

PI410*

PLANNING AND DEVELOPMENT ACT 2005
AMENDMENT TO INSTRUMENT OF DELEGATION 2008/12
POWERS OF LOCAL GOVERNMENTS (PRS)

Amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Peel Region Scheme as gazetted on 19 December 2008.

Preamble

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clauses 19 and 20, development on reserved land requires planning approval. On zoned land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS. Parts 7 and 8 of the PRS set out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

Under section 16 of the *Planning and Development Act 2005* (the Act) the WAPC may, by resolution published in the *Government Gazette*, delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a 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 upon the WAPC by the Act or any other written law as the case requires.

Resolution under s 16 of the Act (delegation)

On 23 June 2009, pursuant to section 16 of the Act, the WAPC Resolved—

- A To amend its delegation of powers and functions to local governments in the Instrument of Delegation DEL 2008/12 Powers of local governments (PRS) published in the *Government Gazette* on 19 December 2008 (pages 5449—5451) by replacing all references to “Department for Planning and Infrastructure” with “Department of Planning”.

TONY EVANS, Secretary,
Western Australian Planning Commission.
