

TOWN PLANNING DELEGATIONS

1 DELEGATIONS TO DIRECTOR AND MANAGER

Pursuant to clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy from time to time the positions of Director Planning and ~~Community~~ Development, and the Manager Planning, Approvals and Environmental Services, the following powers conferred or imposed on the Council under the Scheme:

- (a) the determination of an application for approval of development for the purpose of one or more single houses;
- (b) the determination of an application for approval of development for the purpose of not more than 10 grouped dwellings or multiple dwellings;
- (c) the determination of an application for approval of a development for the purpose of a class of use listed in Table 1 (Zoning Table) of the Scheme (other than a single house, grouped dwelling or multiple dwelling) where:
 - (i) the development complies with the standards and requirements of the Scheme; or
 - (ii) the development relates only to patio, shade sail or outbuilding additions to an existing development, and a variation is proposed to the setback or landscaping requirements for the development site, of up to 100% of that standard or requirement; or
 - (iii) for developments other than patios, shade sails and outbuilding additions to an existing development, the setbacks, the landscaping or the number of parking bays of the development are less than the minimum requirement of the Scheme by not more than 10% of that requirement; and
 - (iii) the development complies with Policy 3-4 Height of Buildings Within The Coastal Area (Non-Residential Zones);
- (d) the direction under clause 6.6.2 of the Scheme that clause 6.7 (Public Notice) is to apply to an application for planning approval involving a "D" use;
- (e) a recommendation to the Western Australian Planning Commission under clause 6.3 of the Scheme;
- (f) the determination under clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;
- (g) the decision whether to consult under clause 6.4;
- (h) the issue of a direction/notice under clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the Planning and Development Act 2005.

2 MATTERS NOT DELEGATED TO COORDINATOR PLANNING APPROVALS AND SENIOR PLANNING OFFICERS

Pursuant to clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy from time to time the positions of the Coordinator Planning Approvals and the Senior Planning Officer (Planning Approvals) the powers specified in paragraph 1 above except:

- (a) the determination of an application for approval of a single house under clause 6.1.3 (b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under clause 6.1.1 of the Scheme where:
 - (i) the open space of the proposed development is less than the applicable minimum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or
 - (ii) the plot ratio of the proposed development exceeds the maximum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or
 - (iii) any of the setbacks of the proposed development are less than the minimum requirements of Table 1 or Table 2 or clause 6.2.3 A3.3 or A3.5 of the Residential Design Codes by more than 1.5 metres; or
 - (iv) the site area per dwelling of the proposed development is less than the minimum requirement of Table 1 of the Residential Design Codes; or
 - (v) the requirements of clause 6.10.1 A1 (iii), (iv) or (v) of the Residential Design Codes are exceeded by more than ~~40%~~ 15% of those requirements;
 - (vi) the requirements of clause 6.3.2 A2 (ii) or (iii) of the Residential Design Codes are exceeded by more than ~~45%~~ 10% of those requirements; or
 - (vii) the proposed development exceeds the Building Height Envelope set out in City Policy 3.2.
- (b) the determination of an application for planning approval under clause 6.1 of the Scheme where:
 - (i) the setbacks of the proposed development; or
 - (ii) the number of on-site car parking bays to be provided; or
 - (iii) the area of the development site to be developed as landscaping;do not satisfy the minimum requirement of the Scheme;
- (c) the determination of an application for planning approval where:
 - (i) advertising and the giving of notice has occurred under clause 6.7 of the Scheme; and
 - (ii) an objection has been received;
- (d) the determination of an application for approval under clause 6.1.3(b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under clause 6.1.1 of the Scheme where:
 - (i) consultation under clause 4.2.1 of the Residential Design Codes has occurred; and
 - (ii) an objection has been received from a person notified under that clause;
- (e) the refusal of any application for planning approval under clause 6.1 of the Scheme and the refusal of any application for approval under clause 6.1.3(b); and

- (f) a recommendation to the Western Australian Planning Commission under clause 6.3 of the Scheme.
- (g) the issue of a direction/notice under clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the Planning and Development Act 2005.

3 PERIOD OF DELEGATION

The delegations made in paragraphs 1 and 2 above are to have effect for a period of 2 years from and including the date of this decision.

4 SUBDIVISION FUNCTIONS

The Council specifies the following functions:

- (a) the local government's functions under Section 142 of the Planning and Development Act 2005; and
- (b) where any subdivision is approved by the Western Australian Planning Commission subject to a condition to be carried out to the satisfaction of the local government – the determination as to whether the local government is so satisfied;
- (c) the local government's functions under section 25 of the Strata Titles Act 1985, as delegated by the Western Australian Planning Commission under Section 16 of the Planning and Development Act 2005 on 9 June 2009.

as functions to be performed by the persons who occupy, from time to time, the following positions:

- (i) the Director Planning and ~~Community~~ Development;
- (ii) the Manager Planning, Approvals and Environmental Services;
- (iii) the Coordinator Urban Design and Policy;
- (iv) the Senior Planning Officers (Urban Design and Policy);
- (v) the Coordinator Planning Approvals

5 REPORTING TO COUNCIL

The CEO is to cause a report of the exercise of powers and functions referred to in paragraph 1, 2 and 4 above, to be prepared and presented to an ordinary meeting of the Council.