



CITY OF ROCKINGHAM

STATEMENT OF PLANNING POLICY NO. 1.1

DELEGATED AUTHORITY TO MANAGER, STATUTORY PLANNING,

PART 1 - STATEMENT OF INTENT

Council has delegated to the Manager, Statutory Planning, the authority to determine various types of applications and other matters, under the terms of this Policy. Council considers that the delegation of certain decision-making powers to the Manager, Statutory Planning, will expedite the processing of development and subdivision applications covered by this Policy, to the benefit of ratepayers, the general public and developers/subdividers.

The implementation of this Policy is subject to the following conditions:-

- (i) The Manager, Statutory Planning, is only empowered to approve or conditionally approve development applications, applications to use land/buildings or to recommend to the Department for Planning and Infrastructure support for a proposed subdivision/amalgamation application;
- (ii) The Manager, Statutory Planning, is only empowered to refuse any applications for developments denoted as 'X' or Not Permitted within each Zone as specified in the City of Rockingham Town Planning Scheme No.1 Zoning Table, and where applications do not comply with the provisions of the Residential Design Codes. All other matters recommended for refusal must be referred to Council for decision;
- (iii) The Manager, Statutory Planning, should generally only impose Standard Conditions on any approval, as contained in Council's Policy Manual, subject to any modification of those conditions which are required after considering the nature of the particular application;
- (iv) The Manager, Statutory Planning, may impose any non-standard condition required after considering the nature of the particular application providing that the condition relates to the following criteria:
 - (a) the built form of development;
 - (b) amenity issues;
 - (c) site planning issues;
 - (d) subdivision design matters;
 - (e) land use matters; and
 - (f) landscaping matters
- (v) The Manager, Statutory Planning, is only empowered to approve or conditionally approve applications within pre-determined guidelines contained within the Town Planning Scheme No.1, ratified Council Policies and the Standards and Policies of the Western Australian Planning Commission which have been adopted by Council;

- (vi) The Manager, Statutory Planning, is required to include within the Monthly Report to the Planning Services Committee, a list of applications that have been dealt with under the authority of this Policy, for Council's information; and
- (vii) Where, in the opinion of the Manager, Statutory Planning, in consultation with the Director of Planning and Development Services, an application should be referred to Council for determination, that application will be excluded from the provisions of this Policy.

PART 2 - POLICY

The Manager, Statutory Planning, is granted Delegated Authority to deal with the following matters:-

Development Applications

1. Approve or conditionally approve development applications or applications to use land/buildings that are specified as follows under Table 1 - Zoning Table as contained in Town Planning Scheme No.1:-
 - (i) Permitted ('P') within each Zone;
 - (ii) Incidental to the predominant use ('IP') within each zone;
 - (iii) Not permitted unless approved by Council ('AA') within each zone;subject to:-
 - (a) the application complying in all respects with the provisions of the Town Planning Scheme and any ratified Council Policies that may apply; and
 - (b) any conditions that are required to be applied to the application under the provisions of the Town Planning Scheme and any ratified Council Policies being set out on an MRS Form 2 and signed by the Director of Planning and Development Services or Manager, Statutory Planning, under delegated authority of the Chief Executive Officer.
2. Issue renewal of planning approvals, subject to the following criteria being satisfied:-
 - (i) a fresh MRS Form 1 being submitted;
 - (ii) the development being the same in all respects to that originally approved by Council;
 - (iii) the conditions of development being the same as those previously imposed; and
 - (iv) the issue of an MRS Form 2 signed by the Director of Planning and Development Services or Manager, Statutory Planning, under delegated authority of the Chief Executive Officer.
3. Approve or conditionally approve applications to vary the provisions of Town Planning Scheme No.1 under Clause 5.3A where the application complies with the provisions of any relevant Council Policy and the provisions of Clause 5.3A of the Town Planning Scheme have been taken into account.
4. Refuse development applications, or applications to use land/buildings that are Not Permitted ('X') within each Zone, as specified under Table 1 - Zoning Table as contained in Town Planning Scheme No.1.

5. Refuse development applications that do not comply with the provisions of the Residential Design Codes.
6. All applications for development on General Industrial zoned land in the IP14 area should be referred to Council for determination, in accordance with its resolution dated 19th December 1995.

Subdivision Applications

7. Support or conditionally support any subdivision or amalgamation applications which generally comply with an overall Comprehensive Development Plan, Structure Plan, Integrated Development Guide Plan, Subdivision Guide Plan or Rural Concept Plan which has been approved by the Council as the basis for the re-subdivision or subdivision of a defined area or precinct, and any advice to the Department for Planning and Infrastructure on behalf of the Council is to be subject to the imposition of the following:-
 - (i) appropriate requirements and specifications under the Town Planning Scheme No.1 and any applicable Council Policy;
 - (ii) any applicable conditions as set out under the Council's "Statement of Planning Policy No.3.5 - Standard Conditions for Subdivision Applications"; and
 - (iii) any other relevant non-standard conditions subject to the criteria Referred to in Part One (iv) of this Policy.
8. Support or conditionally support any applications involving subdivision or amalgamation of 25 or less residential, commercial, industrial, special rural and special residential lots which comply in all respects with the provisions of the Town Planning Scheme and the Subdivision Standards prescribed by the Western Australian Planning Commission, and any advice to the Department for Planning and Infrastructure on behalf of the Council is to be subject to the imposition of the following:-
 - (i) appropriate requirements and specifications under the Town Planning Scheme No.1 and any applicable Council Policy;
 - (ii) any applicable conditions as set out under the Council's "Statement of Planning Policy No.3.5 - Standard Conditions for Subdivision Applications"; and
 - (iii) any other relevant non-standard conditions subject to the criteria referred to in Part One (iv) of this Policy.
9. Support or conditionally support any rural subdivision applications that comply in all respects with the recommendations relating to 'Rural Subdivision Proposals' of the Statement of Planning Policy No.5.2 - Rural Land Strategy. Such subdivision proposals will not involve the rezoning of land.
10. Recommend to the Western Australian Planning Commission that any subdivision or strata subdivision application that does not comply with the requirements of the State Government Sewerage Policy 1982 (as amended), be refused.
11. Recommend to the Chief Executive Officer clearance to a subdivision or an amalgamation of land that has been completed in accordance with all the Local Authority conditions specified in the Department for Planning and Infrastructure's approval, to the satisfaction of the Director, Engineering and Parks, Manager, Health Services, Manager, Building Services, and Manager, Statutory Planning, as appropriate and the clearance advice is to be signed by the Chief Executive Officer.

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