

**PLANNING AND DEVELOPMENT ACT 2005****AMENDMENT TO RES2021/01****Resolution under clause 32 of the MRS**

Notice of amendment to resolution made under clause 32 of the Metropolitan Region Scheme regarding development on zoned land requiring planning approval.

**Preamble**

Under clause 32 of the Metropolitan Region Scheme (MRS), the Western Australian Planning Commission (the WAPC) may, by resolution, identify land and require that applications for all or certain classes of development on that land, be referred to the WAPC for determination.

**Resolution under clause 32 of the MRS**

On 23 March 2022, pursuant to section clause 32 of the MRS, 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 2021/01 made by the WAPC on 8 December 2021 and published in the *Government Gazette* on 18 January 2022 at pages 115-117 (**Resolution 2021/01**), 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 2021/01.

**2. Schedule 1—amended (p116)**

- a) paragraph 4 is deleted and replaced with the following new paragraph 4—

**4. Development in Activity Centres**

Applications made under clause 28 of the MRS 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 precinct structure plan or equivalent for the activity centre endorsed by the WAPC; or
- (c) 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.

**2. Interpretation—amended (p117)**

- a) All text under the heading 'Interpretation' is deleted and replaced with the following—

In this notice of resolution, words have the meanings given to them in the Act and the MRS. Unless the context otherwise requires—

'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.

'advice agency' means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the MRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 1.

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

'forward to the WAPC' and similar expressions mean convey by mail, by hand or electronically to the office of the Department of Planning, Lands and Heritage.

'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.

'planning approval' means the planning approval of the WAPC as required under the MRS and this resolution, whether granted by the WAPC or by delegates of the WAPC including committees, or officers.

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

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