

Delegations and Authorisations Policy

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Responsible Officer	Manager Information Systems & Governance	Date Approved:	18/02/2026
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1. PURPOSE

To provide a framework for the exercise and administration of delegations, sub-delegations and appointment of authorised persons, ensuring Council effectively and efficiently meets its legislative requirements under the *Local Government Act 2009* (LGA) and related Acts as defined herein.

2. SCOPE

This policy applies to all elected representatives, employees, contractors, volunteers of the Mareeba Shire Council, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control. The policy applies to any Council activity or action which requires the use of a delegation or an authorisation under the Acts.

3. POLICY STATEMENT

Effective management of instruments of delegation and authorisation reduces enterprise risk and enables effective Council discharge of obligations under the Acts. Council will ensure:

- Delegation of local government powers are conducted strictly in accordance with requirements of the LGA,¹ and;
- A current register of delegations is established, maintained and available for public inspection at all times,² and;
- The necessary level of delegated power and authority is in place for all parties mentioned in section 2 sufficiently for effective discharge of duties and responsibilities under the Acts, and;
- Exercise of delegated power is subject to appropriately defined limitations as determined by Council – see Appendix.
- The framework of established procedures for administration of delegations and authorisations is adhered to, monitored frequently and actioned to account for amendments to legislation, employee movements and changes to the organisational structure of Council.

¹ See especially *Local Government Act 2009* (Qld) s 257 for Council delegation of power to the CEO, s 258 for delegation of the Mayor's powers, s 259 for delegation of the CEO's powers. Note particularly exceptions in s 257(2-3) and 259(2) and annual review requirements under s 257(5).

² See *Local Government Act 2009* (Qld) s 260. See also *Local Government Regulation 2012* (Qld) s 305.

4. REPORTING

- No additional reporting is required

5. DEFINITIONS

Act: *the Local Government Act 2009* (Qld) - abbreviated here to LGA.

Acts: collectively includes an Act of the Queensland Parliament;³ Queensland legislation; Queensland statutory law; Council Local Laws.

Authorisation: is an appointment of a person as an authorised person for the exercise of power under a specific piece of legislation (an Act) for a specific purpose in relation to an Act. In practice, the authorisation attaches to a *person*, not to a position. The authorisation ceases once the person who provided the authorisation leaves office.

Delegation: is a delegation of a function or power under an Act.⁴ In practice, the LGA provides for delegation of power from Council to the CEO, in turn providing for sub-delegation of power from the CEO to a Council Officer. Delegated power is assigned to a position or office. The delegation continues in force regardless of changes to the person occupying or holding the position or office.

6. RELATED DOCUMENTS AND REFERENCES

Code of Conduct for Councillors (MSC)
Employee Code of Conduct (MSC)
Enterprise Risk Management Policy (MSC)
Fraud and Corruption Prevention Management Policy (MSC)
Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)
Signing of Correspondence and Documents (MSC)

7. REVIEW

It is the responsibility of the Manager Information Systems & Governance to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.

³ See *Acts Interpretation Act 1954* (Qld) s 6-7.

⁴ *Ibid* s 27A.

APPENDIX

LIMITATIONS TO THE EXERCISED POWERS
1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit 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, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of 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 effect, 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 delegated power which cannot lawfully be the subject of delegation by Council.

Table 1. Limitations to exercise of delegated power.