

DELEGATION OF AUTHORITY

DEVELOPMENT APPLICATIONS FOR RESIDENTIAL DEVELOPMENT

Function to be performed:

To determine development applications for residential development as follows:

1. Grant approval for applications in the following circumstances:
 - 1.1 where the application is a permitted or discretionary use in the relevant zone of the local planning scheme;
 - 1.2 where the application seeks variations under the discretionary provisions of relevant local planning scheme, structure plan, activity centre plan, local development plan or local planning policy which are considered to be in keeping with the proper and orderly planning or the locality;
 - 1.3 to make an exercise of judgement against the 'design principles' of the Residential Design Codes as described in clause 2.5 of the Codes;

and to impose any condition, as may be seen fit, in order for the development to relate to the proper and orderly planning of the locality.

This delegation is subject to:

- a) all applications for single houses and ancillary dwellings in addition to outbuildings, external features, boundary walls or fences, patios, pergolas, verandahs, garages, carports, swimming pools, site works and retaining walls being reviewed by the R-Code Review Group, consisting of the:
 - o Executive Manager Development and Compliance
 - o Manager Planning and Land Services, Coordinator Approvals or a Senior Planner, and
 - o Coordinator Building and Development Compliance or a Senior Building Surveyor.
- b) all applications for a grouped or multiple dwelling that require discretionary provisions of a local

	<p>planning scheme, structure plan, activity centre plan, local development plan or local planning policy to be reviewed by the Residential Planning Review Group consisting of at least 2 of the following:</p> <ul style="list-style-type: none"> ○ Director Sustainable Communities ○ Executive Manager Development and Compliance ○ Manager Planning and Land Services ○ Coordinator Approvals ○ Senior Planner. <p>c) Any person who has made a submission objecting to the application being notified in writing of the City's intention to approve the application and be provided with a further 7 days in which to provide further comment.</p> <p>2. To refuse to grant approval in the following circumstances:</p> <p>2.1 where the application is a use not permitted in Town Planning Scheme No 3;</p> <p>2.2 where the application seeks variations under the discretionary provisions of the relevant local planning scheme, structure plan, activity centre plan, local development plan or local planning policy which are not considered to be in keeping with the proper and orderly planning of the locality;</p> <p>2.3 where an application is determined not to be consistent with the 'design principles' of the Residential Design Codes as described in Clause 2.5 of the Codes;</p> <p>and to set out any refusal reasons as may be seen fit, in order to maintain the proper and orderly planning of the locality.</p> <p>3. To amend or cancel a development approval, subject to the original determination having being determined under the circumstances listed above.</p> <p>The above provision includes applications determined by the relevant Development Assessment Panel, where the Responsible Authority Report was prepared and endorsed under delegation.</p>
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Director Sustainable Communities Executive Manager Development and Compliance Manager Planning and Land Services

	Coordinator Approvals Senior Planner Coordinator Building and Development Compliance
Express Power to Delegate/Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 Deemed provisions for local planning schemes c.82 Delegations by local government c.83 Local government CEO may delegate powers
Express Power or Duty Delegated:	<i>Planning and Development (Development Assessment Panels) Regulations 2011:</i> r.17A Amendment or cancellation of development approval
Conditions and Exceptions:	Delegation to the Coordinator Building and Development Compliance is limited to applications for single houses and ancillary dwellings, outbuildings, external features, boundary walls or fences, patios, pergolas, verandahs, garages, carports, swimming pools, site works and retaining walls.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.23/12/01, 12 December 2001
Delegation last reviewed:	Minute G.18/6/19, 25 June 2019
Sub-delegation last amended:	30 March 2020