



Government of **Western Australia**
Department of **Lands**

Our

858-2001, A5706476.

ref

Enquiries: Daniel Soon, ph 6552 4554, 0437 545 652

Mr Andrew Hammond
Chief Executive Officer
City of Rockingham
PO Box 2142
ROCKINGHAM DC WA 6967

BY EMAIL (ONLY) TO: council@rockingham.wa.gov.au

Dear Mr Hammond

DEVELOPMENT APPLICATIONS MADE UNDER THE AUSPICES OF THE PLANNING AND DEVELOPMENT ACT 2005 (PDA)

In order to reduce processing times and costs, the Minister for Lands Hon. Terry Redman MLA, has recently approved new and more streamlined arrangements to allow Local Government Authority CEOs to sign selected Development Applications, without need of referral to the Department of Lands (DoL).

The Schedule to the attached Instrument of Authorisation dated 2 June 2016, sets out the specific types of Development Applications for which you can now sign as owner. Please ensure that any such signature is also annotated with the standard endorsement ie:

Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

Development Applications relating to Unallocated Crown land, Unmanaged Reserves, land under management order to a local government where the development is not consistent with the reserve's purpose, or is used for commercial purposes, or land which is subject to a lease issued under the *Land Administration Act 1997*, will still need to be referred for the Department of Lands' consideration and signature.

Please do not hesitate to contact Daniel Soon, Manager Operational Policy and Legislation, Department of Lands on 08 6552 4554 if there are any queries regarding this new arrangement.

Yours sincerely

Colin Slattery
Director General
29 June 2016

Att

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the ^{2nd} day of *June* 2016



**HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS**

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the Planning and Development Act 2005

Column 1

- The power to sign as owner in respect of Crown land that is:
 - a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* and this development is consistent with the reserve purpose and the development is not for a commercial purpose; or
 - the land is a road of which the local government has the care, control and management under section 55(2) of the *Land Administration Act 1997* and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road,

in respect of development applications being made under or referred to in:

- (i) section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);
- (ii) section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);
- (iii) section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act);
- (iv) section 122A of the *Planning and Development Act 2005* in respect of which approval is required under an improvement scheme (as that term is defined in that Act);
- (v) section 162 of the *Planning and Development Act 2005* in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);

Column 2

- City of Albany
- City of Armadale
- Shire of Ashburton
- Shire of Augusta-Margaret River
- Town of Bassendean
- City of Bayswater
- City of Belmont
- Shire of Beverley
- Shire of Boddington
- Shire of Boyup Brook
- Shire of Bridgetown-Greenbushes
- Shire of Brooking
- Shire of Broome
- Shire of Broomehill-Tambellup
- Shire of Bruce Rock
- City of Bunbury
- Shire of Busselton
- Town of Cambridge
- City of Cannington
- Shire of Capel
- Shire of Carnamah
- Shire of Carnarvon
- Shire of Chapman Valley
- Shire of Chittering
- Shire of Christmas Island
- Town of Claremont
- City of Cockburn
- Shire of Coocos (Keeling) Islands
- Shire of Collie
- Shire of Coongardie
- Shire of Coorow
- Shire of Coorup
- Shire of Conning
- Town of Cottesloe
- Shire of Cranbrook
- Shire of Cuballing
- Shire of Cue
- Shire of Cunderdin
- Shire of Dalwallinu
- Shire of Dandaragan
- Shire of Dardanup
- Shire of Denmark
- Shire of Derby/West Kimberley
- Shire of Donnybrook-Balingup
- Shire of Doregin
- Shire of Dumbleyung
- Shire of Dundas
- Town of East Fremantle
- Shire of East Pilbara
- Shire of Esperance
- Shire of Exmouth
- City of Fremantle
- City of Greater Geraldton

Column 3

- In accordance with and subject to approved Government Land policies.
- Any signature subject to the following endorsement:
Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for this purpose, or a road and to permit this application to be assessed under the appropriate provision of the *Planning and Development Act 2005* (including any planning scheme).
The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

(vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;

(vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).

Shire of Gingin
Shire of Gnowangerup
Shire of Goomalling
City of Gosnells
Shire of Halls Creek
Shire of Harvey
Shire of Irwin
Shire of Jerramungup
City of Joondalup
Shire of Kalamunda
City of Kalgoorlie-Boulder
Shire of Kalbarning
Shire of Kellerberrin
Shire of Kent
Shire of Kojoonup
Shire of Kondinin
Shire of Koorda
Shire of Kulin
City of Kwinana
Shire of Lake Grace
Shire of Laverton
Shire of Leonora
City of Mandurah
Shire of Manjimup
Shire of Meekatharra
City of Melville
Shire of Menzies
Shire of Merredin
Shire of Mingenev
Shire of Moora
Shire of Morawa
Town of Mosman Park
Shire of Mount Magnet
Shire of Mt Marshall
Shire of Mukinbudin
Shire of Mundaring
Shire of Murchison
Shire of Murray
Shire of Nannup
Shire of Narembeen
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine-Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

Shire of Tainui
Shire of Three Springs
Shire of Toodyay
Shire of Trayning
Shire of Upper Gascoyne
Town of Victoria Park
Shire of Victoria Plains
Town of Vincent
Shire of Wagin
Shire of Warbling
City of Warmeroo
Shire of Warcoona
Shire of West Arthur
Shire of Westonia
Shire of Wickiapi
Shire of Williams
Shire of Wiluna
Shire of Wongan-Ballidu
Shire of Woodanilling
Shire of Wyalkatchem
Shire of Wyndham-East Kimberley
Shire of Yalgoo
Shire of Yilgarn
Shire of York



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

R. M. Jones
..... day of 2016