

Existing Delegations to be revoked

To be revoked



INSTRUMENT OF DELEGATION

Ref No	Act Ref	Delegate	Delegation Subject
BA1	S127 of Building Act 2011	Chief Executive Officer Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor Building Surveyor(s) Building Administration Officer(s)	Powers of the Local Government pursuant to the Building Act 2011

Delegator

Council.

Power/Duty

To undertake the powers of the local government pursuant to the Building Act 2011.

Conditions

Subject to the direction of the Chief Executive Officer and any policies of the Council.

Statutory Framework

Section 127 *Building Act 2011*.

Verification

Council Resolution
C1110/334

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Review Dates

26 October 2011 (implementation)



INSTRUMENT OF DELEGATION

Del Ref No	Delegate	Delegation Subject
STRATA1	Director, Planning and Development Services	Issue of Certificates (Strata Titles)
	Manager, Development Services	
	Statutory Planning Coordinator	
	Strategic Planning Coordinator	
	Building Services Coordinator	
	Senior Building Surveyor	

Delegator

Council.

Power/Duty

Pursuant to the provisions of Section 23 of the *Strata Titles Act 1985*, the delegates are authorised to issue the appropriate certificates in respect to buildings as may be shown on a strata plan to be lodged for registration under the Act, subject to:

- The buildings shown on the strata plan being first inspected to ensure compliance with town planning, health and engineering requirements as provided for in the Shire of Busselton District Town Planning Scheme and Residential Design Codes and Shire Policies; and wherein the opinion of the delegate:
- The buildings are of sufficient standard and suitable to be divided into lots pursuant to the *Strata Titles Act 1985*.

Conditions

Nil.

Statutory Framework

Council is exercising its power of delegation under Section 23(4) of the *Strata Titles Act 1985*.

Verification

Council Resolution
C1106/199

Council Resolution
C0806/188

Council Resolution
C0709/215

Council Resolution
C969/0425

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Last Review Date

22 June, 2011

25 June, 2008.

26 September, 2007.

9 February, 2000.

Notes of Alterations

22/06/2011 - Position titles updated and rewording of the power and duty to more accurately reflect the requirements.

25/06/08 - Update to positions. Removal of Manager, Strategic Planning; Manager, Statutory Planning and Manager, Building Services. Inclusion of Manager, Development Services; Coordinator, Statutory Planning; Coordinator, Strategic Planning and Coordinator, Building Services.

26/09/07 - Position of Senior Building Surveyor added to delegation. Change of "Council's Codes and Policies" to "Residential Design Codes and Shire Policies".

Minor change to position title of Director. Changed from Director, Planning and Building Services to Director, Lifestyle Development.



INSTRUMENT OF DELEGATION

Del Ref No	Delegate	Delegation Subject
TPD1	Chief Executive Officer	Advertising and Determining Applications for Planning Consent
	Director, Planning and Development Services	
	Manager, Development Services	
	Statutory Planning Coordinator	
	Strategic Planning Coordinator	
	Building Services Coordinator	
	Senior Land Use Planner	
	Senior Development Planner	
	Senior Planning Officer	

Delegator

Council.

Power/Duty

1. Advertising of Applications for Planning Consent

- Determine the requirement for advertising of an application for Planning Consent pursuant to Clauses 12(1)(d) and 14(1) of District Town Planning Scheme No. 20.
- Determine those landowners to whom notice of an application for Planning Consent required to be advertised shall be provided pursuant to Clause 12(1)(d) and 14(1) of District Town Planning Scheme No. 20.
- Where an application is subject to a requirement for public notification, make available information on and submitted in support of that application, for the purpose of defining the land to which the application relates and the nature of the proposed development.

2. Consideration of Applications for Planning Consent

Determine applications for Planning Consent made in accordance with Clause 11 of the Scheme and/or Statement of Planning Policy No. 1 - Residential Design Codes irrespective of whether objections have been received and impose conditions or grounds of refusal as he/she sees fit.

3. Determine requests for reconsideration

Determine requests for reconsideration of a refusal to grant Planning Consent or conditions imposed on a consent made in accordance with Clause 14(5) of the Scheme where no resolution has been passed or no Notice of Motion lodged, which is yet to be determined, that would require the matter to be referred to Council for determination.

Conditions

General

Officers to whom delegated authority is granted are not to exercise that authority in circumstances where the Chief Executive Officer has, following consultation with the Mayor, requested that a matter be referred to Council for consideration or determination.

Reconsiderations

Prior to the determination of any application for reconsideration, the CEO shall ensure that a copy of the draft letter of determination has been provided to all Councillors and the applicant, and for Councillors to be given a period of not less than 7 days to request the CEO to refer the matter to Council for determination.

Statutory Framework

Council is exercising its power of delegation under Clause 95 (Delegation of Authority) of the (City) Shire of Busselton District Town Planning Scheme No 20.

Verification

Council Resolution
C1106/199

Council Resolution
C1003/073

Council Resolution
C0806/188

Council Resolution
C0709/215

Council Resolution
C0608/266 (addition of Senior Development Planner)

Council Resolution
C0310/432

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Review Dates

22 June, 2011

10 March, 2010

25 June, 2008

26 September, 2007

9 August, 2006

22 October, 2003

Related Documents

Planning and Development Act 2005

Notes of Alterations

22/06/2011 - Update to position titles and addition of Senior Planning Officer.

10/03/2010 - Two conditions were placed on the delegation by the Council to enable matters to be determined by the Council in certain circumstances.

25/06/08 - Positions updated. Removal of Manager, Strategic Planning; Manager, Statutory Planning; Manager, Building Services and Senior Planning Officer. Inclusion of Manager, Development Services; Coordinator, Statutory Planning; Coordinator, Strategic Planning; Coordinator, Building Services.

26/09/07 - Positions of Senior Planning Officer, Major Projects and Appeals; Senior Building Surveyor; Planning Officer(s) Statutory; and Planning Officer(s) Strategic removed from delegation. Position of Senior Planning Officer added to delegation. Title of delegation changed to reflect that there is no need for authority to respond to the Western Australian Planning Commission on applications for subdivision and licences (ie this is a referral process and is not a determination that requires delegation from Council). Complete update of the power/duty section of the delegation.

09/08/2006 - New position of Senior Development Planner added on 9 August, 2006, by Council resolution number C0608/266.



INSTRUMENT OF DELEGATION

Del Ref No	Delegate	Delegation Subject
TPD2	Chief Executive Officer	Advertising Draft Development Guide Plans and Detailed Local Area Plans. Determining Draft Development Guide Plans and Detailed Local Area Plans.
	Director, Planning and Development Services	

Delegator

Council.

Power/Duty

Development Guide Plans and Detailed Local Area Plans.

1. Determine the requirement for advertising for public comment a draft Development Guide Plan and where considered necessary, a draft Detailed Local Area Plan pursuant to District Town Planning Scheme No. 20.
2. Determine applications for adoption or endorsement of Development Guide Plans and/or Detailed (Local) Area Plans irrespective of whether objections from the public have been received and impose conditions or alternatively grounds of refusal as required.

Conditions

Officers to whom delegated authority is granted are not to exercise that authority in circumstances where the Chief Executive Officer has, following consultation with the Mayor, requested that a matter be referred to Council for consideration or determination.

Prior to determining any application adoption or endorsement of a Development Guide Plan and/or Detailed (Local) Area Plan, the Director, Planning and Development Services shall ensure that a copy of the respective Plan has been provided to all Councillors and for Councillors to be given a period of not less than 14 days to request the Director to refer the respective Plan to Council for determination.

Statutory Framework

Council is exercising its power of delegation under Clause 95 (Delegation of Authority) of the (City) Shire of Busselton District Town Planning Scheme No 20.

Verification

Council Resolution
C1106/199

Council Resolution
C1003/073

Council Resolution
C0709/215

Council Resolution
C0403/103

Council Resolution
C0310/432

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Review Dates

22 June, 2011

10 March, 2010

26 September, 2007

24 March, 2004

Related Documents

Planning and Development Act 2005

Notes of Alterations

22/06/2011 - Update to position titles.

10/03/2010 - Council imposed a general condition requiring matters to be referred to Council for determination in certain circumstances.

Formerly TPD8.

26/09/2007 - Minor changes to the wording of the conditions by removing the word draft before Development Guide Plan and Detailed Local Area Plan and making reference to an application "for adoption or endorsement of". Complete update of the power/duty section of the delegation.

24/03/2004 - Delegation originally (22 October, 2003) to Chief Executive Officer; Director, Planning and Building Services; Manager, Strategic Planning and Manager, Statutory Planning and was only for Development Guide Plans. Review on 24 March, 2004 (C0403/103) resulted in the inclusion of Detailed Local Area Plans to the delegation and the removal of authority from the Manager, Strategic Planning and Manager, Statutory Planning. (Also Director's position name updated to reflect new name of Directorate).

To be revoked



INSTRUMENT OF DELEGATION

Del Ref No	Delegate	Delegation Subject
TPD3	Chief Executive Officer	Advertising Extension for Town Planning Scheme Amendments, Development Guide Plans, Structure Plans, Detailed Area Plans and Policies
	Director, Planning and Development Services	

Delegator

Council.

Power/Duty

To extend the advertising period for town planning scheme amendments, development guide plans, structure plans, detailed area plans and policies where considered necessary to provide for adequate consultation and/or accommodate specific community consultation exercises (eg special electors meetings, workshops etc).

Conditions

Officers to whom delegated authority is granted are not to exercise that authority in circumstances where the Chief Executive Officer has, following consultation with the Mayor, requested that a matter be referred to Council for consideration or determination.

Statutory Framework

Council is exercising its power of delegation under Clause 95 (Delegation of Authority) of the (City) Shire of Busselton District Town Planning Scheme No 20.

Verification

Council Resolution
C1106/199

Council Resolution
C1003/073

Council Resolution
C0506/202

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Last Review Date

22 June, 2011

10 March 2010

22 June 2005
Implementation Date.

Related Documents

Planning and Development Act 2005

Notes of Alterations

22/06/2011 - Update to position titles.

10/03/2010 - Council imposed a general condition requiring matters to be referred to Council for determination in certain circumstances.

Formerly TPD9.

To be revoked



INSTRUMENT OF DELEGATION

Del Ref No	Delegate	Delegation Subject
TPD4	Chief Executive Officer	Subdivision and Development Design
	Director, Planning and Development Services	
	Director, Engineering and Works Services	
	Manager, Engineering and Facilities Services	

Delegator

Council.

Power/Duty

To approve plans and impose Council's accepted Standards and Specifications on subdivisions and developments and similar works done by the City.

Conditions

Officers to whom delegated authority is granted are not to exercise that authority in circumstances where the Chief Executive Officer has, following consultation with the Mayor, requested that a matter be referred to Council for consideration or determination.

Statutory Framework

Council is exercising its power of delegation under Clause 95 (Delegation of Authority) of the (City) Shire of Busselton District Town Planning Scheme No 20.

Verification

Council Resolution
C1106/199

Council Resolution
C1003/073

Council Resolution
C0606/214

TO BE REVOKED

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Last Review Date

22 June, 2011

10 March, 2010

28 June 2006

Implementation Date.

Related Documents

Planning and Development Act 2005

(City) Shire of Busselton District Town Planning Scheme No 20

Notes of Alterations

22/06/2011 - Update to position titles.

10/03/2010 - Council imposed a general condition requiring matters to be referred to Council for determination in certain circumstances.

Formerly TPD10.

To be revoked