



Western Australia

Planning and Development Act 2005

Planning and Development (Significant Development) Amendment Regulations 2025

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Planning and Development (Significant Development) Amendment Regulations 2025

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Planning and Development (Significant Development) Amendment Regulations 2025*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on 30 May 2025.

3. Regulations amended

These regulations amend the *Planning and Development (Significant Development) Regulations 2024*.

4. Regulation 5 replaced

Delete regulation 5 and insert:

5. Prescribed significant development (s. 171I(1))

- (1) In this regulation —

commercial, centre or mixed use zone has the meaning given in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 1;

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community housing has the meaning given in the *Planning and Development (Development Assessment Panels) Regulations 2011* regulation 3(1);

multiple dwelling has the meaning given in the R-Codes;

R-Codes has the meaning given in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 1;

registered community housing provider has the meaning given in the *Planning and Development (Development Assessment Panels) Regulations 2011* regulation 3(1);

relevant activity centre means an area of land identified as an activity centre in the State Planning Policy 4.2 Appendix 1 under the headings Capital City, Strategic Centres, Secondary Centres or District Centres.

- (2) For the purposes of section 171I(1) of the Act, development is **prescribed significant development** if —
- (a) for development in an area to which the Swan Valley Planning Scheme applies — the estimated cost of the development is \$20 million or more; or
 - (b) for development in an area to which the Metropolitan Region Scheme or the Peel Region Scheme applies —
 - (i) the estimated cost of the development is \$20 million or more; or
 - (ii) the development meets the requirements of subregulation (3);

or

- (c) otherwise —
 - (i) the estimated cost of the development is \$5 million or more; or
 - (ii) the development meets the requirements of subregulation (4).
- (3) For subregulation (2)(b)(ii), the requirements are that —
 - (a) the development includes multiple dwellings and at least 5% of the total number of multiple dwellings is community housing that is to be provided by a registered community housing provider on the development's completion; and
 - (b) the applicable planning instrument for the development application does not prohibit development consisting of multiple dwellings; and
 - (c) either —
 - (i) the development is in an area designated under a planning scheme as residential density code R30, R35, R40, R50, R60, R80, R100, R160, R-AC0, R-AC1, R-AC2, R-AC3 or R-AC4; or
 - (ii) the development is in an area that is not designated under a planning scheme as a residential density code;and
 - (d) either or both of the following apply —
 - (i) the development is within 800 metres of a railway station;
 - (ii) the development is in a relevant activity centre.

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- (4) For subregulation (2)(c)(ii), the requirements are that —
- (a) the development includes multiple dwellings and at least 5% of the total number of multiple dwellings is community housing that is to be provided by a registered community housing provider on the development's completion; and
 - (b) the applicable planning instrument for the development application does not prohibit development consisting of multiple dwellings; and
 - (c) the development is in, or within 800 metres of, an area that is identified under a local planning scheme as a commercial, centre or mixed use zone.

N. HAGLEY, Clerk of the Executive Council