

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO RES 2014/02

Resolution under clause 21 of the PRS

Notice of amendment to resolution made under clause 21 of the Peel Region Scheme regarding development on zoned land requiring planning approval.

Preamble

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clause 19 and 20, development on *reserved* land requires planning approval. On *zoned* land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS.

Resolution under clause 21 of the PRS

On 23 March 2022, pursuant to section clause 21 of the PRS, the WAPC resolved, amongst other things,—

- A. TO RECOMMEND to the Minister for Planning and the Governor that the updated SPP4.2 be approved and gazetted in accordance with Part 3 of the *Planning and Development Act 2005*.
- B. TO AMEND, as required, the Resolution 2014/02 made by the WAPC on 25 March 2014 and published in the *Government Gazette* on 9 May 2014 at pages 1412-1415 (**Resolution 2014/02**), as set out in Schedule A below, to give effect to this resolution and the approval and subsequent gazettal of the updated SPP4.2.

SAM FAGAN, Secretary, Western Australian Planning Commission.

SCHEDULE A**1. Instrument of Resolution amended**

The amendments within this Schedule are to the Schedules set out in Resolution 2014/02.

2. Schedule 1—amended (p1412-1414)

- a) Paragraph 5 is deleted and replaced with the following new paragraph 5—

5. Development in Activity Centres

Applications made under clause 18 of the PRS for approval to commence and carry out major development for Category A activity centre uses—

- (a) where the local government or the WAPC considers that the major development proposed may be of State or regional significance;
- (b) where the local government considers the major development is more appropriately located in an activity centre of a higher level of the activity centre hierarchy than the activity centre in which it is proposed to be located;

- (c) where the WAPC (after consulting the relevant local government) considers the major development is more appropriately located in an activity centre of a higher level of the activity centre hierarchy than the activity centre in which it is proposed to be located;

except where—

- (a) the major development is located in a local centre or neighbourhood centre; or
(b) the major development is generally in accordance with a WAPC endorsed precinct structure plan or equivalent for the activity centre endorsed by the WAPC; or
(c) where the major development is located in an activity centre that is exempt from the requirement to prepare a precinct structure plan as identified in an endorsed local planning strategy.

For the purpose of this resolution—

'activity centre' is defined in State Planning Policy 4.2.

'activity centre hierarchy' means the categories of activity centres set out in State Planning Policy 4.2, namely—

- Capital City;
- Strategic centres;
- Specialised centres
- Secondary centres;
- District centres;
- Neighbourhood centres; and
- Local centres.

'Category A activity centre uses' means land uses as defined in State Planning Policy 4.2.

'major development' means development as defined in State Planning Policy 4.2.

'net lettable area' is defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

'precinct structure plan or equivalent' means a structure plan prepared for an activity centre as required under State Planning Policy 4.2, and includes what were previously referred to as an activity centre plan.

'State Planning Policy 4.2' means State Planning Policy 4.2—Activity Centres, published in the *Government Gazette*.
