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PLANNING AND DEVELOPMENT ACT 2005

**NOTICE OF DELEGATION TO
OFFICERS OF CERTAIN POWERS
AND FUNCTIONS OF THE
WESTERN AUSTRALIAN
PLANNING COMMISSION**

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

**Notice of Delegation to officers of certain powers and functions of
the Western Australian Planning Commission**

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 to a member, committee or officer of the WAPC or to a public authority or 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 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 s16 of the Act (delegation)

Pursuant to section 16 of the Act, the WAPC HAS RESOLVED—

- A. TO DELEGATE its powers and functions as set out in column 1 of the attached Schedules to officers of the WAPC and the person or persons from time to time holding or acting in the offices in the department charged with the administration of the *Planning and Development Act 2005*, as specified in column 2 of the attached Schedules, subject to the conditions specified in column 3 of the attached Schedules;
- B. TO PUBLISH an instrument consolidating amendments made to this notice, since its publication on 3 October 2018.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Instrument of Delegation
Schedules—Delegation of Powers and Functions

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	SCHEDULE 1—Powers and functions regarding State Planning Policies, the preparation and amendment of local planning schemes and strategies under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (“the LPS Regulations”), and as apply by virtue of a local planning scheme, or as deemed to apply by virtue of Schedules to the LPS regulations, structure plans and related plans and interim development orders under the Act.		
	State Planning Policies		
State Planning Policies	<p>1.1. With prior approval or direction of the Minister, power to amend State Planning Policies pursuant to s31 of the Act.</p> <p>1.2. With prior approval or direction of the Minister or Commission, power to undertake consultation and advertising as outlined in s28 of the Act.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC 	Delegation 1.1 is limited to administrative amendments that do not affect the substantive policy.
	General delegations		
	<p>1.3. Power to amend the manner and form by which any—</p> <p style="margin-left: 20px;">a. documents are provided to the WAPC;</p> <p style="margin-left: 20px;">b. maps are prepared;</p> <p style="margin-left: 20px;">c. submissions are made;</p> <p style="margin-left: 20px;">d. notices are published; and</p> <p style="margin-left: 20px;">e. reports are made;</p> <p>under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (“The LPS Regulations”), including the power to amend the manner and form by which compensation, under the <i>Planning and Development Act 2005</i>, is applied for.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Limited to amendments of an administrative nature.
	<p>1.3A Power to issue a notice to—</p> <p style="margin-left: 20px;">a. approve varied requirements for the publication of documents. (r76B(2), cl88(2))</p> <p style="margin-left: 20px;">b. approve varied requirements for the advertising of complex applications. (cl88(4))</p> <p style="margin-left: 20px;">c. revoke a notice previously issued under r76B(2), cl88(2) and cl88(4).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Power only to be exercised after consultation with the Chairperson of the WAPC.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	(r76B(4)(c)(i), cl88(6)(c)(i))		
	1.4. Power to amend a timeframe, or stipulate a date, under the <i>LPS Regulations</i> , where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	Excluding any timeframe under Part 6 of the <i>LPS Regulations</i>
	1.5. Power to endorse— <ul style="list-style-type: none"> a. Under r32 of the <i>LPS Regulations</i> a local planning scheme; b. Under r63 of the <i>LPS Regulations</i> an amendment to a local planning scheme. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning. 	
	1.6. Power under r67 of the <i>LPS Regulations</i> to decide whether the Commission <ul style="list-style-type: none"> a. agrees or disagrees with the recommendations contained in a report submitted to it under r66 of the <i>LPS Regulations</i>; and b. notify the local government of this decision. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Land Use Planning 	Confined to matters where the recommendations of the local government can be objectively supported.
Local planning strategies			
	1.7. Power to perform the functions and exercise the powers of the WAPC pursuant to— <ul style="list-style-type: none"> a. r15 (1) (a) and (b) of the <i>LPS Regulations</i> to endorse a local planning strategy; b. r15 (1) (c) of the <i>LPS Regulations</i> to require modifications to a local planning strategy. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Manager, Schemes and Amendments, Land Use Planning 	Provided that the endorsement, or the modification required thereto— <ul style="list-style-type: none"> • is consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable <i>State Planning Policies</i>; and • the approval does not significantly depart from the local government’s treatment of submissions received.
	1.8. Power to perform the functions and exercise the powers of the WAPC pursuant to r17 of the <i>LPS Regulations</i> — <ul style="list-style-type: none"> a. to endorse the amendment to a local planning strategy; b. to require modifications to the amendment to the 		

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	local planning strategy.		
Local planning schemes			
<i>Preparation or adoption of a local planning scheme</i>			
	<p>1.9. Power under r21(4) of the <i>LPS Regulations</i> to advise if any modifications are required to a draft local planning scheme before it is advertised.</p> <p>1.10. Power under r37(4) of the <i>LPS Regulations</i> to advise if modifications are required to a complex amendment to a scheme, before it is advertised.</p> <p>1.11. Power under r42(3) and r51(3) of the <i>LPS Regulations</i> to grant consent to advertise modifications to a local planning scheme</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Manager, Schemes and Amendments, Land Use Planning 	<p>Provided that the material is consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable <i>State Planning Policies</i>.</p> <p>Does not apply to such instruments which will exclude or vary a model provision under s257A <i>Planning and Development Act 2005</i></p>
	1.12. Power, under r29 of the <i>LPS Regulations</i> , to consider and make recommendations to the Minister on the scheme documents submitted to the WAPC under r28.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	<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 <i>State Planning Policies</i>; and • the recommendation does not substantially modify the local government's treatment of any submissions received. <p>Excludes the power to recommend the Minister refuses approval to what is sought.</p> <p>Does not apply to such schemes which will exclude or vary a model provision under s257A <i>Planning and Development Act 2005</i>.</p>
<i>Amending a local planning scheme</i>			
	1.13. Power, under r36 of the <i>LPS Regulations</i> , to provide advice as to the classification of an amendment to a local planning scheme.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Manager, Schemes and Amendments, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Complex amendments			
	1.14. Power, under r45 of the <i>LPS Regulations</i> , to consider and make recommendations to the Minister on the complex scheme amendment documents submitted to the WAPC under r44.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	<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 <i>State Planning Policies</i>; and • the recommendation does not substantially modify the local government's treatment of any submissions received. <p>Excludes the power to recommend the Minister refuses approval to what is sought.</p> <p>Does not apply to such amendments which will exclude or vary a model provision under s257A <i>Planning and Development Act 2005</i></p>
Standard amendments			
	1.15. Power under r54 of the <i>LPS Regulations</i> , to direct that a standard amendment be treated as a complex amendment and re-advertised accordingly.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Planning Directors, Land Use Planning 	
	1.16. Power, under r55 of the <i>LPS Regulations</i> , to consider and make recommendations to the Minister on the standard scheme amendment documents submitted to the WAPC under r53.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	<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 <i>State Planning Policies</i>; and • the recommendation does not substantially modify the local government's treatment of any submissions received. <p>Excludes the power to recommend the Minister refuses to approval to what is sought</p> <p>Does not apply to such amendments which will exclude or vary a model provision under s257A <i>Planning and Development Act 2005</i>,</p>
Basic amendments			
	1.17. Power under r 59 of the <i>LPS Regulations</i> , to direct that a basic amendment be treated as a standard or complex amendment and re-advertised accordingly.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	1.18. Power, under r60 of the <i>LPS Regulations</i> , to consider and make recommendations to the Minister on the basic scheme amendment	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	<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

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	documents submitted to the WAPC under r58.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	<p>WAPC and any applicable <i>State Planning Policies</i>; and</p> <ul style="list-style-type: none"> • the recommendation does not substantially modify the local government's treatment of any submissions received. <p>Excludes the power to recommend the Minister refuses to recommend to what is sought.</p> <p>Does not apply to such amendments which will exclude or vary a model provision under s257A <i>Planning and Development Act 2005</i></p>
Provisions deemed to apply to Local Planning Schemes			
<i>Schedule 2—deemed provisions in local planning schemes</i>			
<i>This section relates to where a power or function is conferred upon the WAPC by virtue of a provision deemed to apply to a local planning scheme under Schedule 2 of the LPS Regulations.</i>			
	1.19. Power to approve amendments to the manner and form by which structure plans and local development plans are prepared. (cl 16) (cl48)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	1.20. Power to specify what information or material must be included in structure plans or to agree to information, different to that prescribed, being included. (cl 16)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	1.21. Power to agree to the advertising of a proposed local planning policy, (or amendment thereto) in a manner different to that prescribed. (cl4)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	1.22. Power to determine that a structure plan or a local development plan (or amendment thereto) is required for the purposes of orderly and proper planning. (cl15(c)) (cl47(d))	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	<p>The proposal is to be consistent with the definition of a Structure Plan and/or Local Development Plan.</p> <p>(cl14, cl46)</p>
	1.23. Power to approve the advertising of modifications to a	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	structure plan on more than one occasion. (cl19)	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	<p>1.24. Power to consider reports on a structure plan submitted to the WAPC and to—</p> <ol style="list-style-type: none"> a. approve the instrument; or b. require modifications to the instrument and its resubmission to the WAPC. <p>This clause applies equally to amendments to such instruments. (cl 22)</p> <p>1.25. Power to determine the proposed structure plan, or amendment thereto, must be readvertised, if major modifications have been made to it since it was advertised. (cl22 (2))</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	<p>Provided that the approval or modification required is—</p> <ul style="list-style-type: none"> • consistent with the objectives and intent of any policies (if any) of the WAPC and any applicable <i>State Planning Policies</i>; and • the approval does not significantly depart from the local government's recommendations provided (if any). <p>Excludes the power to refuse approval.</p>
	1.25A. Power to revoke an approval of a structure plan. (cl28(3), cl29A(1)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	Power only to be exercised after consultation with the Chairperson of the WAPC.
	1.26. Where, pursuant to cl22 (1)(b) the WAPC (or one of its subcommittees) requires a proposed structure plan to be modified and then resubmitted for approval, power to approve the modified plan, provided it has been modified as specified by the WAPC or its subcommittee.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	1.27. Power to direct a local government to provide further services or further information in relation to the assessment of a structure plan or an amendment thereto. (cl 23)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	1.28. Power to determine that an amendment to a	<ul style="list-style-type: none"> • Chairperson of the WAPC 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	structure plan is of a minor nature, and therefore no advertising is required. (cl 29(3))	<ul style="list-style-type: none"> • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	1.29. Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
<i>Layout Plans under SPP 3.2</i>			
	1.30. Power to provide comment on, and approve, a layout plan which requires the approval or endorsement of the WAPC pursuant to the provisions of <i>State Planning Policy 3.2 Aboriginal Settlements</i> .	<ul style="list-style-type: none"> • Director, Aboriginal Programs and Policy • Planning Directors, Land Use Planning 	
Interim Development Orders			
	1.31. Power to recommend to the Minister for Planning that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 102 of the Act.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	All decisions and planning regions.
<i>Payment in lieu of parking plan</i>			
	1.32. Power to identify any information or material that should accompany a payment in lieu of parking plan. (cl77J(1)(c))	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
		<ul style="list-style-type: none"> • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	Power only to be exercised after consultation with the Chairperson of the WAPC.
Local Development Plans under SPP 7.3			
	1.33. Power to approve amendments to deemed-to-comply provisions of the <i>State Planning Policy 7.3 Residential Design Codes</i> (“SPP 7.3”) Volume 1 in a local development plan.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	Power only to be exercised where consistent with the criteria listed in SPP 7.3
		<ul style="list-style-type: none"> • Director General • Assistant Director General, Land Use Planning 	Power only to be exercised— 1) where consistent with the criteria listed in SPP 7.3;

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Planning Directors, Land Use Planning 	2) after consultation with the Chairperson of the WAPC.
SCHEDULE 2—Powers regarding subdivision applications and other applications under Part 10 of the Act			
Subdivision applications	2.1. Power to determine all applications to the WAPC under Part 10 of the Act where such determination is in accordance with the objectives and intent of any policies (if any) of the WAPC and with s138 of the Act.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	All decisions and planning regions
	<p>2.2. Power, with respect to applications to the WAPC under Division 2 of Part 10 of the Act determined by or on behalf of the WAPC, to advise applicants that a revised plan of subdivision is considered to contain amendments that are minor and not so significant so as to amount to a significantly different proposal in circumstances where a revised plan does not materially affect the decision given by or on behalf of the WAPC.</p> <p>2.3. Power to determine applications/ requests made under section 144(2) or 151 of the Act when—</p> <ol style="list-style-type: none"> a. the original decision was made under delegation; and b. the recommendation is to approve the application/request. <p>2.4. Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.</p> <p>2.5. In accordance with section 153 of the Act, power to grant approval for an applicant to pay to the relevant local government a sum of money in lieu of land being set aside for public open space that represents the value of that portion in circumstances where the WAPC has approved a plan of subdivision upon the condition that such land be set aside for public open space.</p>	<ul style="list-style-type: none"> • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	Excludes the power to refuse approval.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
POS funds	2.6. Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Land Use Planning 	
Swan River Trust	2.7. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the <i>Swan and Canning Rivers Management Act 2006</i> where the determining authority is the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
Swan Valley	2.8. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan Valley Planning Committee in whole or in part in relation to the approval of development of land within the Swan Valley Planning Act Area where the determining authority is the WAPC, in accordance with section 40(4) of the Act	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
PCAs	2.9. Power pursuant to s113 of the Act to revoke a declaration concerning a planning control area.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	Subject to Minister's prior approval.
	2.10. Power to determine applications for approval to commence and carry out development in a planning control area, but only where the development proposed— <ol style="list-style-type: none"> a. is consistent with the purpose for which the planning control area was established; or b. is incidental to development on land adjoining the planning control area. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Schedule 3—Powers under other legislation			
Strata Titles, Liquor licences, Land Administration Act, Perry Lakes, certain redevelopment matters	3.1. Power to determine applications and other matters lodged with the WAPC for decision under the provisions of the <i>Strata Titles Act 1985</i> or the provisions of any strata or survey-strata scheme where any such determination is in accordance with the objectives and intent of any policies (if any) of the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	3.2. Power to issue a certificate in accordance with section 40 of the <i>Liquor Control Act 1988</i> .	<ul style="list-style-type: none"> • Planning Administration Manager • Planning Directors 	The delegation to the Planning Administration Manager is confined to power identified in clause 3.2 of Column 1.
	3.3. Power pursuant to sections 52 and 85 of the <i>Land Administration Act 1997</i> to approve plans of survey where in accordance with the objectives and intent of any policies (if any) of the WAPC.		
	3.4. Authority to advise the Minister for Planning when the Minister undertakes the role of the WAPC in relation to the approval of the lease or subdivision of land pursuant to Part 10 of the <i>Planning and Development Act 2005</i> , within areas the subject of a redevelopment act and planning scheme and under the control of a redevelopment authority.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	3.5. Power to determine applications for development approval made under Division 5 of Part 3 of the <i>Perry Lakes Redevelopment Act 2005</i> but only where those determinations are not inconsistent with an approved redevelopment plan that relates to the land.		
		3.6. Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning • Planning Administration Manager,

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Planning Administration Team Leader • Planning Administration, Support Officer 	
EPA matters	3.7. Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the <i>Environmental Protection Act 1986</i> and to refer such proposal to the Environmental Protection Authority.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
MRA matters	<p>3.8. Power to provide written submissions to the Metropolitan Redevelopment Authority on any draft redevelopment scheme, or amendment to a redevelopment scheme, submitted to the WAPC in accordance with section 39 of the <i>Metropolitan Redevelopment Act 2011</i></p> <p>3.9. Power to make a recommendation to the Minister for Planning on any draft redevelopment scheme, or amendment to a redevelopment scheme, provided to the WAPC in accordance with section 46 of the <i>Metropolitan Redevelopment Act 2011</i></p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	
Schedule 4—Power to endorse documents			
Signing Plans and Documents under PDA	4.1. Power to endorse the following classes of approval that may be granted pursuant to Part 10 of the Act—	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	
	<p>a. diagrams and plans of survey and deposited plans submitted in accordance with an earlier approved plan of subdivision or amalgamation; and</p> <p>b. any other documents relating to leases, licences, transfers, conveyances and mortgages, easements, memorials on title and other dealings in land, submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any)</p>	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	affixed as a condition of approval or waiver of conditions pursuant to 4.4		
	4.2. Power to endorse documents listed in delegation 4.1, where the WAPC is requested to consider variations to the earlier approved plan of subdivision or amalgamation.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	Variations are to be in keeping with the purpose and intent of WAPC policy, and to be consistent with the principles of orderly and proper planning.
Strata title & approval of conditions	<p>4.3. Power pursuant to section 15 of the <i>Strata Titles Act 1985</i> to endorse survey-strata plans or plans or re-subdivision or consolidation for a survey-strata scheme submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval.</p> <p>4.4. Power to clear conditions affixed as conditions of approval with respect to the classes of approval set forth in 4.1, 4.2 and 4.3.</p>	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Land Administration Act	4.5. Power to sign diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the <i>Land Administration Act 1997</i>	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Schedule 5—Enforcement and legal proceedings			
Appeals	<p>5.1. Power to advise the Minister for Planning on any appeal, review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>5.2. Power to defend and otherwise deal with matters lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning • Director, Planning Appeals 	Managers and Principal Planning Officers may only exercise this delegation within the jurisdiction of the State Administrative Tribunal and the director to whom they report must be fully informed of the proceedings at all times.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>5.3. Power to consider and determine a request for reconsideration ordered by the State Administrative Tribunal pursuant to s31 of the <i>State Administrative Tribunal Act 2004</i></p> <p>5.4. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>5.5. Power to exercise all functions of the WAPC as set out in Part 13 of the Act.</p>		
Schedule 6—Powers under the Metropolitan Region Scheme			
Approval of DA's and Plans under MRS	<p>6.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of the Metropolitan Region Scheme (MRS) but only where those determinations are in accordance with the objectives and intent of any policies (if any) of the WAPC.</p> <p>6.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the MRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the MRS have been complied with.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
MRS/EPA	<p>6.3. Power to determine whether or not proposals and the ongoing implementation of the MRS comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i>.</p>		
Call ins under the MRS	<p>6.4. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under clause 32 of the MRS requiring such determination.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Cl 32	6.5. Power to determine minor amendments to the boundary delineating an area, the subject of a resolution under clause 32 of the MRS.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	The exercise of this power must not change the resolution of the WAPC in a substantial way. This delegation is intended to be used to make minor changes, if required, to a cl32 resolution, to give better effect to the intention of the original resolution
cl 42 cert's	6.6. Power to issue Clause 42 Certificates pursuant to the provisions of the MRS.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Information Capture Manager • Region Scheme Coordinator 	
Public housing DA's	6.7. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the MRS, even if the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
Schedule 7—Powers under the Peel Region Scheme			
	<p>7.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Peel Region Scheme but only where—</p> <p>a. no response has been received from the local government within the period prescribed in clause 30(3) of the Peel Region Scheme;</p> <p>b. The determination is consistent with the recommendations made by the local government; or</p> <p>c. such determination would be inconsistent with the recommendation made by local government, but would accord with the objectives and intent of any policies (if any) of the WAPC.</p> <p>7.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>of the PRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Peel Region Scheme have been complied with</p> <p>7.3. Power to endorse management plans for the purposes of Clause 19(e)(iv) of the Peel Region Scheme.</p>		
EPA	<p>7.4. Power to determine whether or not proposals and the ongoing implementation of the Peel Region Scheme comply with the conditions applied pursuant to section 48F and 48J of the <i>Environmental Protection Act 1986</i>.</p>		
Call ins under the PRS	<p>7.5. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>7.6. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not a proposed development in the Rural zone requires planning approval for the following reasons—</p> <ul style="list-style-type: none"> a. development which abuts and has access to a regional reservation has the potential to significantly increase traffic; b. development in a special control area may conflict with the purposes of the special control area; c. development in the Rural zone may not be consistent with the purposes of the Rural zone. 		
Extension of time	<p>7.7. Power to approve a request received pursuant to clause 37(2) of the Peel Region Scheme for an extension of the term during which planning approval remains valid.</p>		

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Cl. 47 cert's	7.8. Power to issue Clause 47 Certificates pursuant to the provisions of the Peel Region Scheme	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Region Scheme Coordinator • Information Capture Manager 	
Public housing DA's	7.9. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the Peel Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
Schedule 8—Powers under the Greater Bunbury Region Scheme			
Approval of DA's or plans	<p>8.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Greater Bunbury Region Scheme (GBRS) but only where—</p> <p>a. no response has been received from the local government within the period prescribed in clause 36(3) of the GBRS;</p> <p>b. The determination is consistent with the recommendations made by the local government; or</p> <p>c. such determination would be inconsistent with the recommendation made by local government, but would accord with the objectives and intent of any policies (if any) of the WAPC.</p> <p>8.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the GBRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the GBRS have been complied with.</p> <p>8.3. Power to endorse management plans for the</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>purposes of Clause 25 (f) (v) of the GBRs</p> <p>8.4. Power to amend planning approval granted on behalf of the WAPC for the purposes of Clause 30 of the GBRs</p> <p>8.5. Power to approve written requests for the extension of the term of planning approval at any time prior to the expiry of a planning approval pursuant to s43 (2) of the GBRs for a maximum of a further two years only.</p>		
EPA	<p>8.6. Power to determine whether or not proposals and the ongoing implementation of the GBRs comply with the conditions applied pursuant to section 48F and 48J of the <i>Environmental Protection Act 1986</i>.</p>		
Call ins under the GBRs Call in powers	<p>8.7. In relation to a resolution of the WAPC made under clause 27 of the GBRs, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>8.8. In relation to a resolution of the WAPC made under cl 27 of the GBRs, power to determine whether or not a proposed development requires planning approval for the following reasons—</p> <ol style="list-style-type: none"> a. development which abuts and has access to a regional road reservation has the potential to significantly increase traffic; b. development in a special control area may conflict with the purposes of the special control area; c. development in, adjacent to or in close proximity to a policy area is potentially incompatible with the intended activities in the policy area or would be adversely affected by, or would 		

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>adversely affect, those activities;</p> <p>d. development is sufficiently close to a policy area for the effects of activities in the policy area to be likely to adversely affect the proposed use and/or for the effects of the development to be likely to adversely affect uses in the policy area;</p> <p>e. development in the rural zone may not be consistent with the purposes of the rural zone.</p>		
Extension of time	8.9. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 36 of the GBRS.		
Cl. 53 cert's	8.10. Power to issue Clause 53 Certificates pursuant to the provisions of the GBRS	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Information Capture Manager • Region Scheme Coordinator 	
Public housing DA's	8.11. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the GBRS, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	<p>8.12. Power to submit to the Minister for Planning, after consultation with the Chairperson, the material contemplated by s48(1) (c)—(e) of the Act.</p> <p>8.13. Power to submit to the Minister for Planning, after consultation with the Chairperson, the material contemplated in s59 of the Act concerning a minor amendment of a region scheme</p>	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	Amendments are to generally conform with the scope and nature of that proposed by the WAPC in its resolution determining that the scheme be amended.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Schedule 9—Miscellaneous powers			
	9.1. Power to make arrangements for the acquisition of land and the conveyance, assignment, transfer, subdivision, amalgamation and development of WAPC property.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.2. Power to make arrangements for the leasing of WAPC property including the determination of rents in accordance with established WAPC practice.	<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Executive Director, Property Services • Director, Property Services 	Function to be exercised having due regard to published WAPC policy.
	9.3. The calling of tenders, the awarding of contracts, and the appointment of consultants pursuant to section 15 of the Act, for activities to which a budget has been approved and allocated by the WAPC and subject to compliance in each case with State Supply Commission procedures.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	Subject to a limitation equivalent to the Project Planning Contingency Fund established under the SDA for any financial year. Function to be exercised having due regard to published WAPC policy.
	9.4. Such powers and functions of the WAPC that may be lawfully undertaken relating to the acquisition and development, of land under the Metropolitan Region Scheme, the Peel Region Scheme and the Greater Bunbury Region Scheme for the purpose of carrying out and giving effect to those Schemes, including— a. the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes; b. the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Must have due regard to published WAPC policy and the current terms of the SDA. Does not apply to any matter that involves— 1. expenditure in excess of \$1,000,000 (one million dollars); 2. the exchange of or disposal of land owned by the WAPC; or 3. the resumption of land by the WAPC for a public purpose.
		<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Assistant Director General, Strategy and Engagement 	Must have due regard to published WAPC policy and the current terms of the SDA. Does not apply to any matter that involves—

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning 	<ol style="list-style-type: none"> 1. expenditure in excess of \$500,000 (five hundred thousand dollars); 2. the exchange of or disposal of land owned by the WAPC; or 3.the resumption of land by the WAPC for a public purpose.
		<ul style="list-style-type: none"> • Executive Director, Property Services 	<p>Must have due regard to published WAPC policy and the current terms of the SDA.</p> <p>Does not apply to any matter that involves—</p> <ol style="list-style-type: none"> 1. expenditure in excess of \$500,000 (five hundred thousand dollars); 2. the exchange of or disposal of land owned by the WAPC; or 3.the resumption of land by the WAPC for a public purpose.
	9.5. Power to prescribe charges and set conditions, for the sale and release of maps and publications.	<ul style="list-style-type: none"> • Assistant Director General, Business and Corporate Services • Chief Finance Officer 	Function to be exercised having due regard to published WAPC policy, and any Budget and Treasury processes.
	9.6. Waiving of the additional fee for considering a minor variation to a plan of subdivision as part of an application for approval of subdivision or re-subdivision.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning 	Function to be exercised having due regard to published WAPC policy.
	9.7. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC under section 181(1) of the Act to approve the quantum of the refund of compensation payable to the WAPC determined in accordance with sections 181(2) to (16) of the Act.	<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.8. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC to consent on behalf of the WAPC to the withdrawal of a notification when a refund of compensation is paid.	<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.9. The powers and functions of the WAPC set out in the <i>Planning and Development Regulations 2009</i> to determine the	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Heritage and Property Services 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	acceptability of, and where appropriate authorise the issue of permits to persons or bodies for the conduct of, activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land.	<ul style="list-style-type: none"> • Executive Director, Property Services 	
	9.10. The powers and functions of the WAPC set out in the <i>Planning and Development Regulations 2009</i> to issue permits to persons or bodies for the conduct of activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land, and where prior authorisation has been given.	<ul style="list-style-type: none"> • Director, Property Services • Assistant Manager, Estate Management • Senior Property Officer, Estate Management (field) 	Subject to prior authorisation being made.
	9.11. Power to appoint Incurring Officers, Certifying Officers and Collectors of Public Moneys in accordance with the Treasurer's Instruction 304 issued under section 78 of the <i>Financial Management Act 2006</i> .	<ul style="list-style-type: none"> • Chairperson of the WAPC • Assistant Director General, Business and Corporate Services • Chief Finance Officer 	
	9.12. Power to re-allocate budgeted funds.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	Subject to the terms of the SDA; and a financial limit equivalent to the Project Planning Contingency Fund established under the SDA for any financial year.
	9.13. Power to approve amendments to forms, where such approval is required of the WAPC under the <i>Planning and Development Regulations 2009</i> provided such amendment is consistent with the objectives and intent of any policies (if any) of the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
	9.14. Such powers and functions of the WAPC that may be lawfully undertaken relating to offers of payment of compensation for injurious affection, including the power to obtain valuations of the affected land.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Secretary of the WAPC • Director General • Executive Director, Property Services 	Provided that— <ol style="list-style-type: none"> a. delegation may only be exercised once the WAPC has resolved to pay compensation as opposed to electing to purchase the affected land.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
			<p>b. in formulating an offer, due regard must be had to any valuation obtained; and</p> <p>c. Does not apply to any matter that involves expenditure in excess of \$1,000,000 (one million dollars);</p>
	9.15. Such powers and functions of the WAPC that may be lawfully undertaken relating to the disposal of WAPC property or land.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Executive Director, Property Services 	Confined to property or land identified in a disposal program, which the WAPC has already approved of.
	9.16. Power to grant or surrender any Easement or Easements and to accept the benefit of any Easement or Easements; including the power to negotiate any fees related to such Easements	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.17. Power to enter into, or approve of the terms of, any Deed of Covenant or Agreement, and any amendments thereto.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Secretary of the WAPC • Director General • Executive Director, Property Services 	Confined to Deeds or Agreements required as a consequence of a WAPC (or SPC) decision on subdivision or development matters.
	9.18. Power to surrender Management Orders	<ul style="list-style-type: none"> • Secretary of the WAPC • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.19. Such powers and functions of the WAPC that may be lawfully undertaken relating to the dedication of roads.	<ul style="list-style-type: none"> • Secretary of the WAPC • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	Must be exercised in accordance with WAPC policy
	9.20. Power to approve the transfer of land reserved for Parks and Recreation and Regional Open Space, to the State of Western Australia	<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	9.21. Power to approve plans of subdivision	<ul style="list-style-type: none"> • Executive Director, Property Services 	Limited to applications in relation to land owned by the WAPC or purchased by the WAPC under contracts of sale, where the subdivision will create reserved or balanced lots.
	9.22. Power to transfer land to central government agencies or Main Roads Western Australia for the purpose of region scheme	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Executive Director, Property Services 	Delegate must comply with any approved pricing policy.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	reservations and planning instruments.		
	9.23. Power to appoint members or persons to be members or deputy members of a committee.	<ul style="list-style-type: none"> Chairperson of the WAPC 	The power to make such appointments does not remove the requirement to obtain Ministerial approval, where required, under the Act.
	9.24. Power to accept or reject project variations for projects funded under the Service Delivery Agreement	<ul style="list-style-type: none"> Chairperson of the WAPC 	Up to the value of \$50,000
	9.25. Such powers and functions as are necessary to maintain the Commission's properties, including the power to evict tenants or appear in relation to matters concerning the <i>Residential Tenancies Act 1987</i> .	<ul style="list-style-type: none"> Assistant Director General, Heritage and Property Services Executive Director, Property Services Director, Property Services Assistant Manager, Estate Management Senior Property Officer, Estate Management (rentals) 	
	9.26. All powers and functions of the WAPC, pursuant to regulation 1 of the <i>Power of Entry and Inspection Regulations</i>	<ul style="list-style-type: none"> Manager Investigations Senior Investigator Investigator Any other Officer of the Department 	Subject to the statutory limitations prescribed under regulation 1. With respect to any other Officer, only if accompanying an Investigations Officer.
SCHEDULE 10—Powers and functions concerning the Ashburton North Strategic Industrial Area Improvement Scheme			
Improvement Policies (Pt. 2)	10.1. Where such power is conferred upon the WAPC, power to amend the manner and form of any document referred to, required by or provided under the Ashburton North Strategic Industrial Area Improvement Scheme ("the Scheme").	<ul style="list-style-type: none"> Chairperson of the WAPC Director General 	Limited to amendments of an administrative nature.
	10.2. Power to set or amend a timeframe, or stipulate a date, under the Scheme, where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> Chairperson of the WAPC Director General Assistant Director General, Land Use Planning Planning Directors, Land Use Planning 	
	10.3. Power to amend an Improvement Scheme Policy	<ul style="list-style-type: none"> Chairperson of the WAPC Director General Assistant Director General, Land Use Planning 	Limited to administrative amendments that do not affect fundamental aspects of the policy.
	10.4. Power to determine, for the purpose of clause 15 (1) (b) of the Scheme, how to give notice of any Improvement Scheme Policy, or what other	<ul style="list-style-type: none"> Chairperson of the WAPC Director General 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	consultation would be appropriate.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Zones and uses (Pt. 3)	10.5. Power to determine, for the purposes of clause 29 of the Scheme, whether a proposed use is less detrimental to the amenity of a locality than an existing non-conforming use and whether the proposed use is closer to the intended purpose of a zone than the existing non-conforming use.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	10.6. Power to perform the function under clause 30 of the Scheme, to prepare and maintain a register of non-conforming uses.	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
General development requirements (Pt. 4)	10.7. Power to form an opinion as to whether non-compliance with an additional site and development requirement will mean that a development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of a development (cl. 31 of the Scheme).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Req. For DA (Pt. 6)	10.8. Power to determine, under clause 36, development for which approval under the Scheme is not required.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
Form of DA (Pt. 7)	10.9. Power to— <ul style="list-style-type: none"> a. identify any information or material that should accompany an application for development approval; b. waive or vary the requirements as to what material must accompany such an application. 	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	(cl. 39 of the Scheme).		
	10.10. Power to determine whether use is consistent with the objective of a zone and that notice of the application should be given (cl.40 (1)(b) of the Scheme).		
	10.11. Power to determine a departure from the Scheme's requirements is minor and to waive the requirement for advertising a development application. (cl.40 (2) of the Scheme).		
	10.12. Power to identify, for the purposes of clause 40 (3) (a) of the Scheme, owners and occupiers likely to be affected by the grant of development approval.		
	10.13. Power to identify authorities that may be affected by a development application. (cl. 42 of the Scheme).		
Determining DA's (Pt. 8)	10.14. Power to perform the functions and exercise the powers of the WAPC under clause 34 and Part 8 of the Scheme, to determine—	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Excluding applications of State or regional significance
	a. applications made for approval to commence and carry out development, provided such determination would accord with the objectives and intent of any policies (if any) of the WAPC;	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning 	Excluding applications of State or regional significance Excluding applications which the port authority or local government express an objection to.
	b. applications to amend or cancel development approval, provided the original decision was made under delegation. and the recommendation is to approve the request.	<ul style="list-style-type: none"> • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	Excluding applications of State or regional significance Excluding applications which the port authority or local government express an objection to. Where the application has a monetary value, limited to applications with a value of up to \$50million. Excludes the power to refuse approval.
Enforcement and WAPC Powers (Pt. 10)	10.15. Power to perform the functions and exercise the powers of the WAPC under clause 59 of the Scheme.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Function to be exercised having due regard to any published WAPC policy. Excluding matters where the WAPC has or will make a financial contribution, or has a financial interest.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Assistant Director General, Heritage and Property Services • Executive Director, Property Services 	
	10.16. Power to designate an officer for the purposes of clause 60, who may enter and inspect property within the Scheme area.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	The designation must be made by a formal written instrument, such as a memorandum or letter.
	10.17. Power under clause 61 of the Scheme, to require repair to an advertisement.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
SCHEDULE 11—Powers and functions concerning the Shenton Park Hospital Redevelopment Improvement Scheme.			
Improvement Policies (Pt. 2) General delegations	11.1. Where such power is conferred upon the WAPC, power to amend the manner and form of any document referred to, required by or provided under the Shenton Park Hospital Redevelopment Improvement Scheme (“the Scheme”).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Limited to amendments of an administrative nature.
	11.2. Power to set or amend a timeframe, or stipulate a date, under the Scheme, where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Improvement Policies (Pt. 2) General delegations	11.3. Power to amend an Improvement Scheme Policy	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Limited to administrative amendments that do not affect fundamental aspects of the policy.
	11.4. Power to determine, for the purpose of clause 12 (1) (b) of the Scheme, how to give notice of any Improvement Scheme Policy, or what other	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	consultation would be appropriate.	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Zones and uses (Pt. 5)	<p>11.5. Power to determine, for the purposes of clause 20(6) and 26(3) of the Scheme, whether a proposed use is—</p> <p>a. less detrimental to the amenity of a locality than an existing non-conforming use;</p> <p>b. closer to the intended purpose of the zone in which the land is situated.</p> <p>11.6. Power to determine, for the purposes of clause 20(6) and 26(3) of the Scheme, whether a proposed use is—</p> <p>a. less detrimental to the amenity of a locality than an existing non-conforming use;</p> <p>b. closer to the intended purpose of the zone in which the land is situated.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
General development requirements (Pt. 6)	11.7. Power to form an opinion as to whether non-compliance with an additional site and development requirement will mean that a development is likely to adversely affect any owners or occupiers in the general locality, or in an area adjoining the site of a development, or the future development of the locality (cl. 32).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
General development requirements (Pt. 6)	11.8. Power to discharge or modify a restrictive covenant affecting land in the Scheme area.	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
Structure Plans (part 8)	11.9. Power to determine that a structure plan, (or amendment thereto) is required for the purposes of orderly and proper planning. (cl. 36)	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
Structure Plans (part 8)	11.10. Power to approve amendments to the manner and form by which a structure plan is prepared. (cl. 37)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>11.11. Power to specify what information or material must be included in a structure plan or to agree to information, different to that prescribed, being included. (cl. 37)</p> <p>11.12. Power to consider a submitted structure plan and determine whether it complies with clause 37(1) of the Scheme, or if further information is required before it can be accepted. (cl.38)</p> <p>11.13. Power under clause 40 of the Scheme to—</p> <ol style="list-style-type: none"> a. consider any submissions received; b. request further information; c. advertise any proposed modifications to the structure plan and to determine how to advertise such modifications. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>11.14. Power to approve the advertising of modifications to a structure plan on more than one occasion. (cl. 40 (3))</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	<p>11.15. Power to consider reports on a structure plan submitted to the WAPC and to—</p> <ol style="list-style-type: none"> a. approve the instrument; or b. require modifications to the instrument and its resubmission to the WAPC. <p>This clause applies equally to amendments to such instruments. (cl.42 (1))</p> <p>11.16. Power to determine the proposed structure plan, or amendment thereto, must be re-advertised, if major modifications have been made to it since it was advertised. (cl.42 (2))</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	11.17. Where, pursuant to cl42 (1)(b), the WAPC (or one of its subcommittees) requires a proposed structure plan to be modified and then resubmitted for approval, power to approve the modified plan, provided it has been modified as specified by the WAPC or its subcommittee.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Req. For DA (Pt.9)	11.18. Power to determine, under clause 50, development for which approval under the Scheme is not required.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Form of DA application (Pt. 7)	<p>11.19. Power to—</p> <ol style="list-style-type: none"> a. identify any information or material that should accompany an application for development approval; b. waive or vary the requirements as to what material must accompany such an application. (cl. 52). <p>11.20. Power to determine whether a use is consistent with the objective of a zone and that notice of the application should be given. (cl.53)</p> <p>11.21. Power to determine a departure from the Scheme's requirements is minor and to waive the requirement for advertising a development application. (cl.53)</p>	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Determining DA's (Pt. 11)	11.22. Power to identify authorities that may be affected by a development application (56 of the Scheme).	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Principal Planning Officers, Land Use Planning 	
	<p>11.23. Power to perform the functions and exercise the powers of the WAPC under Part 11 of the Scheme, to determine—</p> <p>a. applications made for approval to commence and carry out development, provided such determination would accord with the objectives and intent of any policies (if any) of the WAPC;</p> <p>b. applications to amend or cancel development approval, provided the original decision was made under delegation.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning <ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	<p>A delegate cannot exercise this power to determine an application, if that delegate was a member of a Design Review Panel which was consulted over, or provided recommendations, on that application.</p> <p>A delegate cannot exercise this power to determine an application, if that delegate was a member of a Design Review Panel which was consulted over, or provided recommendations, on that application.</p> <p>Excludes applications which the local government express an objection to.</p>
Enforcement and (Pt. 13)	11.24. Power to designate an officer for the purposes of clause 74, who may enter and inspect property within the Scheme area.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	The designation must be made by a formal written instrument, such as a memorandum or letter.
	11.25. Power under clause 75 of the Scheme, to require repair to an advertisement.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
SCHEDULE 12—Powers and functions concerning the Anketell Strategic Industrial Area Improvement Scheme.			
General delegations	12.1. Where such power is conferred upon the WAPC, power to amend the manner and form of any document referred to, required by or provided under the Anketell Strategic Industrial Area Improvement Scheme (“the Scheme”).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Limited to amendments of an administrative nature.
	12.2. Power to set or amend a timeframe, or stipulate a date, under the Scheme,	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
Improvement Policies (Pt. 2)	12.3. Power to amend an Improvement Scheme Policy	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Limited to administrative amendments that do not affect fundamental aspects of the policy.
	12.4. Power to determine, for the purpose of clause 16 (1) (b) of the Scheme, how to give notice of any Improvement Scheme Policy, or what other consultation would be appropriate.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Zones and uses (Pt. 3)	12.5. Power to determine, for the purposes of clause 26 of the Scheme, whether a proposed use is less detrimental to the amenity of a locality than an existing non-conforming use and whether the proposed use is closer to the intended purpose of a zone than the existing non-conforming use.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	12.6. Power to perform the function under clause 27 of the Scheme, to prepare and maintain a register of non-conforming uses.	<ul style="list-style-type: none"> • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
General development requirements (Pt. 4)	12.7. Power to form an opinion as to whether non-compliance with an additional site and development requirement will mean that a development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of a development (cl. 28 of the Scheme).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Req. For DA (Pt. 6)	12.8. Power to determine, under clause 32, development for which	<ul style="list-style-type: none"> • Chairperson of the WAPC 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	approval under the Scheme is not required.		
Form of DA application (Pt. 7)	<p>12.9. Power to—</p> <p>a. identify any information or material that should accompany an application for development approval;</p> <p>b. waive or vary the requirements as to what material must accompany such an application. (cl. 34 of the Scheme).</p> <p>12.10. Power to determine whether a use is consistent with the objective of a zone and that notice of the application should be given (cl.35 (1)(b) of the Scheme).</p> <p>12.11. Power to determine a departure from the Scheme's requirements is minor and to waive the requirement for advertising a development application. (cl.35 (2) of the Scheme).</p> <p>12.12. Power to identify, for the purposes of clause 35 (3) (a) of the Scheme, owners and occupiers likely to be affected by the grant of development approval.</p>	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	Determining DA's (Pt. 8)	12.13. Power to identify authorities that may be affected by a development application. (cl. 37 of the Scheme)	<ul style="list-style-type: none"> • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning
12.14. Power to perform the functions and exercise the powers of the WAPC under clause 30 and Part 8 of the Scheme, to determine—		<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Excluding applications of State or regional significance
a. applications made for approval to commence and carry out development, provided such determination would accord with the objectives and intent of any policies (if any) of the WAPC;		<ul style="list-style-type: none"> • Planning Directors, Land Use Planning 	Excluding applications of State or regional significance Excluding applications which the port authority or local government express an objection to.
			Excluding applications of State or regional significance

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>b. applications to amend or cancel development approval, provided the original decision was made under delegation.</p>	<ul style="list-style-type: none"> • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	<p>Excluding applications which the port authority or local government express an objection to. Where the application has a monetary value, limited to applications with a value of up to \$50million and excludes the power to refuse approval. Excludes the power to refuse an application to amend approval.</p>
Enforcement and WAPC Powers (Pt. 10)	<p>12.15. Power to perform the functions and exercise the powers of the WAPC under clause 54 of the Scheme.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	<p>Function to be exercised having due regard to any published WAPC policy.</p>
	<p>12.16. Power to designate an officer for the purposes of clause 55, who may enter and inspect property within the Scheme area.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	<p>The designation must be made by a formal written instrument, such as a memorandum or letter.</p>
	<p>12.17. Power under clause 56 of the Scheme, to require repair to an advertisement.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	

Schedule 13—Powers relating to the *Hope Valley-Wattleup Redevelopment Act 2000*

	<p>13.1. Power to</p> <p>a. determine all applications for subdivision and development approval, structure plans and similar plans;</p> <p>b. to defend or otherwise deal with applications for review lodged with the State Administrative Tribunal;</p> <p>c. to defend, respond, appeal and otherwise deal with legal proceedings; and</p> <p>d. to respond to and otherwise deal with planning strategies and policies and similar documents or amendments thereto,</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning • Director, Planning Appeals 	<p>Determinations and responses are to be consistent with the Act, the Master Plan and/or WAPC policy.</p>
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Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	requiring the approval of the WAPC pursuant to the provisions of the <i>Hope Valley—Wattleup Redevelopment Act 2000</i> .		
Schedule 14—Powers and functions concerning the Port Hedland West End Improvement Scheme			
These powers are set out in a separate instrument, gazetted 23 September 2020, available on the WAPC's delegation website.			
SCHEDULE 15—Powers and functions under the <i>Community Titles Act 2018</i>.			
This schedule relates to powers or functions of the WAPC under the <i>Community Titles Act 2018</i> (CTA) and <i>Community Title Regulations 2021</i> (CT Regulations). The term “CDS” refers to a Community Development Statement.			
General delegations	15.1 Power to amend the manner and form by which any document or application is provided to the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Limited to amendments of an administrative nature.
	15.2 Power to set or amend an administrative timeframe, or stipulate a date, where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	15.3 Power to— <ol style="list-style-type: none"> a. identify matters or information that are appropriate for inclusion in a CDS; b. require the applicant to provide other information reasonably required by the WAPC to determine a matter. 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Waiver of other requirements	15.4 Power under section 20 CTA, to waive the requirements to prepare other plans or instruments for land that is, or is proposed, to be divided by a community scheme.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	Only exercisable if— <ol style="list-style-type: none"> 1. the relevant local government does not object to the waiver; and 2. there is an existing CDS in place for the entire area that would be subject to the planning instrument.

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Approval of Mods to CDS	15.5 Power to form an opinion, for the purposes of section 24 of the CTA, as to whether modifications made to a draft community development statement, have been done in the manner specified by the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	15.6 Power to determine an application to extend the development period for a Community Scheme.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	
Development period	15.7 Power to determine whether a local government must advertise an application to extend the development period.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	15.8 In accordance with section 27 of the CTA, power to declare a CDS has ceased to have effect	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	<p>• Officers to Note—where land is, or is proposed to be, subject to a CDS, applications for approval for subdivision or development of that land (including applications for land to cease to be so subdivided (i.e. a “termination”) are made under 10 of the PD Act. Refer to the appropriate schedule above for delegated authority relating to subdivision or development applications.</p>		
15.9 Power to determine applications for— <ul style="list-style-type: none"> a. the modification of a restricted use condition; b. the amendment or repeal of scheme bylaws. 		<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Planning Approvals			

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
SCHEDULE 16—Powers and functions concerning the Ocean Reef Marina Improvement Scheme No. 1			
General delegations	16.1 Where such power is conferred upon the WAPC, power to amend the manner and form of any document referred to, required by or provided under the Ocean Reef Marina Improvement Scheme No.1("the Scheme").	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General 	Limited to amendments of an administrative nature.
	16.2 Power to set or amend a timeframe, or stipulate a date, under the Scheme, where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Improvement Policies (Pt 2)	16.3 Power to amend an Improvement Scheme Policy.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	Limited to administrative amendments that do not affect fundamental aspects of the policy.
	16.4 Power to determine, for the purpose of clause 13 (1) (b) and (c) of the Scheme, how to give notice of any Improvement Scheme Policy, or what other consultation would be appropriate.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Part 3	16.5 Power to approve additional uses for reserves for the purpose of clause 18(1) and (2).	<ul style="list-style-type: none"> • Chairperson of the WAPC 	
Precincts and uses (Part 4)	16.6 Power to determine, for the purposes of clause 23(5) of the Scheme, whether <ol style="list-style-type: none"> a. a use is consistent with the objectives of a particular Precinct and is therefore a use that may be permitted in the precinct subject to conditions; 	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	<p>b. determine that a use may be consistent with the objectives of a particular precinct and give notice under clause 71 of the Scheme before considering an application for development approval for the use of the land;</p> <p>c. determine that a use is not consistent with the objectives of a particular Precinct and is therefore not permitted in the Precinct.</p>	<ul style="list-style-type: none"> • Principal Planning Officers, Land Use Planning 	
	<p>16.7 Power to determine, for the purpose of clause 23(7(b)), whether a proposed class X not permitted use which relates to land that is being used for a non-conforming use would be less detrimental than the non-conforming use.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.8 Power to determine, for the purpose of clause 26(3) of the Scheme, whether a proposed change from a non-conforming use to another use that is not permitted by the scheme is—</p> <p>a. less detrimental to the amenity of a locality than an existing non-conforming use;</p> <p>b. closer to the intended objectives of the Precinct in which the land is situated.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.9 Power to perform the function under clause 27 of the Scheme, to prepare and maintain a register of non-conforming uses.</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Principal Planning Officers, Land Use Planning 	
General Development req' (Part 5)	16.10 Power to form an opinion as to whether non-compliance with an additional site and development requirement will mean that a development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of a development (cl. 50(3)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
Local Development Plans (Part 6)	16.11 Power to determine that a local development plan may be prepared (cl. 54).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.12 Power to prepare a local development plan in the circumstances set out in clause 54 of the Scheme (cl. 55(2)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.13 Power to approve the manner and form of a local development plan (cl. 55).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.14 Power to determine what maps, other information or material is to be included in a local development plan (cl. 55).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.15 Power to consider a submitted local	<ul style="list-style-type: none"> • Chairperson of the WAPC 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	development plan and determine whether it complies with clause 55(1) of the Scheme, or if further information is required before it can be accepted for assessment and advertising (cl. 56 (1)).	<ul style="list-style-type: none"> • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.16 Power to advise an applicant as to whether: (a) the local development plan complies with clause 55(1) of the Scheme; or (b) further information from the applicant is required before the local development plan can be accepted for assessment and advertising (cl. 56(1)(a)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.17 Power to provide an estimate of the fee for dealing with the application in accordance with the <i>Planning and Development Regulations 2009</i> regulation 48 (c. 56(1)(b)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.18 Power to advertise a local development plan (cl. 57(1)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.19 Power to determine whether a local development plan is to be advertised where that plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area (cl. 57(3)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Principal Planning Officers, Land Use Planning 	
	<p>16.20 Power to form an opinion as to whether a local development plan is to be advertised where that plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area (cl. 57(3)).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.21 Power to make a local development plan and accompanying material available for public inspection (cl. 57(4)(a)).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.22 Power to determine whether a local development plan and the material accompanying it is published on the website of the WAPC (cl. 57(4)(b)).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	<p>16.23 Power to determine whether comments in relation to the proposed local development plan should be sought from any public authority or utility service provider, and if so, which public authority or utility service provider comments are to be sought from (cl. 57(1)(b)).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.24 Power to consider submissions in relation to a local development plan (cl. 58).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Principal Planning Officers, Land Use Planning 	
	16.25 Power to approve or refuse to approve a local development plan (cl. 59).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.26 Power to require the person who prepared the local development plan to modify the plan and resubmit the modified plan (cl.59(1)(b)(i) and (ii)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.27 Power to determine the manner in which a local development plan is to be modified (cl.59(1)(b)(i)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.28 Power to approve a local development plan that provides for further details of any development included in the plan to be submitted and approved before development commences (cl. 60(1)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.29 Power to form an opinion as to whether further matters that are to be approved would not result in a substantial departure from the local development plan referred to in clause of the Scheme (cl. 60).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.30 Power to publish a local development plan on the WAPC website (cl. 62).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning 	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
		<ul style="list-style-type: none"> • Planning Directors, Land Use Planning 	
	16.31 Power to approve an application for development approval in an area referred to in clause 54(a) of the Scheme as being an area for which a local development plan may be prepared, but for which no local development plan has been approved (cl. 63).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.32 Power to extend the period of approval of a local development plan (cl. 64(2)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.33 Power to revoke approval of a local development plan (cl. 64, 65).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.34 Power to amend a local development plan (cl. 66(1)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.35 Power to form an opinion as to whether an amendment to a local development plan is of a minor nature (cl. 66(4)).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.36 Power to decide whether an amendment to a local development plan is to be advertised (cl. 66(4)).		
	16.37 Power to extend the period of approval of a local development plan (cl. 66(5)).		

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Form of DA Application (Part 8)	<p>16.38 Power to—</p> <p>a. identify any information or material that should accompany an application for development approval (cl.70(1)(d));</p> <p>b. waive or vary the requirements as to what material must accompany such an application (cl.70(2)).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.39 Power to determine whether a use is consistent with the objective of a Precinct and that notice of the application should be given. (cl.71(1)(b)(ii)).</p>		
	<p>16.40 Power to determine a departure from the Scheme's requirements is minor and to waive the requirement for advertising a development application. (cl.71(2)).</p>		
Determining DA's (Part 9)	<p>16.41 Power to identify authorities that may be affected by a development application (cl. 73 of the Scheme).</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	<p>16.42 Power to perform the functions and exercise the powers of the WAPC under Part 9 of the Scheme, to determine—</p> <p>a. applications made for approval to commence and carry out development, provided such determination would accord with the objectives and intent of any policies (if any) of the WAPC;</p> <p>b. applications to amend or cancel development approval, provided the original decision was made under delegation and the</p>	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principle Planning Officers, Land Use Planning 	<p>Excludes the power to refuse approval</p>

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
	recommendation is to approve the request.		
Enforcement (Part 10)	16.43 Power to designate an officer for the purposes of clause 85, who may enter and inspect property within the Scheme area.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	The designation must be made by a formal written instrument, such as a memorandum or letter.
	16.44 Power under clause 86 of the Scheme, to require repair to an advertisement.	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning • Planning Managers, Land Use Planning • Principal Planning Officers, Land Use Planning 	
	16.45 Power to refuse to accept an application made under the Scheme (cl. 87)	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	
	16.46 Power to form the opinion as to whether there is in place an agreement for the WAPC to use any copyrighted material provided in support of the application— (a) Excludes the power to refuse approval for the purposes of advertising the application or implementing a decision on the application; and (b) Excludes the power to refuse approval for zero remuneration. (cl. 87).	<ul style="list-style-type: none"> • Chairperson of the WAPC • Director General • Assistant Director General, Land Use Planning • Planning Directors, Land Use Planning 	

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

1. “the Act” means the *Planning and Development Act 2005*;
2. “SDA” means “Service Delivery Arrangement”
3. “WAPC” or “Commission” means the “Western Australian Planning Commission.”
4. “Department” means the “Department of Planning, Lands and Heritage.”

5. A reference to “Land Use Planning Division” includes the State of Western Australia including the Indian Ocean Territories.
 6. Unless the context otherwise requires, a reference to “Planning Directors” includes any position to which the level of “Director” is designated, located within the Land Use Planning Division of the Department of Planning, Lands and Heritage.
 7. Unless the context otherwise requires, a reference to “Planning Managers” includes any position to which the level of “Planning Manager” is designated, located within the Land Use Planning Division of the Department of Planning, Lands and Heritage;
 8. Unless the context otherwise requires, a reference to “Principal Planning Officers” includes any position to which the level of “Principal Planning Officer” is designated, located within the Land Use Planning Division of the Department of Planning, Lands and Heritage;
 9. A reference to a position contemplates and includes a reference to its successor in title.
 10. A reference to the “LPS Regulations” includes a reference to the Schedules to those regulations, being the *Planning and Development (Local Planning Schemes) Regulations 2015*.
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