

**PL402****PLANNING AND DEVELOPMENT ACT 2005****NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENTS**

Notice of amendment to the Instrument of Delegation 2020/01 Powers of Local Governments gazetted on 29 January 2021 (and as amended).

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law 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 imposed on the WAPC by the Act or any other written law as the case requires.

**Resolution under s16 of the Act (delegation)**

On 31 August 2022, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO AMEND the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

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**Schedule 1****1. Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021, and as amended.

**2. Amendments to clause 1 of Schedule 1**

Add the following immediately after 1(e)—

- (f) in the opinion of the relevant local government as notified to the WAPC in writing, propose development of a type which the local government considers would warrant the imposition of a condition requiring the ceding of land for public open space or payment in lieu thereof.
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