

PL401

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

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 25 October 2023, pursuant to section 16 of the Act, the WAPC resolved—

1. TO AMEND the Instrument of Delegation 'Delegation to Officers of Certain Powers and functions of the Western Australian Planning Commission 2018/01' published in the *Government Gazette* on 3 October 2018 (as amended) to give effect to this delegation as set out in the attached Schedule.

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 to officers of certain powers and functions of the Western Australian Planning Commission published in the *Government Gazette* 3 October 2018, and as amended and consolidated in the *Government Gazette* on 16 December 2022.

2. Amendment to Schedule 6—Powers under the Metropolitan Region Scheme

- (a) The text at the heading 'Schedule 6—Powers under the Metropolitan Region Scheme' is deleted and replaced with the following—

Schedule 6—Powers under and regarding the Metropolitan Region Scheme

- (b) The following row is inserted into Schedule 6 after item 6.7:

Minor—basic amendment to Metropolitan Region Scheme	6.8. Power to submit to the Minister for Planning a proposed minor basic amendment to the Metropolitan Region Scheme and a report and recommendation on the proposed amendment in accordance with s62(1A) of the Act.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land use Planning • Executive Director, Land Use Planning • Planning Director, Schemes and Strategies 	<p>Excludes the power to recommend the Minister refuses approval to what is sought.</p> <p>Provided the recommendation would be—</p> <ul style="list-style-type: none"> • consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable State Planning Policies; • the recommendation does not substantially modify the proposed amendment; and • the recommendation is not inconsistent with any submissions received.
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3. Amendment to Schedule 7—Powers under the Peel Region Scheme

- (a) The text at the heading 'Schedule 7—Powers under the Peel Region Scheme' is deleted and replaced with the following—

Schedule 7—Powers under and regarding the Peel Region Scheme

- (b) The following row is inserted into Schedule 7 after item 7.9:

Minor—basic amendment to Peel Region Scheme	7.10. Power to submit to the Minister for Planning a proposed minor basic amendment to the Peel Region Scheme and a report and recommendation on the proposed amendment in accordance with s62(1A) of the Act.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land use Planning • Executive Director, Land Use Planning • Planning Director, Schemes and Strategies 	<p>Excludes the power to recommend the Minister refuses approval to what is sought.</p> <p>Provided the recommendation would be—</p> <ul style="list-style-type: none"> • consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable State Planning Policies; • the recommendation does not substantially modify the proposed amendment; and • the recommendation is not inconsistent with any submissions received.
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4. Amendment to Schedule 8—Powers regarding the Greater Bunbury Region Scheme

- (a) The text at the heading 'Schedule 8—Powers under the Greater Bunbury Region Scheme' is deleted and replaced with the following—

Schedule 8—Powers under and regarding the Greater Bunbury Region Scheme

- (b) The text at Item 8.13 in columns 1,2 and 3 is deleted.

(c) The text at Item 8.12 in columns 1,2 and 3 is deleted and replaced with the following:

Minor—basic amendment to Greater Bunbury Region Scheme	8.12 Power to submit to the Minister for Planning a proposed minor basic amendment to the Greater Bunbury Region Scheme and a report and recommendation on the proposed amendment in accordance with s62(1A) of the Act.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land use Planning • Executive Director, Land Use Planning • Planning Director, Schemes and Strategies 	<p>Excludes the power to recommend the Minister refuses approval to what is sought.</p> <p>Provided the recommendation would be—</p> <ul style="list-style-type: none"> • consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable State Planning Policies; • the recommendation does not substantially modify the proposed amendment; and • the recommendation is not inconsistent with any submissions received.
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