b) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to include a condition that all, or a stated part, of the building or structure must comply with the building assessment provisions in force when the approval was granted.	Section 80(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to in the specified circumstances take action considered necessary to complete the building work.	Section 92(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power to authorise the use of all or part of any security given to the local government for the carrying out of the building work.	Section 92(5) <i>Building Act 1975</i>	25 January 2018	

*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, at any time, having regard to the progress of the building work, refund or release part of any security.	Section 93(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power for assessment manager to give a reminder notice.	Section 95(1)(a) and (b) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to be satisfied that only building work of a minor nature is needed before a certificate of classification can be given for the building.	Section 117(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to— (a) form the reasonable belief proper grounds exist for applying to the tribunal to start a disciplinary proceeding against a building certifier; (b) before making the application give the building certifier a notice (a " <b>show cause notice</b> ").	Section 206(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to consult with any other entity considered appropriate in deciding an application for a longer period for conformity with a fire safety standard.	Section 221(2)(a) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to grant an application for a longer period for conformity with a fire safety standard if satisfied undue hardship would be caused to the budget accommodation building's occupants if the application were refused.	Section 221(2)(b) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to grant an application for a longer period for conformity with a fire safety standard with or without the reasonable conditions considered appropriate.	Section 221(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Within 20 business days after receiving an application for a longer period for conformity with a fire safety standard, the power to: (a) decide the application; and give the budget accommodation building's owner written notice of the decision.	Section 221(4) <i>Building Act 1975</i>	25 January 2018	

*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	<p>Within 20 business days after receiving an application for advice as to conformity with a fire safety standard, the power to:</p> <p>(a) decide if the building conforms with the fire safety standard; and</p> <p>(b) give the building owner written notice of the decision.</p>	Section 222(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Subject to subsection (1), the power to, at least once every 3 years, inspect the building to ensure the owner of the building is complying with Chapter 7 Part 4 in relation to the building.	Section 228(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Where a written application is made by the owner of an RCB to obtain a fire safety (RCB) compliance certificate or certificate of classification, power to approve a later day for obtaining the certificate	Section 231AL(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	<p>When approving a later day under section 231AL(1), power to:</p> <p>(a) consult with QFRS; and</p> <p>give the building owner written notice of the decision.</p>	Section 222(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	Subject to subsection (1), the power to, at least once every 3 years, inspect the building to ensure the owner of the building is complying with Chapter 7 Part 4 in relation to the building.	Section 228(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	Where a written application is made by the owner of an RCB to obtain a fire safety (RCB) compliance certificate or certificate of classification, power to approve a later day for obtaining the certificate	Section 231AL(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	<p>When approving a later day under section 231AL(1), power to:</p> <p>(a) consult with QFRS; and</p> <p>(b) any entity considered appropriate in deciding the application; and</p> <p>(c) grant the application if it is satisfied undue hardship would be cause to the occupants of the RCB if the application were refused.</p>	Section 231AL(3) <i>Building Act 1975</i>	25 January 2018	

*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 grant the application and impose reasonable conditions considered appropriate.	Section 231AL(4) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to require an applicant to give the local government medical evidence to support an application.	Section 236 <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to consider the application and within 5 business days after the application is made: (a) grant the exemption; or (b) refuse to grant the exemption.	Section 237(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to grant an exemption on the reasonable conditions it considers necessary or desirable to prevent a child from accessing the pool.	Section 237(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give applicant written notice that an exemption has been granted	Section 238(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give applicant an information notice about refusal of exemption or conditions imposed on exemption.	Section 238(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances power to be satisfied 1 or more of the following applies: (i) the decision on the application for the exemption was based on a false or misleading particular given by an applicant; (ii) the exemption has ended under section 241(3) of the Building Act 1975; (iii) the exemption was subject to conditions and there has been a contravention of a condition.	Section 242(1)(b) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	In the specified circumstances, the power to give an applicant a show cause notice inviting the applicant to show cause why a decision should not be revoked.	Section 242(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to— (a) consider any representations made under a show cause notice; and (b) give a further notice (a " <b>revocation notice</b> ") to the applicant, revoke a decision previously given.	Section 242(3) <i>Building Act 1975</i>	25 January 2018	

*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 require the owner of a regulated pool to give further information to establish that compliance with the part of the pool safety standard is not practicable.	Section 245A <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to consider the application and decide to: (a) grant the exemption; or (b) refuse to grant the exemption.	Section 245B(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	Subject to section 245B(5), power to grant an exemption on reasonable conditions considered necessary or desirable to prevent a young child from accessing the pool.	Section 245B(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	If exemption is granted, power to give the applicant a written notice of the exemption.	Section 245C(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	If the exemption is refused, or conditions imposed, power to give the applicant an information notice about the decision.	Section 245C(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive officer	Power to give the owner of regulated pool a show cause notice as to why the decision should not be revoked.	Section 245E(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	After considering any representations made under the show cause notice, power to issue a revocation notice to the owner, to revoke the decision previously given.	Section 245E(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power for an employee or agent of the local government to enter land on which a regulated pool is situated to inspect the pool.	Section 246AE(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	After complying with section 246AG, power to cancel a pool safety certificate.	Section 246AF(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Subject to 246AG(4), power to: (a) consider submissions; and (b) decide whether to cancel the pool safety certificate	Section 246AG(5) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	If the Local Government decides not to cancel the safety certificate, power to give notice to the owner of that decision.	Section 246AG(6) <i>Building Act 1975</i>	25 January 2018	

*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	If the Local Government decides to cancel the pool safety certificate, power to give the owner an information notice about that decision.	Section 246AG(7) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	<p>Power to give a notice (an "<b>enforcement notice</b>") to the owner of a building, structure or building work if the local government reasonably believes the building, structure or building work:</p> <ul style="list-style-type: none"> <li>(a) was built before the commencement of this section without, or not in accordance with, the approval of the local government; or</li> <li>(b) is dangerous; or</li> <li>(c) is in a dilapidated condition; or</li> <li>(d) is unfit for use of occupation; or</li> <li>(e) is filthy, infected with disease or infested with vermin.</li> </ul>	Section 248(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give an enforcement notice to a person who does not comply with a particular matter in this Act.	Section 248(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Subject to section 248(4), the power to give a person a show cause notice.	Section 248(3) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	<p>In the specified circumstances power to require a person to do any of the following:</p> <ul style="list-style-type: none"> <li>l. to apply for a development permit;</li> <li>l. to do, or not to do, another act to ensure building work complies with the approval of the local government given before the commencement of this section;</li> <li>l. to repair or rectify the building or structure;</li> <li>l. to secure the building or structure (whether by a system of support or in any other way);</li> <li>l. to fence off the building or structure to protect persons;</li> <li>l. to cleanse, purify and disinfect the building or structure;</li> <li>l. to comply with this Act for a particular matter.</li> </ul>	Section 249(1) <i>Building Act 1975</i>	25 January 2018	

*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 246AG(4), power to: (c) consider submissions; and (d) decide whether to cancel the pool safety certificate	Section 246AG(5) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	If the Local Government decides not to cancel the safety certificate, power to give notice to the owner of that decision.	Section 246AG(6) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	If the Local Government decides to cancel the pool safety certificate, power to give the owner an information notice about that decision.	Section 246AG(7) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give a notice (an " <b>enforcement notice</b> ") to the owner of a building, structure or building work if the local government reasonably believes the building, structure or building work: (f) was built before the commencement of this section without, or not in accordance with, the approval of the local government; or (g) is dangerous; or (h) is in a dilapidated condition; or (i) is unfit for use of occupation; or (j) is filthy, infected with disease or infested with vermin.	Section 248(1) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Power to give an enforcement notice to a person who does not comply with a particular matter in this Act.	Section 248(2) <i>Building Act 1975</i>	25 January 2018	
Chief Executive Officer	Subject to section 248(4), the power to give a person a show cause notice.	Section 248(3) <i>Building Act 1975</i>	25 January 2018	
	In the specified circumstances power to at any time, and subject to such reasonable conditions as considered appropriate, extend the time for an owner to comply with section 235 if: (a) the owner files a written application for an extension with the local government while a previously given extension is still in force; and (b) the local government is satisfied that compliance within the time provided for in the previously given extension would cause the owner financial hardship.	Section 262(3) <i>Building Act 1975</i>	25 January 2018	

*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 decide that a building or structure is: (a) dangerous; or (b) in a dilapidated condition and unfit for use or occupation; or (c) filthy; or (d) is infected with disease; or (e) is infested with vermin.  to allow for the alteration or removal of a building otherwise lawfully constructed before the commencement of the section.	Section 266 <i>Building Act 1975</i>	25 January 2018	