



PART 17 SIGNIFICANT DEVELOPMENT PATHWAY

Process to Apply to Amend or Cancel Approval
for Significant Development (Form 17C),
Withdraw 17B Application and Clear Conditions
of Development Approval under Part 17 of the
Planning and Development Act 2005

GUIDE FOR APPLICATION TO AMEND
OR CANCEL A DECISION AND FOR
CLEARANCE OF CONDITIONS

March 2024

Introduction

The temporary Part 17 pathway closed to new Form 17B development applications on 29 December 2023. It remains open for applications to amend approved Part 17 applications, withdrawals and cancellations of applications, and to support the clearance of conditions of approval.

This Guide provides information for applicants to apply or submit documentation for each of these processes. In the case of clearing conditions, it includes details of the clearance matrix and specific requirements for staged developments.

The State Development Assessment Unit (SDAU) of the Department of Planning, Lands and Heritage manages all of these processes.

Requirements for Application to Amend or Cancel approval for Significant Development (Form 17C)

Proponents with approved applications who wish to amend any part of the approval, including the condition relating to the Substantial Commencement period, should use this form. Please contact the SDAU for information about this process.

In relation to applications to extend the Substantial Commencement period, proponents should note that only one extension can be applied for and any applications require thorough justification of the proponent's reasons for the extension, including but not limited to addressing whether:

- modifications, regardless of the nature/extent, have occurred to the planning framework since the development approval was granted
- the development is capable of approval
- the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development approval.

Additionally, the WAPC will give consideration to whether the applicant sought to 'warehouse' the development approval and whether the original period for substantial commencement originally imposed was adequate.

The justification should include the reasons why the amendment/s are proposed and provide detail about the impacts the proposed amendment/s will have on economic benefits stated to be delivered in the original approved development.

Completing the Form 17C Application

Form 17C must be signed by the registered proprietor/s as shown on the Certificate/s of Title. Where the landowner/s cannot sign, an authorised agent can sign and attach evidence of the authority. If the subject land is owned by a company, you must confirm whether it is a sole proprietorship company and state the full name/s and position/s of the company signatory/ies. Appropriate company signatory/ies include one director and the company seal, two directors, or one director and the company secretary.

Change of name

Applications made by persons or companies that have changed names from that depicted on the Certificate of Title, must provide supporting documentation showing the change of name such as:

- a transfer of land document that incorporates a lodgement receipt
- a company search from the Australian Securities and Investment Commission
- a marriage certificate or
- a change of name certificate.

A link to Form 17C can be found on the [Part 17 Forms and Fees](#) page.

Submitting a Form 17C application

To initiate a Form 17C application, proponents are to upload the completed Form 17C and supporting documentation through the DPLH [Planning Online](#) lodgement portal lodgement portal, under the “Other Lodgements” tab.

To assist with the lodgement process applicants are required to clearly name and upload each of the documents, appendices and drawing packages individually (not as one compiled PDF document) in one transfer, with the SDAU file number referenced. See below as an example.

Cover Letter.pdf

Amendment Report.pdf

Amended Plans.pdf

Applicant Economic Benefit Statement.pdf

Withdrawing an application

To withdraw a Form 17B application, the applicant or director listed on the original application form must write to the Director of the State Development Assessment Unit at SDAU@dplh.wa.gov.au requesting withdrawal of the application.

Requirements for Clearance of Conditions of Development Approval

The SDAU, on behalf of the WAPC, is responsible for issuing the clearance of conditions of all Part 17 development approvals. This confirms, on the advice of relevant agencies or the local government, that each of the conditions of approval has been satisfied.

Applicants are required to have a pre-clearance meeting with the SDAU to discuss the clearance process and preliminary condition requirements. An applicant can engage with relevant agencies or the local government, as specified in the conditions, for preliminary comments or feedback to ensure the documentation addresses the necessary requirements, and this is generally encouraged as it helps streamline the overall process. However, this is considered voluntary preliminary engagement and does not form part of the clearance process.

In order to obtain clearances, the applicant must submit to the SDAU a Clearance of Conditions of Approval Matrix and copies of all technical reports and supporting documentation specified in the conditions, together with a copy of the final working drawings prepared for a building permit application. The Matrix can be found on the [Part 17 Forms and Fees](#) page.

The drawings and documentation are to address the relevant conditions of development approval, and any variations from the approved plans must be clearly identified on the submitted drawings.

Where works and/or building permits are proposed to be staged, the SDAU may agree to a staged clearance of working drawings and associated conditions of approval. In such cases, the Matrix will need to identify which conditions are relevant to each of the stages of development, as agreed in consultation with the WAPC.

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Interim documentation and/or plans may be acceptable for the clearance of some conditions for the initial stages of the development. In instances where interim documents or plans are accepted by the SDAU, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

Requests for confirmation that conditions have been satisfied can be submitted electronically using the Department's [Planning Online](#) lodgement portal, under the "Other Lodgements" tab.

Clearance requests cannot be submitted by email.

Applicants will receive a letter acknowledging receipt of the clearance request shortly after submission. An SDAU officer will check that the matrix, plans and documents submitted satisfy the conditions set out in the relevant Development Approval, and additional details will be requested if required. Advice may be sought from the local government or State Government agencies (referral agencies), as specified in the conditions, to assist in assessing condition-clearance. The SDAU will liaise with the relevant referral agencies, provide clearance documentation and seek comments and advice as necessary. The referral agency will be asked to provide its comments within 21 days to provide a response to the SDAU, unless otherwise agreed to by the SDAU.

Once the SDAU is satisfied that the conditions have been met, it will provide a letter confirming Clearance of Conditions. For staged developments, the letter will relate only to the clearance

of conditions that are relevant to that stage. The clearance letter and associated documentation will also be provided to the relevant referral agencies and local government (as applicable).

The overall timing of the clearance process will depend on the number of conditions to be cleared, the information provided and the number of agencies required to provide advice.

Enquiries

Further information can be found on the Part 17 Significant Development Pathway [page](#) on Planning Online.

For any enquiries and to contact the SDAU, please email SDAU@dplh.wa.gov.au or call 6551 9450.

The Western Australian Planning Commission recognises the diversity of the Aboriginal peoples of Western Australia and acknowledges the Traditional Owners and custodians and their connection to this land and its waterways. We pay our respect to Elders past and present and those who will follow in their footsteps.

Disclaimer

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