

C5 Instrument of Delegation (Planning Committee)

Wyndham City Council

Instrument of Delegation

to

Planning Committee

Wyndham City Council Instrument of Delegation - Planning Committee

Wyndham City Council (**Council**) delegates to each person who is from time to time appointed as a member of the committee established by resolution of Council passed on 28 October 2025 and known as the "Planning Committee" (**the Committee**), the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 October 2025;
2. the previous Instrument of Delegation is revoked;
3. the delegation:
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2 remains in force until Council resolves to vary or revoke it; and
 - 3.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the attached Terms of Reference and with the guidelines or policies which Council from time to time adopts; and
4. all members of the Committee have voting rights.

The **COMMON SEAL** of **WYNDHAM CITY COUNCIL**

was affixed by authority of the Council on

the 6th November 2025

in the presence of:

 COUNCILLOR

 CHIEF EXECUTIVE OFFICER



SCHEDULE

Purpose

To exercise Council's powers, discretions and authorities and to perform Council's functions under the *Planning and Environment Act 1987* in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties or powers.

Powers and functions

To give effect to the Purpose described in this Instrument of Delegation, the Committee has the following powers and functions:

1. to function in accordance with the Planning Committee Terms of Reference, noting that, in the event of an inconsistency between the Planning Committee Terms of Reference and this Instrument of Delegation, this Instrument of Delegation will prevail;
2. to assess and determine any applications for planning permits that are referred to it as the responsible authority under the *Planning and Environment Act 1987*;
3. in relation to strategic planning matters, the power to:
 - 3.1. consider strategic planning matters;
 - 3.2. hear from submitters;
 - 3.3. seek authorisation from the Minister for Planning to proceed with a proposed Planning Scheme amendment;
 - 3.4. refer the submissions to a panel under Part 8 of the *Planning and Environment Act 1987*; and
 - 3.5. make recommendations to Council in respect of strategic planning issues;
4. to refer any submissions to Council for further consideration and decision; and
5. to do all things necessary or convenient to be done for or in connection with the performance of these delegated functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. abandon a proposed Planning Scheme amendment;
2. adopt a proposed Planning Scheme amendment, with or without changes;
3. under section 191 of the *Planning and Environment Act 1987*, nominate a committee to hear submitters; or
4. exercise any other powers or fulfil any other functions or duties which, under section 11(2) of the *Local Government Act 2020* or section 188 of the *Planning and Environment Act 1987*, cannot be delegated to the Committee.