



Delegation Register

Adopted by Council 28 May 2025

OM2025/54



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Alignment to the Strategic Community Plan 2040

COMMUNITY VISION

Augusta Margaret River
Sustainable, inclusive,
connected to place and
respecting Boodja

Environment

We will protect and enhance the unique natural environment and biodiversity of the region through climate action and informed decision making.

We will focus on:

Outcome EN.1: Ecology and biodiversity protection
Outcome EN.2: Healthy waterways, foreshores and natural landscapes
Outcome EN.3: Collective climate action
Outcome EN.4: Sustainable resource and waste management

People

We will support and strengthen our diverse, resilient, welcoming, safe and connected community through our services and advocacy.

We will focus on:

Outcome PE.1: Diverse cultural values are respected and adopted
Outcome PE.2: Equal opportunities for all
Outcome PE.3: Active, healthy and fulfilling lifestyles
Outcome PE.4: Safe and resilient communities

Place

We will responsibly develop vibrant, sustainable places which maintain their distinctive characters, and which supports a local economy that is resilient, equitable and sustainable.

We will focus on:

Outcome PL.1: Diverse, sustainable and well-designed places
Outcome PL.2: Infrastructure which caters to need
Outcome PL.3: Sustainable agriculture and thriving rural community
Outcome PL.4: Resilient circular local economy

Performance

We will deliver quality governance, service and value with integrity and transparency.

We will focus on:

Outcome PF.1: Responsible planning and ownership of outcomes
Outcome PF.2: Community and customer focus
Outcome PF.3: High performing and engaged people
Outcome PF.4: A culture of innovation, quality and continuous improvement

Introduction

Delegations by Council under the *Local Government Act 1995* (LG Act)

Section 5.42 of the LG Act provides the power for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the LG Act except those listed in section 5.43 (see below). Delegations must be in writing and can be general or have conditions attached.

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

Furthermore, the following regulations prescribe powers and duties which cannot be delegated to the CEO:

- a) Regulation 18G of the Local Government (Administration) Regulations 1996 prohibits the delegation to a CEO of the powers and duties under:
 - i. Sections 7.12(a), 7.12A(3)(a) and 7.12A(4) of the Local Government Act 1995 (relating to meetings with auditors); and*
 - ii. Regulations 18C and 180 (relating to the selection and appointment of CEO's and reviews of their performance).**
- b) Regulation 6 of the Local Government (Financial Management) Regulations 1996 prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.*

Delegations by Council to committees under the LG Act

Section 5.16 LG Act provides the power for a local government to delegated to a Committee of Council any of its powers and duties other than this power of delegation. Delegations must be in writing and can be general or have conditions attached.

Delegations by the Chief Executive Officer under the LG Act

Section 5.44 of the LG Act provides the power for the Chief Executive Officer (CEO) to delegate to an employee the exercise of any of the CEO's powers or duties under the LG Act, other than this power to delegate. Section 5.44(3) also provides power to the CEO to delegate to another employee the exercise of powers delegated by Council to the CEO under s5.42 LG Act (known as a sub-delegation). The exercise of powers or duties sub-delegated by the CEO are subject to any conditions imposed by Council on its delegation to the CEO. Delegations by the CEO must be in writing and can be general or have conditions attached.

Delegations by Council under other legislation

Other legislation (e.g. *Planning and Development Act 2005*) provides the power for Council to delegate powers, duties or functions of a local government under that Act to the CEO or other employees.

Delegations to Local Government from State Government Entities

Various legislation such as the *Environmental Protection Act 1986* provides for the delegation of powers and duties from the Departmental CEO to Local Government CEO and employees.

Record keeping obligations

Recipients of delegated powers and duties under the LG Act are required to keep a record of each occasion in which they exercise the powers or discharge the duties. Regulation 19 of the LG (*Admin*) Regulations 1996 states that:

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

- (a) *how the person exercised the power or discharged the duty;*
- (b) *when the person exercised the power or discharged the duty; and*
- (c) *the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

This register of delegations consists of:

- Delegations by Council to the Chief Executive Officer under the *Local Government Act 1995*;
- Sub-delegations by the Chief Executive Officer to employees under the *Local Government Act 1995*;
- Delegations by Council to the Chief Executive Officer and employees under other Acts;
- Delegations by the Chief Executive Officer to employees under various Acts.
- Delegations State Government Entities to Chief Executive Officer and employees under various Acts.

Each delegation provides information on the respective head of power, functions, any conditions imposed, record keeping requirements, and compliance links.

Part 1: Delegations from Council to CEO and employees

Local Government Act 1995 Delegations

1.1 Administering Local Laws

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	Provisions of the Shire of Augusta Margaret River Local Laws
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to: <ol style="list-style-type: none"> 1. Administer the provisions of any Shire of Augusta Margaret River Local Law made under Division 2 of Part 3 LG Act; 2. Determine applications received in accordance with any Shire of Augusta Margaret River Local Law; and 3. To otherwise exercise the powers, duties and functions of the local government under those local laws.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Manager Waste and Major Projects Manager Regulatory Services Manager Asset Services Manager Legal and Governance Services Manager Arts and Economic Development Coordinator Environmental Health Coordinator Ranger Services Coordinator Environment/Landcare Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Activities in Thoroughfares and Public Places and Trading Local Law 2020
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	Cemeteries Local Law 2020 Dogs Local Law 2020 Environment and Nuisance Local Law 2023 Erosion and Sediment Control Local Law 2019 Extractive Industries Local Law 2014 Local Government Property Local Law 2013 Parking and Parking Facilities Local Law 2013 Street Numbering Local Law 2015 Cat Local Law 2023
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 20/1/2020 – Amendment – Position title change of Manager Health and Waste Services, and Manager Legal and Governance in sub-delegation
2.0	CEO 21/12/2021 – Position title change of Manager Waste and Major Projects, and Manager Planning and Regulatory Services in sub-delegation.
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position titles, addition of Director Sustainable Economy and Communities
4.0	CEO 21/08/2024 - Amendment to sub-delegation – addition of Manager, Arts, Community and Economic Development
5.0	CEO 20/11/2024 – Amendment to sub-delegation, title change 'Manager Arts and Economic Development'

1.2 Declare vehicle is abandoned vehicle wreck

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Economy and Communities Coordinator Ranger Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<u>Local Government Act 1995</u> s.9.10 Appointment of authorised persons – refer also s.3.39] s.3.40A(4) Abandoned vehicle wreck may be taken
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 - New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO
3.0	CEO 20/1/2020 – OM2020/85 - Amendment – Removed Manager Health and Waste Services from sub-delegation
4.0	CEO 27/5/2020 – Annual review of sub-delegation by CEO - added Manager Legal and Governance
5.0	CEO 07/11/2023 - Review of sub-delegation by CEO – correction to position title
6.0	CEO 31/05/2024 – Annual review of sub-delegation by CEO - removed DSDI and Manager Legal and Governance, added DSEC

1.3 Confiscated or uncollected goods

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]. 2. Power to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Power to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Economy and Communities Coordinator Ranger Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Delegates are limited to the following functions: <ul style="list-style-type: none"> • Director Sustainable Economy and Communities in respect of 1,2 and 3. • Coordinator Ranger Services in respect of part 1 and 2.

Compliance Links:	<i>Local Government Act 1995:</i> Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
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Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.
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Delegation adopted by Council: 8 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO
3.0	CEO 17/9/2019 – Removed Rangers from sub-delegation part 1, added sub-delegation part 1 to Manager Health, Waste and Ranger Services, and Director Sustainable Development.
4.0	CEO 20/1/2020 – Amendment – Removed Manager Health and Waste Services from sub-delegation
5.0	CEO 07.11.2023 - Review of sub-delegation by CEO – correction of position title
6.0	CEO 31/05/2024 – Annual review of sub-delegation by CEO - removed DSDI and Manager Legal and Governance, added DSEC

1.4 Closure of thoroughfares to vehicles

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Power to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> • give public notice, • give written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Power to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Power to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Council Conditions on this Delegation:	If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Works Manager Asset Services
CEO Conditions on this Sub-Delegation:	Nil

Conditions on the original delegation also apply to the sub-delegations.	
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Compliance Links:	Local Government Act 1995: s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment

1.5 Control reserves and certain unvested facilities

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the Parks and Reserves Act 1895 . [s.3.54(1)].
Council Conditions on this Delegation:	The power under s5(1)(f) of the <i>Parks and Reserves Act 1895</i> to 'grant licences for the removal of any sand, gravel or other earth or mineral' may only be exercised by Council.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Works Manager Asset Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995: s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government Parks and Reserves Act 1895 s.5
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO

1.6 Gates across public thoroughfares

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Power to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [ULP r.9(2)]. 3. Power to impose conditions on granting permission [ULP r.9(4)]. 4. Power to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Power to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].
Council Conditions on this Delegation:	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Works Manager Asset Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
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Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.
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Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 7 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO

1.7 Construction of a crossing

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Power to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].
Council Conditions on this Delegation:	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Works Manager Asset Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO

1.8 Expressions of interest for goods and services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Power to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Sub-delegate/s to prepare procurement plan for CEO authorisation prior to the issue of an Expression of Interest.

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 25/07/2022 – Annual Review of sub-delegation by CEO – inclusion of CEO condition on sub-delegation
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities

1.9 Tenders for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996 [F&G]:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to call tenders for the supply of goods and services in accordance with r.11(1) <i>LG (Functions and general) Regulations 1996</i>; 2. Power to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(2)(f)]. 3. Power to invite tenders although not required to do so [F&G r.13]. 4. Power to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 5. Power to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 6. Power to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 7. Power to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)]. 8. Power to accept, tenders up to \$250,000 (exclusive of GST) in accordance with the requirements of the Regulations [F&G r.18(2) and (4)]. 9. Power to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, within the \$ value detailed as a condition on this Delegation, and to then enter into minor variations with the successful tenderer <u>before</u> entering into a contract [F&G r.20(1) and (3)]. 10. Power to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 11. Power to decline any tender [F&G r.18(5)]. 12. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, Power to choose the next most advantageous tender to accept [F&G r.20(2)]

	13. Power to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].
Council Conditions on this Delegation:	<p>a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, current supply contract expiry is imminent, value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. <p>b. Minor variations to the goods and services required may only be negotiated and agreed prior to entering into a contract up to a maximum of 10% of the price tendered, or \$50,000, whichever is the lesser amount.</p>
Express Power to Sub-Delegate/s:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Sub-delegation does not include the following:</p> <ol style="list-style-type: none"> Power to call tenders for the supply of goods and services in accordance with r.11(1) LG (<i>Functions and general Regulations</i> 1996; Power to accept tenders up to \$250,000 (exclusive of GST) in accordance with the requirements of the Regulations [F&G r.18(2) and (4)]. Power to decline any tender [F&G r.18(5)]. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, Power to choose the next most advantageous tender to accept [F&G r.20(2)] Power to accept another tender where within 6-months of either accepting a tender, a contract has not been

	entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – amended
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – amended
3.0	OCM 27/5/2020 – OM2020/85 Annual review of delegation by Council – amendments made to threshold in calling tenders, removed 'reject' tenders.
8.0	CEO 08/06/2022 – Annual Review of sub-delegation by CEO – additional condition '1 Power to call tenders' on sub-delegation as an exclusion.
11.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities

1.10 Variations to contracts formed with a successful tenderer

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21A Varying a contract for the supply of goods or services
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to: <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract. ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A].
Council Conditions on this Delegation:	In reference to part (i) of the delegation above: <ul style="list-style-type: none"> (a) a price variance must not exceed 10 % of the original contract value or \$50,000, whichever is the lesser amount except in the event of an emergency where Council are unable to meet within a two-week period in which case a price variation must not exceed \$150,000; (b) Where any price variation to a contract exceeds \$50,000 an agenda item shall be brought to Council as soon as is practically possible to provide Council with the information as to why the variation was required, why it was urgent and any other details relevant to the price variation.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Local Government Act 1995 – s.3.57 Tenders for providing goods or services</i>
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	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
2.1	SCM 18/3/2020 SM2020/2 – Amendment of condition of delegation by Council to include in the event of an emergency.
3.0	OCM 27/5/2020 – OM2020/85 Annual review of delegation by Council – minor amendment to conditions.
4..0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities

1.11 Renewal or extension of contract during a State of Emergency

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to be exercised only when a State of Emergency declaration is in force which applies to all or part of the Shire, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].
Council Conditions on this Delegation:	This power may only be exercised where the total consideration for the renewal or extension is \$250,000 or less.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey
CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 27/5/2020 – OM2020/85 New delegation by Council
2.0	CEO 27/5/2020 – New sub-delegation by CEO

1.12 Procurement of goods or services required to address a state of emergency

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the Shire, to: <ol style="list-style-type: none"> 1. Determine that particular goods or services with a purchasing value greater than \$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and 2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2) (aa)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. This power may only be exercised where the goods or services are urgently required in an immediate response to addressing the hazard to which the State of Emergency Declaration relates. b. The CEO has taken steps as per the attached flow chart to attempt to convene a special council meeting, but it has not been possible for Council to meet within an appropriate time frame. c. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. d. If, under the circumstances a written contract was unable to be exchanged at the time of the purchase, the CEO will arrange for a written contract to be formalised as soon as practically possible. e. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Shire President (i.e. before the expense is incurred) in accordance with LG Act s.6.8. f. The CEO is to provide a report to Council after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were

	urgently required in response to the State of Emergency Declaration, at the next Council meeting.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

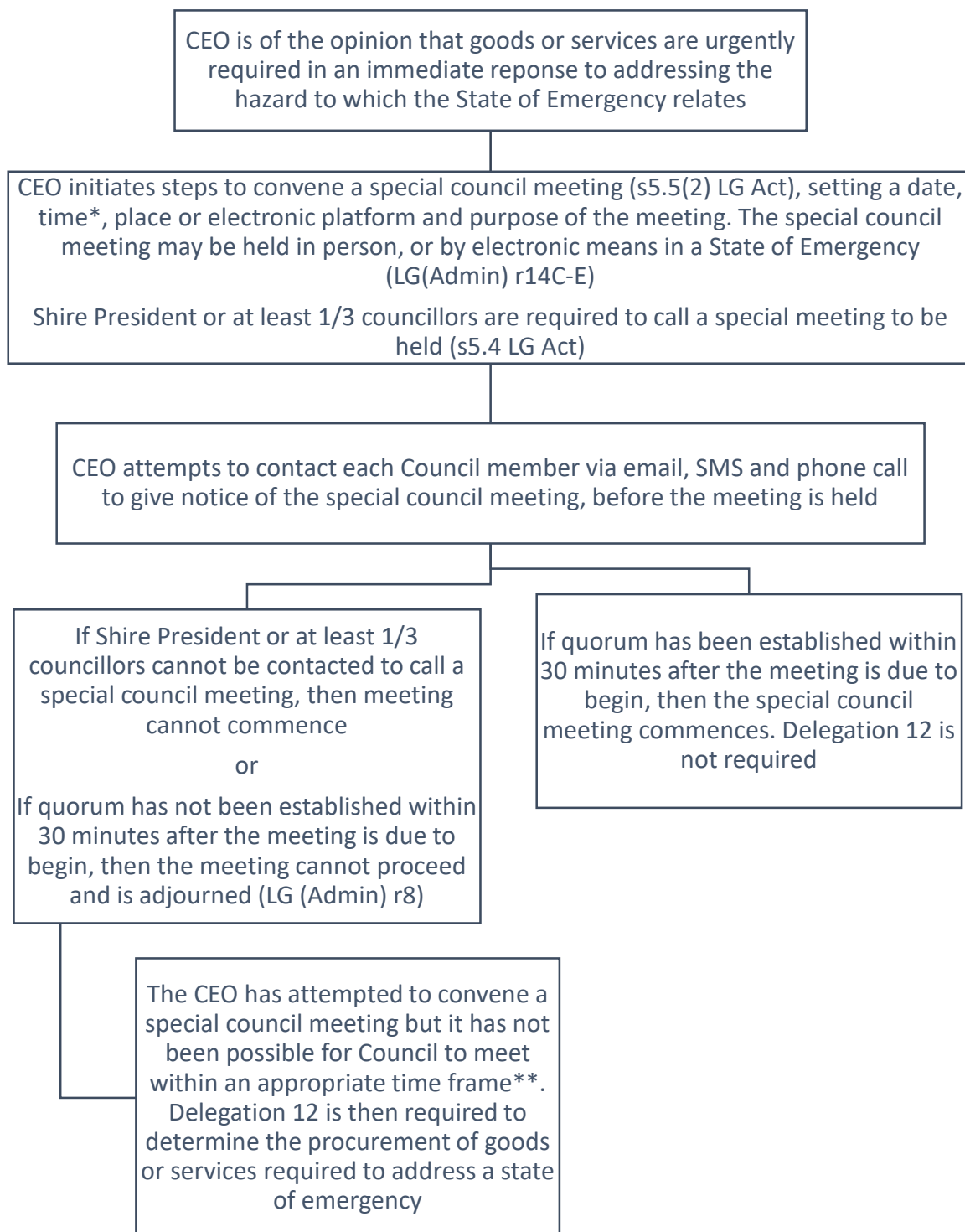
CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 22/7/2020 – OM2020/134
2.0	CEO 22/7/2020 – New sub-delegation by CEO

Steps required to convene a Special Council Meeting in a State of Emergency re Delegation 12: Procurement of goods and services required to address a State of Emergency



*There is no prescribed minimum period of giving notice before a special council meeting, however a reasonable time should be applied given the circumstances.

**Appropriate time frame is dependent on the nature and circumstances of the emergency and will be determined by the CEO

1.13 Panels of pre-qualified suppliers for goods and services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AJ Contracts with pre-qualified suppliers.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to establish a panel of pre-qualified suppliers to supply particular goods or services to the Shire in accordance regulation 24AC – <i>AI Local Government (Functions and General) Regulation 1996</i>; 2. Power to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier who is part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Council Conditions on this Delegation:	<p>In accordance with s.5.43, a contract for the supply of goods or services with a pre-qualified supplier who is part of a panel of pre-qualified suppliers for those particular goods or services may only be entered into where the total consideration under the resulting contract is \$250,000 or less (excluding GST).</p> <p>In accordance with s24AJ a contract must not be for a term exceeding 12 months or contain an option to renew or extend its term.</p>
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Sub-delegation is limited to part 1 of the delegation.

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Shire of Augusta Margaret River Purchasing Policy
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to

ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities

1.14 Disposal of land via lease or licence

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58 Disposing of Property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to dispose of land (including buildings) via lease or licence where the disposition is exempt under F&G r.30.
Council Conditions on this Delegation:	Part 1 of the delegation above does not apply the first time a property is leased, unless the lease is: <ul style="list-style-type: none"> a. For a residential purpose being exempt under F&G r. 30(2)(d) or r. 30(2)(g); or b. For a period of less than two years with no right to renewal; or c. For a site in a Local Government managed caravan park.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – s.3.58 Disposal of Property Local Government (Functions and General) Regulations 1995 – r.30 Dispositions of property excluded from Act s. 3.58
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

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Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

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1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS

1.15 Disposal of property by sale

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. To dispose of property where the disposition is exempt from the requirements of s3.58 LG Act by F&G r.30; and 2. Where the disposition of property is not exempt under F&G r.30, to dispose of property (other than land): <ol style="list-style-type: none"> a) to the highest bidder at public auction (s3.58(2)(a)); or b) to the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender (s3.58(2)(b)); or c) by private treaty only in accordance with s3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice (s3.58(3)).
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. This delegation does not apply to disposal of land by lease or license. 2. In accordance with s.5.43, disposal of property, the following asset value thresholds apply: <ol style="list-style-type: none"> i. \$150,000 or less for plant, equipment and materials; and ii. \$10,000 or less for land
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – s.3.58 Disposal of Property
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	<u>Local Government (Functions and General) Regulations 1996</u> – prescribe applicable statutory procedures
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire’s record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/24

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

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1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS
4.0	OCM 28/05/2025 – OM2025/54 Annual review of delegation by Council – amendment to condition two - separated disposal of plant, equipment and materials and disposal of land. Threshold amount for land reduced to \$20,000, threshold amount for equipment increased to \$150,000.

1.16 Power to make payments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to make payments from the municipal or trust funds [r.12(1)(a)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities Manager Corporate Services Manager People, Culture and Safety Manager Asset Services Manager Regulatory Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> i. Delegates must comply with the Shire's finance policies and procedures approved in accordance with r. 5 LG <i>(Financial Management) Regulations 1996</i>. ii. The CEO must approve allocations of outgoing grants and funding in accordance with the Community, Economic, Environmental and Events Funding Policy prior to any payments of those grants and funding being made.

Compliance Links:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. Shire of Augusta Margaret River Sustainable Financial Management Policy Shire of Augusta Margaret River Purchasing Policy
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	Shire of Augusta Margaret River Community, Economic, Environmental and Events Funding Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services, and Manager Corporate Performance in sub-delegation.
4.0	CEO 22/5/2023 – Annual review of sub-delegation by CEO – updated position title change Manager People, Culture and Safety. Added condition (ii) on sub-delegation re CEO approving allocation of outgoing grants and funding.
5.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title, update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities
6.0	CEO 20/11/2024 – Position title change – Manager Corporate Services

1.17 Grant concessions, waive or write off debts

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to: <ol style="list-style-type: none"> 1. Waive an amount of money owed to the Shire [s.6.12(1)(b)]; 2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)]; 3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)]; to a value not exceeding \$25,000.
Council Conditions on this Delegation:	Parts 1 & 2 of this delegation do not apply to an amount of money owing in respect of rates and service charges [s6.12(2)].
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation only applies to a value not exceeding \$3000.

Compliance Links:	Local Government Act 1995 - s.6.12 Power to defer, grant discounts, waive or write off debts Shire of Augusta Margaret River Community, Economic, Environmental and Events Funding Policy
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

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Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	OCM 27/11/2019 – OM2019/225 amendment of delegation to increase maximum value from \$3000 to \$7000.
4.0	OCM 24/6/2020 – OM2020/115 amendment of delegation to increase maximum value from \$7000 to \$25,000.
5.0	CEO 21/12/2021 – Position title change of Manager Corporate Performance in sub-delegation.
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS, addition of sub-delegation to Director Sustainable Economy and Communities
7.0	CEO 20/11/2024 - Position title change – Manager Corporate Services

1.18 Power to invest

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].
Council Conditions on this Delegation:	All investment activity must comply with Financial Management Regulation 19C and the Shire Investments Policy.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 - s.6.14 Power to invest Local Government (Financial Management) Regulations 1996 – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) Shire of Augusta Margaret River Investments Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council:

Sub-delegation approved by: 28 May 2025 – OM2025/54



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 21/12/2021 – Position title change of Manager Corporate Performance in sub-delegation.
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS
5.0	CEO 20/11/2024 - Position title change – Manager Corporate Services

1.19 Agreement as to payment of rates and service charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 - s.6.49 Agreement as to payment of rates and service charges Shire of Augusta Margaret River Financial Hardship – Collection of rates and Service Charges Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 21/12/2021 – Position title change of Manager Corporate Performance in sub-delegation.
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS
5.0	CEO 20/11/2024 - Position title change – Manager Corporate Services

1.20 Rateable Land Exemptions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s6.26 LGA Rateable land
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine rate exemption applications in accordance with s6.26 LG Act.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS

1.21 Objection to a rate record

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s6.76 LG Act Grounds of objection
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Power to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this Delegation.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 – OM2019/105 New delegation adopted by Council
2.0	CEO 26/6/2019 - New sub-delegation approved by CEO
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS

1.22 Taking action on unpaid rates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ul style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ul style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire [s.6.71].
Council Conditions on this Delegation:	In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u> , within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Corporate and Customer Services Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<p>Local Government Act 1995 – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p>Local Government (Financial Management) Regulations 1996 – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p>
Record Keeping:	<p>Regulation 19 <i>LG (Admin) Regulations 1996</i>, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.</p>

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

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1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 21/12/2021 – Position title change of Manager Corporate Performance in sub-delegation.
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of position title for DCCS
5.0	CEO 20/11/2024 - Position title change – Manager Corporate Services

1.23 Appointment of authorised persons

This delegation was revoked by Council decision: 9 June 2021 OM2021/101

LG (Miscellaneous Provisions) Act 1960 Delegation

1.24 LG (Miscellaneous Provisions) Act 1960 – Impounding cattle

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO <i>Local Government (Miscellaneous Provisions) Act 1960:</i> s2 : to be read as part of LGA 1995.
Express Power or Duty Delegated:	<i>Part 20 Local Government (Miscellaneous Provisions) Act 1960 Cattle trespass, pounds, pound keepers and rangers</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to exercise the powers and discharge the duties of the local government under Part 20 LG (Miscellaneous Provisions) Act 1960.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>by CEO</i>	Director Sustainable Economy and Communities Manager Legal and Governance Services Coordinator Ranger Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Miscellaneous Provisions) Act 1960 - Part XX Cattle trespass, pounds, pound keepers and rangers
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

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1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 20/1/2020 – Amendment – Removed Manager Health and Waste Services from sub-delegation
4.0	CEO 27/5/2020 – Annual review of sub-delegation by CEO - added Manager Legal and Governance
5.0	OCM 9/6/2021 – OM2021/101 Annual review of delegation by Council – removed power to appoint persons authorisation as power is provided to CEO under s9.10 LG Act
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title
7.0	CEO 31/05/2024 – Annual review of sub-delegation by CEO. Removed DSDI, added DSEC

Building Act 2011 Delegations

1.25 Building

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Division 2 of Part 2 Building Act 2011 Divisions 1,2 and 3 of Part 4 Building Act 2011 Reg 5A Building Regulations 2012 – Authorised Persons Reg 70 Building Regulations 2012 – Infringement Notices</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Power to approve or refuse to grant or modify building and demolition permits, occupancy permits, building approval certificates, issue or revoke Building Orders, and perform associated functions of a permit authority pursuant to the <i>Building Act 2011</i>, including the sections listed below:</p> <ul style="list-style-type: none"> a) Section 18 Further information b) Section 20 Grant of Building Permit c) Section 21 Grant of Demolition Permit d) Section 22 Further grounds for not granting an application e) Section 27 Conditions imposed by permit authority f) Section 55 Further information g) Section 58 Grant of occupancy permit or building approval certificate h) Section 59 Time for granting occupancy permit or building approval certificate i) Section 60 Notice of decision not to grant occupancy permit or grant building approval certificate j) Section 62 Conditions imposed by permit authority k) Section 65 Extension of period of duration of an occupancy permit or building approval certificate granted for a limited period of time. l) Section 110 Building Orders m) Section 117 Revocation of Building Order n) Section 118 Permit authority may give effect to building order if non-compliance o) Section 139 Presumptions about authority to do certain things.

	<ol style="list-style-type: none"> 2. Initiate a prosecution pursuant to s133(1) for an offence against the <i>Building Act 2011</i>. 3. Under s96(3) <i>Building Act 2011</i>, designate an employee of the local government as an authorised person for the purposes of: <ol style="list-style-type: none"> a) the <i>Building Act 2011</i> in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government; and b) s93(2)(d), to inspect or test an existing building for the purpose of monitoring whether a provision of the regulations is being complied with. 4. Power to appoint a person or classes of persons as an: <ol style="list-style-type: none"> a) Approved officer for the purposes of s6(a) <i>Criminal Procedure Act 2004</i> in accordance with r 70(1) and 70(1A) <i>Building Regulations 2012</i>. b) Authorised officer for the purposes of the s6(b) <i>Criminal Procedure Act 2004</i>, in accordance with r 70(2) <i>Building Regulations 2012</i>.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Decisions under parts 1 & 2 of the delegation above should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i>. 2. In relation to part 4(a) of the delegation above, only employees delegated under s5.44(1) LG Act with the power under s9.19 or 9.20 LG Act to withdraw or extend notices may be appointed as 'approved officers'. 3. In relation to part 4(b) of the above delegation, only employees appointed authorisation under s9.10 LG Act for the purpose of giving infringement notices under s9.16 LG Act may be appointed as 'authorised officers'.
Express Power to Sub-Delegate/s:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Regulatory Services Coordinator Building Services Coordinator Building Assets and Maintenance Manager Legal and Governance Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	The sub-delegation is limited to the following: <ul style="list-style-type: none"> • Director Sustainable Development and Infrastructure Services (in respect of part 1 and 2) • Manager Planning and Regulatory Services (in respect of part 1 and 2)

	<ul style="list-style-type: none"> • Coordinator Building Services (in respect of part 1 and 2) • Coordinator Building Assets and Maintenance (in respect of part 1) • Manager Legal and Governance (in respect of part 2)
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Compliance Links:	Building Act 2011 Building Regulations 2012
Record Keeping:	<p>Section 130 <i>Building Act 2011</i> and regulation 12 <i>Building Regulations 2012</i> requires delegates to keep a written record of applications for a building permit, demolition permit, occupancy permit and related documents, building certificates, building orders and related documents, notices of completion and cessation in relation to a building permit and documents relating to inspections.</p> <p>All evidentiary documents must be retained on the Shire's record keeping database.</p>

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Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date:

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1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – amended
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – amended
3.0	CEO 20/1/2020 – Amendment – Position title change to Manager Legal and Governance to sub-delegation
4.0	OCM 9/6/2021 – OM2021/101 Annual review of delegation by Council – amended condition due to legislative changes re approved officers and authorised officers.
5.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services in sub-delegation.
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position titles

Bush Fires Act 1954 Delegations

1.26 Functions of the Bush Fires Act 1954

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The exercise of powers and discharge of duties of any Local Government functions under the <i>Bushfires Act 1954</i> .
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	Bush Fires Act 1954 Bush Fires Regulations 1954 Bush Fires (Infringement) Regulations 1978
Record Keeping:	<p>Section 41 <i>BFA</i> requires local government to keep a register of bush fire brigades and their members.</p> <p>Section 50 <i>BFA</i> requires local government to maintain records of all bush fire control officers and bush fire brigade officers appointed, and particulars of the bush firefighting equipment and appliances available within the district.</p> <p>All evidentiary documents must be retained on the Shire's record keeping database.</p>

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
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1.27 Prohibited Burning Times – *Bush Fires Act 1954*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister
Delegate:	Shire President and Chief Bush Fire Control Officer (jointly)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, in accordance with section 17(7) and (8).
Council Conditions on this Delegation:	Decisions under s,17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Express Power to Sub-Delegate/s:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
Record Keeping:	<p>Section 41 <i>BFA</i> requires local government to keep a register of bush fire brigades and their members.</p> <p>Section 50 <i>BFA</i> requires local government to maintain records of all bush fire control officers and bush fire brigade officers appointed, and particulars of the bush firefighting equipment and appliances available within the district.</p> <p>All evidentiary documents must be retained on the Shire's record keeping database.</p>

Delegation adopted by Council: 28 May 205 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 – OM2019/105 Annual review of delegation by Council – no amendment
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1.28 Prosecution of Offences – *Bush Fires Act 1954*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Delegate:	Chief Executive Officer Coordinator Ranger Services Rangers Manager Legal and Governance Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Power to serve an infringement notice for an offence against this Act [s.59A(2)].
Council Conditions on this Delegation:	Rangers are limited to part 2 of the delegation.
Express Power to Sub-Delegate/s:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	Bush Fires Act 1954 Bush Fires Regulations 1954 Bush Fires (Infringement) Regulations 1978 Regulation 4a <i>Bushfires (Infringement) Regulations 1978</i> – only the Shire President or Chief Executive Officer may withdraw an infringement notice.
Record Keeping:	Section 41 <i>BFA</i> requires local government to keep a register of bush fire brigades and their members. Section 50 <i>BFA</i> requires local government to maintain records of all bush fire control officers and bush fire brigade officers appointed, and particulars of the bush firefighting equipment and appliances available within the district. All evidentiary documents must be retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 – OM2019/105 Annual review of delegation by Council – no amendment
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Cat Act 2011 Delegations

1.29 Functions of the Cat Act 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to exercise the powers, duties and functions of the local government under the <i>Cat Act 2011</i> .
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Manager Legal and Governance Services Coordinator Ranger Services Rangers Customer Service Officers Administration Officer Ranger Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. Customer Service Officers and Administration Officer Ranger Services are limited to the power to register cats in accordance with s9-11 <i>Cat Act 2011</i> .

Compliance Links:	Cat Act 2011 Cat Regulations 2012
Record Keeping:	The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 20/1/2020 – Amendment – Removed Manager Health and Waste Services from sub-delegation
4.0	CEO 27/5/2020 – Annual review of sub-delegation by CEO - added Manager Legal and Governance
5.0	OCM 9/6/2021 – OM2021/101 Annual review of delegation by Council – removed power to appoint persons authorisation, as power is provided to CEO under s9.10 LG Act
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title, addition of sub-delegation to Director Sustainable Economy and Communities

Dog Act 1976 Delegations

1.30 Functions of the Dog Act 1976

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to exercise the powers, duties and functions of the local government under the <i>Dog Act 1976</i> .
Council Conditions on this Delegation:	s. 31 (2B) and (3A) <i>Dog Act 1976</i> are powers exercised by absolute majority and cannot be delegated.
Express Power to Sub-Delegate/s:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Manager Legal and Governance Services Coordinator Ranger Services Rangers Customer Service Officers Administration Officer Ranger Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. Customer Service Officers and Administration Officer Ranger Services are limited to the power to register dogs in accordance with s15-17 <i>Dog Act 1976</i> .

Compliance Links:	<u>Dog Act 1976</u>
Record Keeping:	The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 20/1/2020 – Amendment – Removed Manager Health and Waste Services from sub-delegation
4.0	CEO 27/5/2020 – Annual review of sub-delegation by CEO - added Manager Legal and Governance
5.0	OCM 9/6/2021 – OM2021/101 Annual review of delegation by Council – removed power to appoint officers authorisation as power is provided to CEO under s9.10 LG Act
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title, addition of sub-delegation to Director Sustainable Economy and Communities

Food Act 2008 Delegations

1.31 Functions under the *Food Act 2008*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008</i>
Delegate:	Chief Executive Officer Manager Regulatory Services Coordinator Environmental Health Environmental Health Officers
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to exercise the powers and discharge of duties of any local government functions under the <i>Food Act 2008</i> .
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate/s:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	<i>Food Act 2008</i>
Record Keeping:	The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
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1.32 Appoint Authorised Officers and Designated Officers – *Food Act 2008*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122]. 2. Power to appoint an Authorised Officer appointed under s.122 of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)]. 3. Power to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].
Council Conditions on this Delegation:	<p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</p> <ul style="list-style-type: none"> • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Express Power to Sub-Delegate/s:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	<i>Food Act 2008</i> s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record Keeping:	s123 <i>Food Act 2008</i> requires all authorised officers to be issued with a certificate of authority as an authorised officer in the prescribed form.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
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Planning and Development Act 2005 Delegations

1.33 Directions under s214 Planning and Development Act 2005

Delegator: <i>Power / Duty assigned in legislation to:</i> Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Council <i>Local Government Act 1995:</i> s 5.42 (1)(b) LG Act A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the <i>Planning and Development Act 2005</i> section 214(2), (3) or (5).
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> S214: Illegal development, responsible authority's powers as to.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to give directions under the <i>Planning and Development Act 2005</i> section 214(2), (3) and (5).
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Regulatory Services Coordinator Planning Services Manager Legal and Governance Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Planning and Development Act 2005 S214: Illegal development, responsible authority's powers as to.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 – OM2019/105 Annual review of delegation by Council – no amendment
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
3.0	CEO 20/1/2020 – Amendment – Position title change to Manager Legal and Governance in sub-delegation
4.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services in sub-delegation.
5.0	CEO 19/10/2022 – Position title change to Coordinator Planning Services in sub-delegation
6.0	CEO 07/11/2023 – Review of sub-delegation by CEO – corrections to position titles

1.34 Local Planning Scheme No. 1

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Clause 82(1) of the Deemed Provisions of Local Planning Scheme No. 1: The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.
Express Power or Duty Delegated:	Local Planning Scheme No. 1
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Administrative Matters Power to: <ol style="list-style-type: none"> 1. Make determinations on the sufficiency of information provided with applications for development approval pursuant to Clause 63 of the Deemed Provisions of LPS1. 2. Advertise and provide notice of applications for development approval pursuant to clause 64 of the Deemed Provisions of LPS1. 3. Assign land use pursuant to clause 4.4 of LPS1. 4. Determine compliance with the Deemed to Comply Provisions of the Residential Design Codes and requirement for, or exemption from, the need to obtain planning approval under clause 61(c) of the Deemed Provisions. 5. Require the repair of any advertisement pursuant to clause 80 the Deemed Provisions of LPS1. 6. Accept and determine cash-in-lieu payments. Determination of Development Applications Power to: <ol style="list-style-type: none"> 7. Determine applications for development approval pursuant to Part 9 of the Deemed Provisions of LPS1 inclusive of any conditions to be imposed and the period of validity of the approval, including: <ol style="list-style-type: none"> a) Applications for development approval where no variations to Local Planning Policy, a related LDP or Scheme Standards are proposed.* b) Applications for development approval where variations to Development requirements of LPS1 pursuant to clause 5.5 (variations to site development standards) for clauses 4.21.2 (development in the R2.5 and R5 code), 5.10.2

(variation to building envelopes) and Schedule 9 or to a related LDP.

- c) Amendments and extension to the term of development approval pursuant to Clause 77 of the Deemed Provisions.
- d) Make determinations to vary provisions pursuant to clause 12 of the Deemed Provisions of LPS1 to facilitate the conservation of a place entered in the Register of Places under the *Heritage of Western Australia Act 1990*.
- e) Make any determinations and exercise any discretionary powers contained within LPS1 and in any schedules of LPS1 where not inconsistent with Local Planning Policy.
- f) Make any determinations and exercise any discretionary powers contained within LPS1 and in any schedules of LPS1.

**Does not include prescribed single house development as per clause 84B of the Deemed Provisions LPS1.*

Local Development Plans

Power to:

- 8. Determine whether sufficient information has been provided and advertise Local Development Plans pursuant to Part 6 of the Deemed Provisions.
- 9. Determine Local Development Plans pursuant to Part 6 of the Deemed Provisions.
- 10. Determine amendments to Local Development Plans pursuant to Clause 59 of the Deemed Provisions.

Structure Plans

Power to:

- 11. Determine that a structure plan complies with clause 16(1) of the Deemed Provisions of LPS1.

Subdivision

- 12. Provide referral responses on subdivision applications to the West Australian Planning Commission.
- 13. Determine built strata applications that have been delegated to the Shire of Augusta Margaret River by the WAPC pursuant to Section 25(1) of the *Strata Title Act 1985* and impose any relevant planning conditions.
- 14. Issue clearances of conditions for subdivision approvals on behalf of the local government.

Council Conditions on this Delegation:	<p>Part 7, of the delegation function may not be exercised for the purpose of providing development approval to a development that:</p> <ul style="list-style-type: none"> a) Raises an issue of significant public interest, concern or controversy or is likely to do so. b) Raises an issue of policy or process not covered by existing policy or practice. c) Has given rise to substantial public objection (denoted either by the qualitative strength of submission/s or there being a quantity of 16 or more non-identical submissions in opposition). d) Could set an undesirable precedent in terms of height, bulk, scale etc that could create an undesirable policy direction. e) Is innovative and raises the possibility of a new or unexpected desirable policy direction that Council wants to encourage. f) Provides for a development which is anticipated by, or contrary to, a proposed major amendment to the Scheme. g) Proposes the demolition or significant redevelopment to a building on the Municipal heritage register.
Express Power to Sub-Delegate/s:	<p>Clause 83 Deemed Provision of LPS1: The local government CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's functions under this Scheme other than this power of delegation.</p> <p>Clause 84 of the Deemed Provisions of LPS1: s5.46 and related regulations apply to a delegation made under this clause as if the delegation were made under Part 5 of the LG Act.</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	Director Sustainable Development and Infrastructure Services Manager Regulatory Services Coordinator Building Services Coordinator Planning Services Senior Planning Officers Strategic Projects Officer Planning Officers
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Sub-delegation is limited to the following:</p> <ul style="list-style-type: none"> • Director Sustainable Development and Infrastructure Services in respect of all parts of the delegation listed above; • Manager Planning and Regulatory Services in respect of all parts of the delegation listed above with the exception of part 7(f);

	<ul style="list-style-type: none"> Coordinator Planning Services in respect of parts 1, 2, 3, 4, 7(a) - (c), 8, 11, listed above; Senior Planning Officers in respect of parts 1, 2, 3, 4, 7(b), where 7(b) is limited to Holiday Home applications and renewals, Bed and Breakfast applications and renewals) Strategic Projects Officer in respect of parts 8 and 11 listed above; Planning Officers in respect of parts 1,2, 3, 4 above; and Coordinator Building Services in respect of part 4 above.
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Compliance Links:	Local Planning Scheme No. 1
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Sub-delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – amended
2.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – amended
3.0	OCM 27/5/2020 – OM2020/85 Annual review of delegation by Council – removed appointing officers authorisation as it is a CEO power, and minor amendment to clause 4.
4.0	OCM 9/6/2021 – OM2021/101 Annual review of delegation by Council – changed wording in part 5 from 'performance criteria' to 'design principles'.
5.0	OCM 23/6/2021 – Conditions added to delegation by Council relating to Development Assessment Reporting Process.
6.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services in sub-delegation.
7.0	CEO 19/10/2022 - Position title change to Coordinator Planning Services in sub-delegation
8.0	CEO 22/5/2023 – increase in sub-delegated powers from CEO to the Senior Planning Officers and Coordinator Planning Services to distribute work more evenly between staff.
9.0	OCM 14/06/2023 - Delegation has been re-worded, re-ordered and grouped based on the type of function being performed – Administrative Matters; Determining Development Applications; Local

	Development Plans; Structure Plans; Subdivisions. Minor consolidation of the some of the powers, and adjustment to wording to improve clarity in how the delegation applies.
10.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title
11.0	OCM 22/05/2024 – OM2024/78 Annual review of delegation by Council – amendment to 7 a), b) and c) – inclusion of 'relating specifically to the application or a related LDP'.
12.0	CEO 19/06/2024 – Delegation inoperable due to reforms to decision making on the development of single housing. Notation made with CEO approval. To be formally adopted by Council.
13.0	OCM 28/05/2025 – OM2025/54 Annual review of delegation by Council – the P&D Act amendment legislation (restricted decision making on single houses to an administrative task) came into effect on 1 July 2024 - required deletion of 7 a).
13.1	CEO – update of CEO condition of sub-delegation to reflect above.

Public Health Act 2016 Delegations

1.35 Appoint Authorised Officer or Approved Officer - Health (Asbestos) Regulations 1992

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Power to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Council Conditions on this Delegation:	Each person appointed must be issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express Power to Sub-Delegate/s:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.

Compliance Links:	Criminal Procedure Act 2004 – Part 2 Health (Asbestos) Regulations 1992
Record Keeping:	The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – amended
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1.36 Designate Authorised Officers – Public Health Act 2016

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council (Enforcement Agency means Local Government s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> i. The <i>Public Health Act 2016</i> or other specified Act; ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act; iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ol style="list-style-type: none"> a. an environmental health officer or environmental health officers as a class; OR b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. a mixture of the two. [s.24(1) and (3)].
Council Conditions on this Delegation:	<p>Each person appointed must be:</p> <ul style="list-style-type: none"> • Appropriately qualified and experienced [s.25(1)(a)]; and • Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. <p>A Register (list) of authorised officers is to be maintained in accordance with s.27.</p>
Express Power to Sub-Delegate/s:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	Public Health Act 2016
Record Keeping:	<p>The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.</p> <p>The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.</p>

Delegation adopted by Council: 28 May 2025 - OM2025/54

Version Control:

1.0	OCM 26/6/2019 - OM2019/105 Annual review of delegation by Council – no amendment
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1.37 Commence Proceedings – *Public Health Act 2016*

This delegation has been revoked by Council decision: 9 June 2021 OM2021/101.

Part 2: Delegations from CEO to employees

The following are delegations of powers of the Chief Executive Officer provided under the Local Government Act 1995 and other various acts. They are not sub-delegations of a Council delegated power.

Local Government Act 1995

2.1 Recruitment and employee matters

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Section 5.41(g) CEO's functions: be responsible for the employment, management supervision, direction and dismissal of other employees.
Delegate/s:	Director Corporate and Customer Services Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to: <ul style="list-style-type: none"> i. Appoint and sign employment offers and variations for positions up to and including Level 9, where: <ul style="list-style-type: none"> a) no increase is being made to overall full time equivalent (FTE) count; b) no increase is being made to the FTE budget; c) there is no proposed change in job sizing; d) there is no proposed change to service level; and e) the Recruitment and Selection Procedure has been complied with. ii. Determine applications for unpaid leave up to and including 3 months for any position below Manager level, where: <ul style="list-style-type: none"> a) Determinations are made in accordance with the Leave Management Procedure and other applicable procedures; and b) there is a plan in place to cover the period of leave appropriately; and c) no unpaid leave may be approved for people seeking opportunities to undertake non-Shire work. iii. Determine applications for unpaid parental leave, where:

	a) Determinations are made in accordance with the Leave Management Procedure and relevant legislation.
CEO Conditions on this Delegation:	a) Directors are limited to decisions made in respect of officer positions within their directorate.
Express Power to Sub-Delegate/s:	Nil

Compliance Links:	Local Government Act 1995
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 7 November 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of delegation by CEO – no amendment
2.0	CEO 18/07/2022 - Annual review of delegation by CEO – Conditions on delegation added
3.0	CEO 22/5/2023 – Annual review of delegation by CEO – includes determining applications of unpaid leave, higher duties, flexible working arrangements, employment offers and variations.
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title for Manager Legal and Governance Services. Amendments to functions and conditions ii.a), deletion of iv d) & e), replaced with iv d), e), f). Removal sub-delegation to Manager Legal and Governance, addition of sub-delegation to Director Sustainable Economy and Communities.
5.0	CEO 31/05/2024 – Annual review of delegations – amendment to i) c) removal of 'position description'. Deletion of ii) and iii).
6.0	CEO 7/11/2025 – Review of functions, multiple amendments / deletions. (N310203)

2.2 Release of owner information for properties within the Shire

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s5.94 LG Act Public can inspect certain local government information
Delegate/s:	Director Corporate and Customer Services Manager Corporate Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].
CEO Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	Nil

Compliance Links:	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s5.94 LGA Public can inspect certain local government information
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of delegation by CEO – no amendment
2.0	CEO 21/12/2021 – Position title change of Manager Corporate Performance.
3.0	CEO 07/11/2023 – Review of sub-delegation by CEO – update of DCCS position title
4.0	CEO 20/11/2024 - Position title change – Manager Corporate Services

2.3 Withdrawal and Extension of Infringement Notices – *Local Government Act 1995*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A),(2),(2) Approved officers and authorised officers
Delegate/s:	Director Sustainable Development and Infrastructure Services Director Corporate and Customer Services Director Sustainable Economy and Communities Manager Regulatory Services Manager Asset Services Manager Legal and Governance Services Coordinator Ranger Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to extend the 28-day period within which payment of a modified penalty under the LG Act may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 2. Power to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty under the LG Act has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> 1. A Delegate who has been delegated power to withdraw an infringement must NOT be appointed as an authorised person for the purposes of issuing an infringement notice. 2. The following positions are also delegated the functions under s9.19 and s 9.20 as a precondition for appointment as an 'approved officer' in accordance with <i>Building Regulations 2012</i> 70(1) for the purposes of the <i>Criminal Procedure Act 2004</i> s6(a), to withdraw or extend notices under the <i>Building Act 2011</i>: <ul style="list-style-type: none"> • Manager Regulatory Services • Director Sustainable Development and Infrastructure Services
Express Power to Sub-Delegate/s:	Nil.

Compliance Links:	<i>Local Government Act 1995:</i>
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to

	ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database
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Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
2.0	CEO 20/1/2020 – Amendment – Position title change of Manager Health and Waste Services
3.0	CEO 26/5/2020 – Amendment – Added Manager Legal and Governance
4.0	CEO 17/6/2021 - Annual review of sub-delegation by CEO – Added Coordinator Ranger Services, added condition re authorised and approved officers under <i>Building Regulations 2012</i> .
4.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services and removed Manager Health and Waste Services.
5.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position titles
6.0	CEO 31/05/2024 – Annual review of sub delegations – addition of DSEC

Cat Act 2011

2.4 Infringement Notices – Extensions and Withdrawals – Cat Act 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
Delegate:	Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Manager Legal and Governance Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Power, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
Conditions on this Delegation:	s45(6) Cat Act 2011 - a power or duty under sections 64 (extension of time) ,65 (withdrawal of notice) cannot be delegated to an authorised person.
Express Power to Sub-Delegate/s:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Compliance Links:	Cat Act 2011 Cat Regulations 2012
Record Keeping:	The delegate is to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents are retained on the Shire's record keeping database.

Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
2.0	CEO 20/1/2020 – Amendment – Removal of Manager Health and Waste Services from sub-delegation
3.0	CEO 27/5/2020 – Annual review of delegation by CEO – added Manager Legal and Governance
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title, addition of delegation to Director Sustainable Economy and Communities

Liquor Control Act 1988

2.5 Liquor Licensing Administration – Section 39 & 40 Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>s5.44 LG Act: CEO may delegate powers and duties to other employees s5.41(d)(h) LGA: Functions of the CEO</i>
Express Power or Duty Delegated:	<i>Liquor Control Act 1988: s39: Certificate of local government as to whether premises comply with laws s40: Certificate of planning authority as to whether use of premises complies with planning laws</i>
Delegate:	Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Coordinator Environmental Health Environmental Health Officers Manager Regulatory Services Coordinator Building Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to: 1) issue Certificates of Local Government in accordance with s39 <i>Liquor Control Act 1988</i> ; and 2) issue Certificates of Local Planning Authority in accordance with 40 <i>Liquor Control Act 1988</i> .
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	Nil

Compliance Links:	<u>Liquor Control Act 1988:</u> <i>s39: Certificate of local government as to whether premises comply with laws s40: Certificate of planning authority as to whether use of premises complies with planning laws</i>
Record Keeping:	Regulation 19 <i>LG (Admin) Regulations 1996</i> , requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 <i>LG (Admin) Regulations 1996</i> and are retained on the Shire's record keeping database.

Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
2.0	CEO 20/1/2020 – Amendment – Position title change to Manager Health and Waste Services
3.0	CEO 21/12/2021 – Position title change of Manager Planning and Regulatory Services and removal of Manager Health and Waste Services.
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title
5.0	CEO 31/05/2024 – Annual review of sub delegation – addition of DSEC

2.6 Liquor Licensing Administration – Consumption of Alcohol

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	s5.44 LGA: CEO may delegate powers and duties to other employees s5.41(d)(h) LG Act: Functions of the CEO
Express Power or Duty Delegated:	<i>Liquor Control Act 1988:</i> s59 Occasional licence, effect, conditions and pre-requisites for grant of
Delegate:	Director Sustainable Development and Infrastructure Services Director Sustainable Economy and Communities Manager Regulatory Services Coordinator Environmental Health
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to issue consent requirements to applicants seeking approval for the consumption of alcohol for special occasions on Council owned or vested land, in accordance with s59(2)(b)(ii) <i>Liquor Control Act 1988</i> .
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate/s:	Nil

Compliance Links:	<u>Liquor Control Act 1988:</u> s59 Occasional licence, effect, conditions and pre-requisites for grant of
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation approved by:



Andrea Selvey

CHIEF EXECUTIVE OFFICER

Date: 3 July 2025

Version Control:

1.0	CEO 26/6/2019 - Annual review of sub-delegation by CEO – no amendment
2.0	CEO 20/1/2020 – Amendment – Position title change Manager Health and Waste Services
3.0	CEO 21/12/2021 – Removed Manager Health and Waste Services and added Manager Regulatory Services
4.0	CEO 07/11/2023 – Review of sub-delegation by CEO – correction to position title
5.0	CEO 31/05/2024 – Annual review of sub delegation – addition of DSEC

Part 3 Delegations from Council to Committees

3.1 Behaviour Complaints Committee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause 12 Dealing with a complaint Clause 13 Dismissal of complaint
Delegate:	Behaviour Complaints Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Power to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)]. In making any finding the Committee must also determine reasons for the finding [MCC.cl.12(7)]. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> take no further action [MCC.cl.12(4)(a)]; or prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)]. Power to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> The Committee will make decisions in accordance with the principles and specified requirements established in the Shire of Augusta Margaret River Code of Conduct Behaviour Complaints Management Policy. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent. <p>NOTE TO CONDITIONS (C) AND (D): The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention</p>

	to be an apology for the meeting at which the Complaint is an agenda item.
Express Power to Sub-Delegate:	Nil

Compliance Links:	Behaviour Complaints Committee Terms of Reference Code of Conduct Behaviour Complaints Management Policy Code of Conduct for Council Members, Committee Members and Candidates Local Government (Model Code of Conduct) Regulations 2021
Record Keeping:	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of LG Administration Regulation 19.

Delegation adopted by Council: 28 May 2025- OM2025/54

Version Control:

1.0	OCM 25/8/2021 – OM2021/172 Initial adoption of delegation.
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3.2 Advocacy Committee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.5.17 Limits on delegation of powers and duties to certain committees
Delegate:	Advocacy Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to section 5.17 of the LG Act, the Advocacy Committee is delegated the powers to instruct the CEO or Shire President to communicate advocacy priorities or respond to priority requests from: <ul style="list-style-type: none"> • Australian Local Government Association (ALGA); • West Australian Local Government Association (WALGA); • State Government Agencies; and • Federal Government Agencies.
Council Conditions on this Delegation:	Committee recommendations, other than those made in accordance with the delegated function above, are not binding on Council and must be endorsed by Council to take effect.
Express Power to Sub-Delegate:	Nil

Compliance Links:	Advocacy Committee Instrument of Appointment and Delegation
Record Keeping:	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of LG Administration Regulation 19.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 28/08/2024 – OM2024/134 Initial adoption of delegation.
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3.3 Grant Committee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.5.17 Limits on delegation of powers and duties to certain committees
Delegate:	Grant Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Pursuant to section 5.17 of the LG Act, the Grant Committee is delegated the powers to determine grant applications \$10,001 and above across the following funding streams: <ul style="list-style-type: none"> • Community Partnerships: Sustainable Economies and Community Development • Community Development and Events • Council Donations • Major Events • Environmental stewardship and conservation
Council Conditions on this Delegation:	Committee recommendations, other than those made in accordance with the delegated function above, are not binding on Council and must be endorsed by Council to take effect.
Express Power to Sub-Delegate:	Nil

Compliance Links:	Grant Committee Instrument of Appointment and Delegation
Record Keeping:	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of LG Administration Regulation 19.

Delegation adopted by Council: 28 May 2025 – OM2025/54

Version Control:

1.0	OCM 25/05/2024 – OM2024/148 Initial adoption of delegation.
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Version Control table

Related Documents	Relevant policies
Responsible Directorate	Corporate and Customer Services
Prepared by	Senior Governance and Risk Officer
Approved by	Council and CEO
Last Reviewed	Council: 28/05/2025 OM2025/54, CEO: 3/07/2025 N302753
Date of this Review	28/05/2025
Next Revision Date	March 2026



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