

Department of Environment and Resource Management

Water Supply (Safety and Reliability) Act 2008

Water Supply (Chief Executive) Delegation (No. 1) 2010

1. Citation

This delegation may be cited as the *Water Supply (Chief Executive) Delegation (No. 1) 2010*.

2. Definitions

For the purposes of this delegation –

Act means the *Water Supply (Safety and Reliability) Act 2008*

chief executive means the Director-General of the department administering the Act

department means the government entity, as defined under the *Public Service Act 2008*, carrying out the function of administering the Act

regulator means the chief executive of the department

3. Commencement

This delegation shall commence on the day of execution.

4. Power to Delegate

This delegation is made under section 582¹ of the Act.

5. Powers Delegated

(1) The powers of the chief executive referred to in the section of the Act listed in Columns 1 and 2, Schedule 1 are delegated to the person or persons holding the office of the department referred to by number in Column 3, Schedule 1, subject to any words in Column 4, Schedule 1 which limit the delegation.

(2) The office described by a number in Column 3, Schedule 1 is a reference to the office or offices in Column 2, Schedule 2 corresponding to that number in Column 1, Schedule 2.

¹ Chief executive's power to delegate to "an appropriately qualified public service officer or employee".

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6. **Entire Document**

This delegation is comprised of six (6) pages.

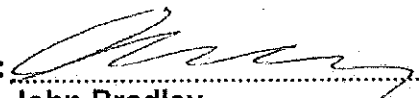
7. **Revocation**

On commencement this instrument revokes the *Water Supply (Chief Executive) Delegation (No. 1) 2009*.

8. **Delegation**

This delegation is made by **John Bradley**, Director-General, Department of Environment and Resource Management.

Signed: _____



John Bradley
Director-General
Department of Environment and Resource Management

Certified correct for signature Director, [REDACTED] Legal Services [REDACTED] 21/7 / 2010

Date : 21/8 / 2010

SCHEDULE 1

Column 1 Powers Delegated (Section)	Column 2 Section Name	Column 3 Level of Office	Column 4 Limits of Power
52	When water efficiency management plan may be required	2, 3, 5	
53	Content of water efficiency management plan	2	
56	Reporting under water efficiency management plan	2, 3, 5	
57	Amending or replacing water efficiency management plan by chief executive direction	2, 3, 5	
342	What is failure impact assessment	2	
343	When dam must be failure impact assessed	2, 3, 4	
348	Cost of failure impact assessment	2, 3, 4	The delegate may authorise payment up to the limit of the delegate's financial delegation
349	Decision about failure impact assessment	2, 3, 4, 6, 7	
350	Notice accepting failure impact assessment	2, 3, 4, 6, 7	
351	Reviewing failure impact assessment	2, 3, 4, 6, 7	
352	Rejecting failure impact assessment	2, 3, 4, 6, 7	
353	Applying safety conditions for existing referable dams	2, 3, 4, 6	
354	Deciding safety conditions	2, 3, 4, 6	Excluding power to make guidelines
354(2)	Deciding safety conditions (power to make guidelines)	2	
355	Process after deciding safety conditions	2, 3, 4, 6	
356	Changing conditions	2, 3, 4, 6	Excluding power to make guidelines
356(6)	Changing conditions (power to make guidelines)	2	
357A	Chief executive may engage person to provide information	2, 3, 4, 6	
358	Application of div 4 (emergency powers)	2, 3, 4, 6, 9, 10	
359	Direction to owner of emergency part of land	2, 3, 4, 6, 9, 10	
359A	Taking immediate action about failure of dam	2, 3, 4, 6, 9, 10	

Column 1 Powers Delegated (Section)	Column 2 Section Name	Column 3 Level of Office	Column 4 Limits of Power
360	Notice for recovering expenses	2, 3, 4	
361	Notice in relation to land other than leased State land	2, 3, 4	
362	Notice in relation to leased State land	2, 3, 4	
363	Emergency powers if imminent danger of dam failure	2, 3, 4	
365	Cancellation of development permit for decommissioned dam	2, 3, 4, 6	
371	Approving flood mitigation manual	2, 3, 4	
372	Amending flood mitigation manual	2, 3, 4	
373	Regular reviews of flood mitigation manual	2, 3, 4	
402	Appointment and qualifications (<i>authorised officer</i>)	2	
403	Appointment conditions and limit on powers	2	
404	Issue of identity card	2	
429	Dealing with forfeited things	2, 3, 4	
461	Chief executive's power to obtain criminal history report	2, 3, 4	
462	Criminal history is confidential document	2, 3, 4	
465	Who may give compliance notice	2, 3, 4	
466	Compliance notice	2, 3, 4	
467	Chief executive or regulator may take action and recover costs	2, 3, 4, 8	
491	Evidentiary aids	2, 3, 4, 8	
501	Chief executive's or regulator's power to remedy stated public nuisance	2, 3, 4, 5	
513	Requirements for making review application	1, 2, 3, 4	
514	Review decision	1, 2, 3, 4	
515	Notice of review decision	1, 2, 3, 4	
572	Chief executive may make guidelines	2	

Column 1 Powers Delegated (Section)	Column 2 Section Name	Column 3 Level of Office	Column 4 Limits of Power
574	Documents regulator and chief executive must keep available for inspection and purchase	2, 3, 4	
577	Records kept in registries	2	
579A	Chief executive may share particular information	2, 3, 4, 6, 9	
584	Non-payment of fees and charges	2, 3, 4	
585	Approved forms	2	
638	Provision for carrying out particular failure impact assessments	2, 3, 4, 6	

SCHEDULE 2

DELEGATION OF CHIEF EXECUTIVE'S POWERS

Level of Office Column 1	Office or Offices Column2
1	Associate Director General, Operations and Environmental Regulator Business Group
2	General Manager, Office of the Water Supply Regulator
3	Director, Water Industry Asset Management & Standards, Office of the Water Supply Regulator
4	Director, Dam Safety (Water Supply), Dam Safety, Office of the Water Supply Regulator
5	Manager (Infrastructure Management) Water Industry Asset Management & Standards, Office of the Water Supply Regulator (Position number 71591310)
6	Project Manager, Dam Safety (s70), Dam Safety, Office of the Water Supply Regulator
7	<p><u>Officers who have been accredited in relation to dam failure impact assessment</u> by the department holding the office:</p> <ul style="list-style-type: none"> • Principal Engineer (Toowoomba), Water Industry Asset Management & Standards, Office of the Water Supply Regulator (Position number 76005163) • Principal Engineer, Dam Safety, Office of the Water Supply Regulator (Position number 71004292)
8	Director, Legal Services, Corporate Services, Water and Corporate Services
9	Manager, Dam Safety (Farm Dams), Dam Safety, Office of the Water Supply Regulator
10	Principal Project Officer (Farm Dam Reg), Dam Safety, Office of the Water Supply Regulator

¹ Persons accredited have received training and passed tests and their accreditation has been confirmed in writing by the General Manager, Office of the Water Supply Regulator.