

# Matters that require a Resolution of Council

## CANNOT BE DELEGATED

(as at 21 March 2024)

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134(1)	Approval of a systematic or selective inspection program

## Local Government Act & related

150G(1)	Adoption of the model procedures or other procedures for the conduct of the local government's meetings and meetings of its committees
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150ES(3)	Decision, where a councillor has a declarable conflict of interest, to allow the councillor to participate in a decision about the matter or to leave the place where the meeting is being held
150EU(2)(b)	Decision, where there is no quorum for deciding matter because of prescribed conflicts of interest or declarable conflicts of interest, to defer the matter to a later meeting
150EU(2)(c)	Decision, where there is no quorum for deciding matter because of prescribed conflicts of interest or declarable conflicts of interest, not to decide the matter and take no further action in relation to the matter
164(b)	Decision to appoint a councillor to the office of mayor if the office becomes vacant during the final part of the local government's term
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## Local Government Act & related

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324(4)	Decision to deal with a councillor's inappropriate conduct in another way than as recommended by the assessor under section 150AC(3)

	<b>Local Government Regulation 2012</b>
29(1)	Decision to convert a business unit to a commercial business unit
30(1)	Decision to create a commercial business unit
55(1)	Decision on whether to implement the recommendations in the Queensland Productivity Commission's report
74(3)	Decision to use the value of land averaged over a number of financial years for the purpose of calculating the land's rateable value
81(2)	Decision, at a local government's budget meeting, on categories of rateable land in the local government area
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97(3)(a)	Decision on the proportions in which the local government will pay current owners any surplus special rates or charges after an overall plan is cancelled
102(2)	Decision that a meter is taken to have been read during the period that starts from 2 weeks before, and ends 2 weeks after, the day on which the meter is actually read
116(1)	Decision to limit the increase in rates or charges

## Local Government Act & related

118(3)	Decision at the budget meeting on the date by which, or the period within which, rates or charges must be paid
118A	Power to, at a meeting other than the local government's budget meeting for the 2020-2021 financial year, decide what rates and charges are to be levied.
122(1)(a)	Granting of a concession to a stated ratepayer
122(1)(b)	Granting of a concession referred to in section 121(a) or (b)
129(2)	Decision at the budget meeting to allow ratepayers to pay rates or charges by instalments under section 129(1)
130(4)	Decision at the budget meeting to allow a discount for payment of rates or charges before the end of the discount period under section 130(1)
130(7)	Change to the discount period for payment of rates or charges
130(8)	Change the due date for payment of rates and charges to a later day that is no earlier than the new discount day decided under section 130(7)
133(4)(b)	Decision about the rate of interest payable on overdue rates or charges under section 133(3)(b)
140(2)	Decision, in the circumstances prescribed by subsection 140(1), to sell land for overdue rates or charges
149(1)	Decision, in the circumstances prescribed by subsection 148, to acquire land for overdue rates or charges
165(2)	Adoption of a 5-year corporate plan
165(3)	Amendment of the 5-year corporate plan
167(1)	Adoption of a long-term asset management plan

## Local Government Act & related

170(1)	Adoption of budget for the financial year (NB For the contents of a budget, see section 169)
170(3)	Amendment to the budget
173(2)	Authorising unauthorised spending in circumstances of genuine emergency or hardship
173A	Adopting an annual budget amended in compliance with section 173A
174(1)	Adoption of an annual operational plan
174(4)	Amendment to the annual operational plan
182(2)	Adoption of an annual report
191(1)	Adoption of an investment policy
192(1)	Adoption of a debt policy
195	Adoption of a community grants policy
196(1)	Adoption of an entertainment and hospitality policy
197(1)	Adoption of an advertising spending policy
198(1)	Adoption of a procurement policy
201(3)	Resolution that a purpose for which an amount of trust money was credited to the trust fund no longer exists

## Local Government Act & related

206(2)	Valuation of non-current physical assets
218(1)	Decision to apply the strategic contracting procedures to local government contracts
219(6)	Decision that Chapter 6, Part 2 (strategic contracting procedures) no longer applies to local government contracts
220(2)	Adoption of a contracting plan
220(7)	Amendment to a contracting plan
221(5)	Amendment of a significant contracting plan
222(1)	Adoption of a contracting manual
228(3)(a)	Decision that it would be in the public interest to invite expressions of interest before inviting written tenders
230(1)(a)	Decision to prepare a quote or tender consideration plan
230(1)(b)	Adoption of a quote or tender consideration plan
235(a)	Resolution that local government is satisfied that there is only 1 supplier who is reasonably available
235(b)	Resolution that, because of the specialised or confidential nature of the services sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders
236(2)	Decision that an exception referred to in sections 236(1)(a)-(e) may apply on the disposal of a valuable non-current asset other than by tender or auction

## Local Government Act & related

247(2)	Decision that the maximum amount of remuneration payable to a councillor is not payable to the councillor
247(3)	Decision on the amount payable to a councillor referred to in section 247(2)
250(1)	Adoption of an expenses reimbursement policy
250(2)	Amendment of an expenses reimbursement policy
254G	Decision to exempt an advisory committee from the requirement to take minutes of its proceedings
254J(1)	Decision to close a local government meeting to the public
257(3)(b)	Decision to fix a place for a particular local government meeting at a place other than the local government's public offices
306(2)	Adoption of a complaints management process and written policies and procedures supporting the complaints management process

SECTION	MATTERS THAT REQUIRE A RESOLUTION OF COUNCIL (CANNOT BE DELEGATED)
	<b><i>Planning Act 2016</i></b>
9(4)	Resolution that the local government give a temporary local planning instrument, or amendment, and the request for an earlier effective day, to the Minister for approval
24(1)	Repeal of a temporary local planning instrument or planning scheme policy
113(1)	Adoption of charges for providing trunk infrastructure for development (a charges resolution)
	<b><i>Planning Regulation 2017</i></b>
11(3)	Setting of a fee for considering a superseded planning scheme request made under section 29 of the Planning Act
68D(1)	Adopt an economic support instrument for its local government area

68G(1)	Revoke an economic support instrument for its local government area
Schedule 6, Part 2, 2(3)(b)(ii)	Decision to apply sub-section 2(3)(b)(ii) to premises for a material change of use for a class 1 or 2 building, if the use is providing support services and temporary accommodation for persons escaping domestic violence.
Schedule 9, Part 3, Division 2, Table 1, Item 1, Column 2, paragraph (b)	Declaration that the form of a certain development may have an extremely adverse effect on the amenity, or likely amenity, of a locality, or would be in extreme conflict with the character of a locality (Building Work under Building Act, Referral agency assessment, Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts)
	<b><i>Minister's Guidelines and Rules</i></b>
Chapter 2, Part 1, 3.1	For the purposes of section 20 of the Planning Act (Amending planning schemes under Minister's rules), adoption of a proposed administrative amendment to a planning scheme
Chapter 2, Part 2, 6.1	For the purposes of section 20 of the Planning Act (Amending planning schemes under Minister's rules), adoption of a proposed minor amendment to a planning scheme
Chapter 2, Part 3, 14.1	For the purposes of section 20 of the Planning Act (Amending planning schemes under Minister's rules), adoption of a proposed qualified state interest amendment to a planning scheme approved and notified by the Minister under section 13.5
Chapter 2, Part 4, 22.1	For the purposes of section 20 of the Planning Act (Amending planning schemes under Minister's rules), adoption of a proposed major amendment to a planning scheme approved and notified by the Minister under section 21.5

Chapter 3, Part 1, 5.1	For the purposes of section 22 of the Planning Act (Making or amending planning scheme policies), adoption of a proposed planning scheme policy or planning scheme policy amendment
Chapter 3, Part 2, 9.1	For the purposes of section 23 of the Planning Act (Making or amending temporary local planning instruments), adoption of a proposed temporary local planning instrument or temporary local planning instrument amendment approved and notified by the Minister under section 8.5
Chapter 5, Part 2, 10.1	For the purposes of sections 25(3) and (4) of the Planning Act (Reviewing a local government infrastructure plan) and making or amending an LGIP, or making an interim LGIP amendment, adoption of a proposed LGIP or amendment approved and notified by the Minister under section 7.9

SECTION	MATTERS THAT REQUIRE A RESOLUTION OF COUNCIL (CANNOT BE DELEGATED)
	<i>Environmental Protection Act 1994</i>
514(5)(a)	Setting of fees payable to the local government for a matter devolved to it
518(1)(b)	Delegation of the local government's powers under the <i>Environment Protection Act</i> to an appropriately qualified entity

SECTION	MATTERS THAT REQUIRE A RESOLUTION OF COUNCIL (CANNOT BE DELEGATED)
	<i>Land Act 1994</i>
56(4)	Decide where the local government is trustee of trust land to adopt a model by-law.

## *Waste Reduction and Recycling Act & related*

SECTION	MATTERS THAT REQUIRE A RESOLUTION OF COUNCIL (CANNOT BE DELEGATED)
	<b><i>Waste Reduction and Recycling Act 2011</i></b>
125(1)	Adoption of a waste reduction and recycling plan
127(1)	Amendment of a waste reduction and recycling plan
	<b><i>Waste Reduction and Recycling Regulation 2011</i></b>
7(a)	Designation of areas within the local government area in which the local government may conduct general waste or green waste collection