

PL403

PLANNING AND DEVELOPMENT ACT 2005
NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION
DEL 2018/01 Powers of Officers

Delegation to officers of certain functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended) (*Government Gazette* No.150).

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 28 June 2023, pursuant to section 16 of the Act, the WAPC resolved—

- A. TO AMEND the Instrument of Delegation 2018/01 to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018, and as consolidated on 16 December 2022.

2. Amendment to whole instrument

- a. The title "Assistant Director General, Land Use Planning" is added in Column 2 of the following clauses—
1.15, 1.30, 4.3—4.5 and 10.6.
- b. The title "Executive Planning Director, Land Use Planning" is added in Column 2 of the following clauses—
1.3A, 1.4—1.7, 1.9—1.11, 1.13, 1.15—1.30, 1.32, 1.33,
2.1—2.6, 2.10,
3.1—3.4, 3.6—3.9,
4.1—4.5,
5.1—5.5,
6.1, 6.4—6.7,
7.1—7.9,
8.1—8.9, 8.10—8.13,
9.6
10.2—10.7, 10.9, 10.14 immediately below the title "Assistant Director General, Land Use Planning", 10.15—10.17,
11.2—11.6, 11.11—11.22, 11.23 immediately below the title "Assistant Director General, Land Use Planning", 11.24, 11.25,

- 12.2—12.7 (inclusive), 12.9—12.13 (inclusive), 12.14 immediately below the title "Assistant Director General, Land Use Planning", 12.15—12.17, 13.1, Schedule 14, clauses 1.1—1.151 (inclusive) immediately below the title "Assistant Director General, Land Use Planning" (noting that the powers in Schedule 14 are set out in an Amendment to Instrument of Delegation, gazetted 23 September 2020), 15.2—15.9, and 16.2—16.4, 16.6—16.35, 16.38 and 16.41—16.46.
- c. The title "Planning Directors, Land Use Planning" is added in Column 2 of the following clauses—
1.3A and 3.8.
- d. The title "Planning Manager, Land Use Planning" is added in Column 2 of the following clauses—
1.4, 1.9—1.11 (inclusive), 1.13 and 1.17.
- e. The title "Principal Planner, Land Use Planning" is added in Column 2 of the following clauses—
1.4, 1.9—1.11, 1.13 and 1.17.
- f. The title "Planning Manager, Schemes and Amendments, Land Use Planning" is removed from Column 2 of the following clauses—
1.9 – 1.11 and 1.13.
- g. The title "SCL3 Senior Planner, Land Use Planning" is added to Column 2 of the following clauses—
2.2 in its own row, 3.6, 4.3 and 4.5.
- h. In clause 2.2 the following words are added to Column 3 in the same row as the title "SCL3 Senior Planner, Land Use Planning" in Column 2—
"Provided that the endorsement, or the modification required, is consistent with the objectives and intent of the policies (if any) of the WAPC and any applicable State Planning Policy.
Excludes the power to refuse approval."
- i. In clause 3.6, Column 2—
i. the title "Planning Administration Team Leader" is deleted and replaced with the title "Planning Administration Coordinator";
ii. the title "Planning Administration, Support Officer" is deleted and replaced with the title "Senior Planning Support Officer";
iii. the title "Senior Administration Officer" is added; and
iv. the title "Planning Support Officers, Land Use Planning, Level 4 and above" is added.
- j. In clause 4.1, the horizontal line transecting Columns 2 and 3 is removed.
- k. In clause 6.3, the horizontal line transecting Columns 1 and 2 is removed.
- l. In clause 6.6, Column 2 the title "Region Scheme Coordinator" is deleted and replaced with the title "Region Schemes and Amendments Team Leader".
- m. In clause 7.8, Column 2 the title "Region Scheme Coordinator" is deleted and replaced with the title "Region Schemes and Amendments Team Leader" immediately below the title "Information Capture Manager".
- n. In clause 9.4, the two (2) horizontal lines transecting Column 1 are removed.
- o. The horizontal lines transecting Column 2 in between clauses 10.9—10.13 are removed so that the Delegates listed in Column 2 of clause 10.9 also apply to clauses 10.10—10.13.
- p. In clause 12.14—
i. the third row of Columns 2 and 3 are deleted; and
ii. the following words are inserted at the top of Column 3 in the final row—
"Excluding applications of State or regional significance"
- q. The horizontal lines transecting Column 2 in between clauses 16.35 and 16.37 are removed so that the Delegates listed in Column 2 of clause 16.35 also apply to clauses 16.36 and 16.37.
- r. The horizontal lines transecting Column 2 in between clauses 16.38 and 16.40 are removed so that the Delegates listed in Column 2 of clause 16.38 also apply to clauses 16.39 and 16.40.
- s. Under the heading "Interpretation" at the end of the instrument—
i. a new paragraph is inserted between paragraph 5 and paragraph 6 as follows—
"5.A Unless the context otherwise requires, a reference to "Executive Planning Directors" includes any position to which the level of "Executive Planning Director" is designated, located within the Land Use Planning Division of the Department of Planning, Lands and Heritage."
ii. in paragraph 8, all references to the title "Principal Planning Officer" or "Principal Planning Officers" are deleted and replaced with the title "Principal Planner" or "Principal Planners" as the context so requires.
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