

CONSULTATION/ADVERTISING:

No advertising or public comment is required under the relevant legislation.

LEGAL/POLICY:

- *Local Government Act 1995;*
- *State Administrative Tribunal Act 2004;*
- *Planning and Development Act 2005;*
- *Metropolitan Region Scheme;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;* and
- Local Planning Scheme No. 2.

Section 5.46(2) of the Act requires Council to carry out a review of its delegations at least once every financial year.

RISK MANAGEMENT IMPLICATIONS:

Medium: Delegating the powers of a local government introduces a risk that those powers may be used in a manner that is contrary to Council's view. This risk is mitigated by imposed conditions on delegations, guiding policies, appropriate training which defines clear authorities, and accountabilities for City officers. The risk is also mitigated by the requirement to record and report decisions made under delegated authority.

STRATEGIC IMPLICATIONS:

This item addresses the City's Strategic Plan 2013-2023:

"4.1 Provide good strategic decision-making, governance, leadership and professional management

4.1.2 Manage the organisation in a responsible, efficient and accountable manner".

SUSTAINABILITY IMPLICATIONS:

This item will have negligible impact on the City's sustainability targets.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of implementing this proposal will be met by the City's existing operational budget.

COMMENTS:

The amended Delegated Authority Register removes significant confusion from the operation of the existing delegations. There is no longer any overlap or contradictions between delegations, the correct clauses and legislation are referenced, obsolete functions have been removed, and the remaining functions have been worded in a clear manner that can be understood and implemented consistently.

The general level of delegation has been maintained, with the exception of those types of applications set out in the Detail section above, which are deemed more appropriate to be determined by the Council or the CEO. It is considered that these changes will ensure applications that impact on, or are of interest to the community are considered by Council as part of the Council Meeting process and that minor applications can be determined under delegated authority.

It is recommended that Council adopt the proposed new planning delegations as included as **Attachment 3 4**.