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PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 4.2

ACTIVITY CENTRES (JULY 2023)

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STATE PLANNING POLICY 4.2

ACTIVITY CENTRES

JULY 2023

1 CITATION

This is a State Planning Policy made under Part 3 of the *Planning and Development Act 2005*. This policy may be cited as State Planning Policy 4.2 Activity Centres (SPP 4.2).

2 POLICY INTENT

To ensure planning, development and decision making adequately consider the distribution, function, broad land use, access and urban form considerations for **activity centres**.

3 ACTIVITY CENTRES IN WESTERN AUSTRALIA

Activity centres are mixed use urban areas where there is a concentration of commercial, residential and other land uses. They are multi-functional community focal points where people live, work, shop, meet and relax. They vary in size and function and are generally well-served by transport networks with a focus on public transport and active transport. **Activity centres** may include land uses such as commercial, retail, food and hospitality, medium and high-density housing, entertainment, tourism, civic/community, higher education, and medical services.

It is the Western Australian Planning Commission's (WAPC) intention that all **activity centres** perform the role outlined above (relative to their level in the **hierarchy** and any applicable specialisation) to provide for sustainable development and to benefit their community through efficient and equitable access to goods, services and employment.

SPP 4.2 and precinct structure plans, in conjunction with other related policies, provide for a land use planning framework that encourages and allows **activity centres** to develop appropriately. It is therefore imperative to review the State and local planning frameworks applicable to **activity centres**.

In addition to planning, each **activity centre** requires investment in infrastructure, often early on, to unlock the centre's development potential. Many existing **activity centres** that propose upgrades or expansions will require improvements to the public realm and provision of community facilities. Ongoing place making, management and monitoring are also essential to create sustainable activity centres, integrated within their community.

4 APPLICATION OF THIS POLICY

- (a) This policy and its Implementation Guidelines apply to the preparation and assessment of planning instruments and certain subdivision and development applications that relate to **activity centres** within the Metropolitan (Perth), Peel and Greater Bunbury Region Scheme areas, including—

Planning instruments—

- regional, sub-regional, district and local planning strategies and frameworks
- local planning schemes, scheme reviews and amendments
- precinct structure plans for **activity centres**, reviews of endorsed activity centre plans
- standard structure plans where **activity centres** are proposed
- local development plans for **activity centres**

Certain subdivision and development applications—

- subdivision within **activity centres**, other than on land zoned Residential
- development applications for **major developments** within **activity centres**
- development of **Category A activity centre uses** outside **activity centres (out-of-centre development)**.

- (b) The Greater Bunbury Region Scheme area includes the **Bunbury Metropolitan Area** (refer Bunbury-Geographe sub-regional strategy) and nearby towns. The provisions of this policy only apply to the **activity centres** within the **Bunbury Metropolitan Area** and do not apply to the nearby towns.
- (c) The objectives, outcomes and measures of this policy may be applied outside of the abovementioned region scheme areas, as applicable, to guide the preparation and assessment of planning instruments at the discretion of the WAPC (refer Implementation Guidelines section 3). Where this policy has been applied to an endorsed planning instrument under this clause, subsequent subdivision and development applications [those outlined in sub-clause (a)] are also subject to SPP 4.2.
- (d) This policy is to be read in conjunction with (but not limited to)—
- the SPP 4.2 Implementation Guidelines
 - State Planning Policy 7.0 *Design of the Built Environment* (SPP 7.0)

- *Liveable Neighbourhoods* [to be replaced by State Planning Policy 7.1 Neighbourhood Design (SPP 7.1)]
- State Planning Policy 7.2 *Precinct Design* (SPP 7.2)
- State Planning Policy 3.6 *Infrastructure Contributions* (SPP 3.6)
- Local Planning Strategy Guidelines
- other relevant State Planning Policies, Operational Policies, Position Statements and Guidelines.

5 POLICY OBJECTIVES

The objectives of this policy are to—

- Locate people and the employment, goods and services they need close to each other within **activity centres**.
- Promote **activity centres** as the focus of integrated and well-designed medium and high-density residential and mixed use development.
- Plan for the sustainable growth and development of **activity centres** ensuring development intensity is appropriate to a centre's position in the **activity centre hierarchy**.
- Manage the **hierarchy of activity centres** to ensure efficient and equitable access by the community to employment opportunities, housing choice and a broad range of goods and services.
- Ensure **activity centres** are accessible and well-served by a range of transport options with a priority on walking, cycling and public transport use.
- Ensure the urban form of **activity centres** enables the primary focus of activity to be on the street, in the public realm and connected to public open spaces.

6 POLICY OUTCOMES

The following outcomes specify the role of planning and development in contributing to the overall objectives of this policy. The outcomes should be achieved through compliance with the policy measures. They are to be used for the assessment of planning instruments, subdivision applications and development applications and to guide discretion in decision-making.

- The **activity centre network** meets different levels of community need and enables employment, housing, goods and services to be accessed efficiently and equitably by the community.
- The primacy of **activity centres** is reinforced, and **out-of-centre development** does not undermine the **hierarchy of activity centres**.
- New **activity centres** or the intensification of existing **activity centres** does not unreasonably undermine existing centres.
- Sufficient development intensity and appropriate land use mix is provided, that supports the role and function of **activity centres**, promotes economic growth, provides employment opportunities and enhances consumer choice.
- The density and diversity of housing in and around **activity centres** is maximised to improve land efficiency, housing choice and housing affordability, and assists with delivering the urban consolidation objectives and outcomes of the strategic planning framework for the applicable region.
- Activity centres** and development within them are well-designed, cohesive and functional, provide for the needs of their community and capitalise on the sustainable use of existing and planned infrastructure.
- Activity centres** have a compact urban form with pedestrian-dominant streetscapes and public realm based around a main street(s) and public open spaces.
- Street design and the urban structure is conducive to and prioritises access to and within **activity centres** by walking, cycling and public transport.
- Private vehicle trips to and within **activity centres** are minimised, reducing the demand for parking.
- Planning and development of **activity centres** balances the environmental, social, health, economic and cultural values of **activity centres** to provide a net positive benefit to local communities.

7 POLICY MEASURES

7.1 Activity centre hierarchy—roles and characteristics

- Appendix 1 outlines the roles and characteristics of the various classification levels of the **activity centre hierarchy**. Appendix 1 also shows a consolidated list of the established and planned **hierarchy** of capital city, specialised, strategic, secondary and district **activity centres**, as identified in regional, sub-regional and district-level strategies, frameworks and structure plans. The established and planned **hierarchy** of neighbourhood and local centres are identified in the relevant local planning strategy.
- The **hierarchy** is to be used when preparing and determining planning instruments and subdivision and development applications to coordinate the location and distribution of **activity centres** within an area, and the **hierarchy** classification, roles and characteristics of individual **activity centres** (also refer Implementation Guidelines sections 3 and 4).

- (c) Planning instruments and subdivision and development applications should be consistent with the **activity centre's** classification in the **hierarchy** and the roles and characteristics of that classification (as outlined in Appendix 1).
- (d) The **activity centre hierarchy** provides for certainty and maintains level of service to the community in accordance with the objectives of this policy. In limited circumstances, new centres may be identified, and existing centres reclassified, at the discretion of the WAPC through an appropriate strategic planning process, in accordance with the Implementation Guidelines (section 3).
- (e) Decision-makers should ensure planning instrument approvals and subdivision and development decisions support the established and planned **activity centre hierarchy**. Decision-makers should not support planning instruments or subdivision and development applications that are likely to—
 - undermine the established and planned **activity centre hierarchy**;
 - be inconsistent with the objectives and outcomes of SPP 4.2;
 - result in a deterioration in the level of service to the local community;
 - undermine public investment in infrastructure and services; or
 - unreasonably affect the amenity of the locality through traffic or other impacts.

7.2 Needs Assessment

- (a) A **Needs Assessment** provides an information base to support decision-making by including an assessment of projected land use needs of communities in a local government area. The **Needs Assessment** should consider and assess the demand for all **activity centre uses** and is to be prepared as part of a local planning strategy to guide future development.
- (b) Where a local planning strategy does not have a **Needs Assessment**, or the **Needs Assessment** has not been updated for more than five years, a new **Needs Assessment** may be prepared in support of a—
 - local planning scheme/scheme amendment
 - precinct structure plan
 - standard structure plan at the district or local level.

Note: Needs Assessments should not be prepared for development applications. In circumstances where the relevant strategy or structure plan does not include a Needs Assessment, development applications should be accompanied by a Net Benefit Test.

- (c) Once proposed floorspace and/or land requirements are identified, this information should be shown spatially within the planning document being prepared and include an indicative range of **activity centre use** floorspace per **activity centre**.
- (d) Guidance on the appropriate approach and methodology for a **Needs Assessment** is provided within the Implementation Guidelines (Appendix G1).

7.3 Requirement for precinct structure plans and local development plans

- (a) A precinct structure plan is to be prepared for strategic, secondary, district and specialised **activity centres** unless the WAPC is satisfied that one is not required (refer Implementation Guidelines section 3.3.2.1).
- (b) A precinct structure plan or a local development plan may be prepared for neighbourhood and local **activity centres**, at the discretion of the local government and the WAPC. This requirement (or exemption) should be outlined in a local planning strategy and/or local planning scheme.
- (c) Precinct structure plans and local development plans are to be prepared in accordance with the requirements of SPP 7.2 *Precinct Design*, SPP 7.2 *Precinct Design Guidelines* and other relevant policies and guidelines.
- (d) Precinct structure plans and local development plans (where required) should be endorsed by the relevant decision-maker for that instrument prior to a **major development** being approved to ensure the development of the **activity centre** is integrated, cohesive and accessible.
- (e) To ensure cumulative development within a centre is considered, where the **major development** threshold (see Table 1) is not initially triggered by a development, any subsequent development application for additional floorspace on the same lot within five years of development approval will be classified as major development if the combined floorspace exceeds the relevant threshold.
- (f) Where a local planning scheme amendment (or new local planning scheme) proposes to rezone land in a way that could accommodate **major development**, a precinct structure plan should be prepared and approved concurrently with the amendment (refer Implementation Guidelines section 3.3.2).
- (g) Precinct structure plans and local development plans may be prepared by the WAPC, the relevant local government or by landowners. A consolidated precinct structure plan or local development plan may be prepared that applies to a group of **activity centres** where their walkable catchments overlap and where coordinated planning may lead to greater efficiencies and improved planning outcomes. Each centre's individual characteristics should be reflected in the plan.

7.3.1 Major development in the absence of an endorsed precinct structure plan or local development plan

- (a) While it is expected that precinct structure plans or local development plans are endorsed prior to **major development**, in exceptional circumstances a **major development** may be considered in the absence of an endorsed precinct structure plan or local development plan (where one is required) subject to achieving all the objectives and outcomes of this policy, and—
- the **major development** satisfying other relevant requirements of this policy, particularly section 7.6 Urban Form, and the requirements of SPP 7.2 *Precinct Design* and SPP 7.2 *Precinct Design Guidelines*; and,
 - demonstrating to the satisfaction of the decision-maker that—
 - the proposal delivers an immediate and demonstrated local need (as identified in an endorsed local planning strategy, refer section 7.2) for the proposed floorspace and land uses; or
 - the proposal delivers significant net benefit to the community (as demonstrated by a **Net Benefit Test**, refer section 7.8), above what is identified in current and emerging plans.
- (b) An exceptional circumstances exemption should—
- only be granted for proposals where the proponent demonstrates that the development will proceed within the approval validity period (such as through funding arrangements and/or engagement with future tenants and construction partners);
 - not be granted more than once for the same **activity centre**, regardless of whether any previous approvals were substantially commenced or not; and
 - not be granted for **planned activity centres** (such as those in greenfield areas).

7.4 Land uses

7.4.1 Land use diversity

- (a) A diversity of land uses in **activity centres** is essential to their vitality and viability, and promotes a more equitable distribution of services, activities and employment for the community, including at different times of the day.
- (b) It is expected that **activity centres** (neighbourhood and above) develop in a manner that does not result in a predominantly single purpose centre.
- (c) Planning instruments should provide for a wide range of office, commercial, retail, food and hospitality, entertainment, education, leisure, cultural/tourist, recreation (public and private), community facilities, medium and high-density residential land uses in **activity centres**, having regard to the following—
- the indicative land uses for the centre (Appendix 1)
 - employment requirements (refer section 7.5)
 - whether the centre has a rail station or other high frequency public transport
 - the extent of land in common ownership
 - the existing land use mix
 - the proposed scale of development
 - the availability of quality public open space
 - the extent to which the **activity centre** and its catchment have already developed.
- (d) Land uses that generate activity outside normal business hours (e.g. hospitality and entertainment, community facilities, gymnasiums) should be located in **activity centres** to generate additional evening and weekend activity and to take advantage of shared use of facilities such as car parking and public transport.
- (e) **Major developments** should achieve a diversity of land uses to provide for the community that they serve, consistent with any land use mix requirements outlined in the relevant precinct structure plan and/or local planning strategy. Where market factors may not support a diversity of land uses in the near-term, the proposal should demonstrate that it can easily adapt over time to achieve a diversity of land uses (refer Implementation Guidelines section 4.3).
- (f) Subdivision applications should ensure that the lot configuration, lot widths and lot depths are appropriate for the types of activity centre uses and dwellings that are planned for in the **activity centre** to avoid prejudicing the ultimate vision for the **activity centre** (refer Implementation Guidelines section 4.2).
- (g) Decision-makers should consider the provisions in this policy, such as Appendix 1, that guide location and appropriate floorspace sizes when considering discretionary land uses in local planning schemes (D and A uses).

7.4.2 Housing

- (a) Medium and high-density housing should be incorporated within **activity centre cores** and **frame** areas and the **walkable catchment(s)** of **activity centres** to support the non-residential functions of the activity centre, provide opportunities to live near services and employment, establish a sense of community and increase activity outside normal business hours. Average residential densities and preferred dwelling types are provided in Appendix 1. These are intended as a guide to inform precinct structure planning, local planning strategies

and local planning scheme reviews and amendments (refer Implementation Guidelines section 3.3.6).

- (b) Housing supply in specialised centres should be assessed on a case-by-case basis, with the exception of Perth and Jandakot Airports which should not have housing.
- (c) In accordance with SPP 7.2 *Precinct Design Guidelines* and other relevant policies, precinct structure plans for activity centres should address the need generated by any increased population for additional—
 - public open space and recreation facilities
 - schools and other community facilities
 - transport and servicing infrastructure
 - affordable housing.

It may be appropriate that a range of mechanisms are used to address some of this provision including development incentives (refer section 2.8 of SPP 7.2 *Precinct Design Guidelines*) and/or development contributions (refer SPP 3.6 *Infrastructure Contributions*).

- (d) Planning and development in **activity centres** should meet the average residential density (outlined in Appendix 1) or demonstrate that it can be met in the future (refer Implementation Guidelines section 4.3).

7.4.3 Shops and Bulky Goods Showrooms

- (a) The location, distribution and design of **shops** and **bulky goods showrooms** should support the established and planned **activity centre hierarchy**. Appendix 1 and the **major development** thresholds (Table 1) provide guidance on where different types and sizes of **shop (small and large)** and **bulky goods showrooms** should be located.
- (b) **Shops** are important anchors of **activity centres** and should be located in **activity centres** wherever possible, particularly where those **shops** provide for the daily and weekly needs of their community.
- (c) When assessing development applications for **shops**, decision-makers should consider the following—
 - maximising efficient and equitable access to essential goods and services, particularly fresh food, by the community
 - the zoning in the local planning scheme
 - availability of land within existing or higher order **activity centres**
 - urban design that facilitates the enhancement of the public realm and supports a mix of retail scale and opportunity.
- (d) **Bulky goods showrooms** are to be considered and planned at all levels of the planning framework to ensure that the opportunities for this land use are facilitated, while the impacts of this land use on the **activity centre network** and policy objectives are managed.
- (e) **Bulky goods showrooms** should be located in the **activity centre frame** due to their unique requirements (refer to section 7.6 Urban Form). There are existing standalone precincts outside the **activity centre network**, often adjacent to industrial areas, and this policy does not prevent them from continuing. However, new standalone precincts of this nature outside the **activity centre network** should be considered for any potential to undermine the **activity centre hierarchy**.

7.4.4 Offices

- (a) As outlined in Appendix 1, larger offices (**office—large**) should be located in the capital city and strategic centres. Secondary centres and district centres with rail stations, and some specialised centres are also suitable for larger offices.
- (b) Office development in other secondary, district centres and in neighbourhood centres should generally be smaller and of a scale that complements the function of the centre (**office—small**).
- (c) Offices, unless ancillary to industrial developments, should not be located on land zoned for industry under the region or local planning scheme.

7.5 Employment

- (a) **Activity centres** are priority locations for employment and employment-generating activities and should contribute towards the achievement of the relevant regional and sub-regional employment self-sufficiency objectives.
- (b) Some **activity centres** are well suited to providing opportunities for **strategic employment**, in addition to population-driven employment, due to their characteristics such as access to **high-frequency public transport** and freight networks, proximity to **strategic employment** lands and existing industry agglomerations, and high populations within their catchments.
- (c) Planning instruments are to facilitate—
 - employment opportunities in **activity centres** by maximising the density and range of activities to improve access to a range of jobs
 - where appropriate, **strategic employment** opportunities
 - development that can be a catalyst for further economic development and employment growth, both locally and for the State

- education and training, health and other specialist facilities in higher-order **activity centres**
 - co-locating retail, commercial, entertainment and other compatible uses with tertiary education, health and other suitable uses in specialised activity centres.
- (d) **Major development** should meaningfully contribute towards achieving employment objectives outlined in the relevant precinct structure plan and/or within an endorsed local planning strategy.

7.6 Urban form

- (a) **Activity centres** are to be defined by a compact urban form with pedestrian-dominant streetscapes where the primary focus of activity is on key public streets and open spaces. Appendix 1 outlines the typical urban form for each of the **activity centre** types.
- (b) **Activity centre** cores should incorporate the following key design elements—
- a main street (or main streets in larger centres), with buildings built to the street edge, active land uses at ground levels, frequent openings to the street, variable frontage widths, facade articulation and weather protection for pedestrians (colonnades/awnings and/or street trees)
 - pedestrian and cyclist prioritisation through providing wider footpaths, streets designed for lower vehicle speeds, and having carparks sleeved behind or integrated into buildings
 - street blocks that enable permeability and legibility for pedestrians (indicative range of 60-120 metres wide by 120-240 metres long), including mid-block pedestrian links
 - high quality public realm and public open spaces incorporating plazas, malls, green spaces, green linkages and streetscapes/lanes accessible by residents, visitors and workers at all times of the day and night.
- (c) It is acceptable to adapt the key design elements to suit the smaller size of local and neighbourhood centres, provided that the overall principle of a pedestrian-dominant compact urban form is not compromised.
- (d) The **activity centre frame** and wider **walkable catchment** should relate to the **core** and be similarly pedestrian and cyclist focused with appropriate amenities and weather protection along key approaches to the centre core and public transport stations/stops.
- (e) Where **activity centres** also include service commercial sub-precincts (for **bulky goods showrooms** and other similar land uses), these should be integrated with the centre and designed to ensure pedestrian safety whilst recognising that good vehicle access is necessary for these land uses. The preferred location for these sub-precincts is as part of the **frame**, adjacent the **activity centre core**, with access to regional road and public transport networks. Street blocks should be sized to enable permeability and legibility and to provide an **activity centre** structure than can accommodate change over time.
- (f) The urban form of an existing **activity centre** may need to change over time depending on the existing development pattern, particularly for **activity centres** with an urban form dominated by a shopping centre and large areas of car parking. The existing form and function of an **activity centre** should be investigated, and consideration given to how it may need to change to address the key urban form elements of **activity centres** when preparing a precinct structure plan for an **activity centre**. This may include the provision of new public open spaces to provide for the needs of new residents and increased visitors to the centre.
- (g) All precinct structure plans and local development plans for **activity centres** are to satisfy the requirements of SPP 7.2 *Precinct Design* and SPP 7.2 *Precinct Design Guidelines*. Development applications should satisfy the urban form guidance contained within an endorsed precinct structure plan or local development plan.
- (h) Subdivision applications should consider and support the future urban form of the **activity centre** in accordance with the Implementation Guidelines (refer section 4.2).

7.7 Movement and access

- (a) The physical organisation of the **activity centre** network and individual **activity centres** needs to support, and be supported by, a balanced access and movement network that makes it safe, convenient and practical for residents, employees and visitors to maximise travel by walking, cycling and public transport both within and between activity centres, while minimising the need to travel by private car. The planning for **activity centres** should seek to—
- ensure infrastructure investment and space allocation for private car use does not compromise the achievement of activity centre land use and urban form objectives
 - reduce private vehicle dependence, particularly for commuter trips, and manage the impacts of vehicle movements and parking
 - enable a range of transport choices that meet the access needs of residents, employees and visitors, including universal access
 - Promote a balanced movement network that prioritises walking, cycling, public transport, and shared mobility
 - Provide for safe and efficient freight and delivery access to the activity centre.

- (b) Precinct structure plans for **activity centres** are to satisfy relevant requirements of SPP 7.2 *Precinct Design Guidelines* (Design Element 4: Movement), including the identification of upgrades to transport infrastructure to support the expected activity centre uses and residential growth of the **activity centre**. The provisions of SPP 3.6 *Infrastructure Contributions* should be considered as part of this process.
- (c) For strategic, specialised and secondary activity centres the precinct structure plan is to include—
 - mode share targets to promote a shift away from private vehicle use to the maximum extent possible based on the current and planned capacity of the movement network and access needs of the **activity centre**
 - a parking cap to constrain private vehicle trip generation and promote mode shift
 - a parking plan outlining how public parking will be supplied and managed across the whole **activity centre** to prioritise use and availability between different user groups.

The WAPC's *Guidelines for Integrated Transport Plans* and the Department of Transport's *Transport Planning Guidelines* relevant to activity centres and large shopping centres should be used when preparing the above.
- (d) The requirements in sub-clause (c) may be extended to district centres that have a rail station at the discretion of the WAPC. This requirement may be identified during preparation of the relevant local planning strategy or at a later stage.
- (e) Development applications for **major development** are to include travel plans and parking supply and management plans (prepared in accordance with Department of Transport's *Transport Planning Guidelines*) that support the mode share target identified in the precinct structure plan. The responsible authority may impose reasonable conditions on development approvals relating to contributions (financial or works) towards upgrades to transport infrastructure (such as roads, public transport, cycling infrastructure and paths) in proportion to the number of trips generated by the proposal and in accordance with SPP 3.6 *Infrastructure Contributions*.

7.8 Net Benefit Test

- (a) **Major development** proposals within **activity centres** and **out-of-centre developments** can have an adverse effect on the extent and adequacy of facilities and services available to a local community, and the ability to access them in an efficient and equitable manner by walking, cycling and public transport.
- (b) It is therefore important to ensure that development of **activity centre uses** within an area generally complies with the floorspace need identified for specific activity centres in local planning strategies or structure plans (a Needs Assessment, refer section 7.2) and where a proposal exceeds that floorspace need, the proposal is to demonstrate a net benefit to the community of any impacted centres.
- (c) The purpose of the **Net Benefit (NB) Test** is to ensure that development applications and planning instruments align with the objectives of this policy.
- (d) A net benefit occurs when the benefits (pros) to the community arising from a proposal outweigh any identified impacts (cons) to the community arising from a proposal.
- (e) Unless exempt, a **NB Test** is required for—
 - development applications for **major development**
 - development applications for **out-of-centre development**
 - planning instruments that identify new land or rezone land to facilitate **major development** or **out-of-centre development**
- (f) Where an endorsed local planning strategy or structure plan includes an indicative amount of **activity centre use** floorspace for the activity centre derived from a **Needs Assessment**, a **NB Test** is only required where this indicative activity centre use floorspace is proposed to be exceeded.
- (g) Perth Capital City and strategic centres are exempt from the requirement for a **NB Test**.
- (h) The **NB Test** is to demonstrate that the proposal will—
 - not have an unreasonable and detrimental impact on the activity centre hierarchy or the existing or planned functions of activity centres
 - not have an unreasonable and detrimental impact upon existing, committed and planned public and private investment in activity centres
 - deliver net benefit to the community and not reduce the level of access to services by the community.
- (i) A **NB Test** is to be prepared by the proponent in accordance with the methodology provided within the Implementation Guidelines (section 5) and is to be submitted with the relevant planning instrument or development application.

7.9 Out-of-centre development

- (a) There is a general presumption against the approval of **activity centre uses** outside of **activity centres** as they are likely to impact nearby **activity centres** and the overall **activity centre hierarchy**.

- (b) **Out-of-centre development** is—
- any development application that proposes floorspace greater than 500m² NLA for **Category A activity centre uses** located outside the boundary (refer Implementation Guidelines section 3.3.4) of an **activity centre**, unless exempt [refer sub-clauses (c) and (d)]; and/or
 - any new planning instrument or amendment to a planning instrument that will result in new land being capable of accommodating **Category A or B activity centre uses** outside of **activity centres** (regardless of land size).
- (c) Development applications for **Category B activity centre uses** are not considered to be **out-of-centre developments** where the existing zoning contemplates (P, D, A) those land uses. They are not required to be assessed against this policy.
- (d) Development applications for **Category A activity centre uses** up to 1500m² NLA are not considered to be **out-of-centre developments** where they are located substantially within the 400m **walkable catchment** of a rail station. Assessment against this section of the policy is not required.
- (e) For development within the Greater Bunbury Region Scheme, **out-of-centre development** provisions are only applicable within the **Bunbury Metropolitan Area**.
- (f) **Out-of-centre developments** are to be assessed in line with this policy, including the requirement for a **NB Test** (refer section 7.8).
- (g) **Out-of-centre development** may only be appropriate where it is—
- sufficiently separated from nearby **activity centres** to minimise negative impacts to those **activity centres** (as demonstrated through the **NB Test**);
 - in proximity to existing housing at an average dwelling density of at least 25 dwellings per gross Urban Zone (Region Schemes) hectare within a 400m **walkable catchment** of the development; and
 - accessible to its catchment community by walking and cycling, minimising the need for additional private vehicle trips.

8 DEFINITIONS

Activity centre

An activity centre shown in an endorsed regional, sub-regional, district-level or local-level strategy, framework or structure plan. Capital City, Strategic, Specialised, Secondary and District activity centres endorsed at the date of gazettal are shown in Appendix 1 for reference.

Activity centre core

The main focus(es) of activity within the **activity centre**. Cores contain any central points from which **walkable catchments** are measured (refer walkable catchment definition).

Activity centre frame

The secondary focus of activity within the activity centre, adjacent to the **core**. **Walkable catchments** are not measured from the frame area. Smaller centres may not have a frame.

Activity centre hierarchy / network, hierarchy

All **activity centres, existing and planned**, within the Metropolitan and Peel Region Scheme areas and the **Bunbury Metropolitan Area**, arranged into the seven classification levels being capital city, strategic, specialised, secondary, district, neighbourhood and local activity centres.

Activity centre use(s), category A and B

Includes the following land uses as defined in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, split into Categories A and B:

Planning Land Use Categories*	Category A uses <i>Triggers various policy requirements when exceeding the 'major development' threshold</i>	Category B uses <i>Only triggers policy requirements when preparing new or amendments to planning instruments</i>
Shop/Retail (PLUC: 5-SHP)	Shop Liquor store—large Fast food outlet / lunch bar Restaurant/café	Convenience store Liquor store—small Market Restricted premises Service station
Other Retail (PLUC: 6-RET)		Bulky goods showroom Motor vehicle, boat or caravan sales
Office / Business (PLUC: 7-OFF)		Medical centre Office

Planning Land Use Categories*	Category A uses <i>Triggers various policy requirements when exceeding the 'major development' threshold</i>	Category B uses <i>Only triggers policy requirements when preparing new or amendments to planning instruments</i>
Entertainment / Recreation / Cultural (PLUC: 9-ENT)		Amusement parlour Art gallery Cinema / theatre Hotel Motel Nightclub Reception centre Recreation—private, Small bar Tavern
Service Industry (PLUC: 4-SER)		Motor vehicle repair Motor vehicle wash

*From the WAPC's Land Use and Employment Survey.

Note 1: Other land uses in local planning schemes may be suitable in activity centres (for example consulting rooms, trade supplies) but are not subject to this policy as they may also be suitable outside activity centres.

Note 2: Where a land use in a local planning scheme reasonably aligns with the above land uses (for example personal care services which aligns with shop), decision-makers should consider whether this policy should apply to that land use.

Bulky goods showroom

As defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Bunbury Metropolitan Area

As shown in the *Bunbury-Geographe Sub-Regional Strategy*.

Established activity centre

There are existing **activity centre uses (or use)** within the **activity centre**.

Existing or proposed train station

An existing train station or a proposed train station identified in a sub-regional planning framework, within a 400m walkable catchment of the activity centre.

High frequency public transport

A public transport route, or multiple routes serving the same station/stop that if combined have timed stops every 15 minutes during weekday peak periods (7am to 9am and 5pm to 7pm).

Major development

A development application is considered a major development if the net additional floorspace for **Category A activity centre use (or uses)** is greater than the thresholds in Table 2. Note, this includes a development application for change of use from a Category B use to a Category A use.

Table 2: Major activity centre use floorspace thresholds

Activity Centre Hierarchy	Established Activity Centre (m² NLA)	Planned Activity Centre (m² NLA)
Strategic	10000	0—any development in a planned centre is major development
Specialised	3000	
Secondary	10000	
District	5000	
Neighbourhood	3000	
Local	1500	

Needs Assessment

As outlined in section 7.2 Needs Assessments, an information base to support decision-making by including an assessment of projected land use needs of communities in a local government area, that considers and assesses the demand for all **activity centre uses**.

Net Benefit Test

A test prepared in accordance with section 7.8 Net Benefit Test.

Net lettable area (NLA)

As defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Planned activity centre

There are no existing **activity centre uses (or use)** occurring within the **activity centre**.

Office

As defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*. SPP 4.2 provides for two different sizes—

- Office—small—no greater than 1500m² NLA
- Office—large—greater than 1500m² NLA

Out-of-centre development

As outlined in section 7.9 Out-of-Centre Development, out-of-centre development is—

- Any development application that proposes floorspace greater than 500m² NLA for **Category A activity centre uses** located outside the boundary of an **activity centre**, unless exempt
- Any new planning instrument or amendment to a planning instrument that will result in new land being capable of accommodating **Category A or B activity centre uses** outside of **activity centres** (regardless of land size).

Shop

As defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*. SPP 4.2 provides for two different sizes—

- Shop—small—no greater than 1500m² NLA
- Shop—large—greater than 1500m² NLA.

Strategic employment

Is associated with the production and transfer of goods, services and knowledge predominantly to serve markets beyond the immediate location or catchment. Also known as 'trade clusters', as distinct from 'local clusters', which comprise industries that serve local population and business driven demand.

Walkable catchment

Derived from application of the 'ped-shed' technique to the existing or proposed street/footpath network measured from an agreed upon central point(s) within the **activity centre core**. The central point(s) may be a town square or main street, rail or bus station and/or important services such as a supermarket. Depending on the **centre type** (Appendix 1), the extent of the walkable catchment is either 200m, 400m, 800m or 1200m with the inner 200m comprising the **centre core**.

APPENDIX 1—ACTIVITY CENTRE HIERARCHY—ROLES AND CHARACTERISTICS

CAPITAL CITY	
ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
METROPOLITAN (PERTH) AND PEEL REGION SCHEME Perth Northbridge East Perth West Perth	Main role and typical attributes
	Perth Capital City (including Northbridge, East Perth and West Perth) is the largest of the activity centres, providing the most intensely concentrated development in the Perth, Peel and Bunbury regions. It has the greatest range of high order services and jobs, and the largest commercial component of any activity centre. It is generally comprised of the highest density residential and commercial buildings, has excellent multi-modal public transport connections and is the centre for cultural and entertainment facilities.
	Future indicative service population (trade) area
	Western Australia
	Typical transport connectivity and accessibility
	Focus of regional transport networks, including passenger rail and major bus routes.
	Desired land uses
	All land uses with a good distribution to ensure walkable access to daily and weekly goods and services for residents, visitors and workers. Local and neighbourhood centre land uses should be scattered throughout the capital city centre to ensure walkable access to daily and weekly goods and services for residents, visitors and workers.
	Typical urban form
	High density urban area characterised by high-rise office towers and podium and tower residential developments that support highly activated and pedestrianised streets and public spaces. New development should contribute to an attractive, dynamic and liveable city environment.
	Average residential density (dwellings per gross Central City Area Zone hectare within the walkable catchment)
	75+
	Preferred residential dwelling types
	Medium to high-rise apartments/multiple dwellings

STRATEGIC CENTRES	
ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
METROPOLITAN (PERTH) AND PEEL REGION SCHEME Armadale ^T Cannington ^T Fremantle ^T Joondalup ^T Mandurah ^T Midland ^T Morley Rockingham ^T Stirling ^T Yanchep City ^T GREATER BUNBURY REGION SCHEME Bunbury CBD	Main role and typical attributes
	Strategic centres are the main regional and sub-regional activity centres. They are multi-purpose centres that provide a diversity of uses and are the main focus for housing and employment growth outside the Capital City. These centres provide the full range of economic and community services necessary for the communities in their catchments and wider region. These centres are expected to service substantial populations, providing health, community and social services, be well-served by public transport and provide opportunities for business agglomeration.
	Future indicative service population (trade) area
	300,000—400,000 persons
	Typical transport connectivity and accessibility
	Important focus for passenger rail and high frequency bus network with routes to multiple destinations.
	Desired land uses
	The centre core or cores should contain district centre land uses and office—large. Local and neighbourhood centre land uses should be scattered throughout the strategic centre to ensure walkable access to daily and weekly goods and services for residents, visitors and workers.
	Typical urban form
	High density urban area within the centre core(s) characterised by mid and high-rise office towers and podium and tower residential developments that support highly activated and pedestrianised street frontages and public spaces.
	Mid-rise buildings and contiguous, pedestrian friendly street frontages and public spaces outside the centre core(s) that include some activation.
	New development should contribute to an attractive, dynamic and liveable environment with a coherent street frontage that has a pedestrian scale.
	Average residential density (dwellings per gross Central City Area/Regional Centre Zone hectare within the walkable catchment)
	30+ (800m) 50+ (800-1200m) where there is an existing or proposed train station within 400m of the centre
	Preferred residential dwelling types
	Medium to high-rise apartments/multiple dwellings

^T Indicates a centre with a train station

SPECIALISED CENTRES AND NODES	
ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
METROPOLITAN (PERTH) AND PEEL REGION SCHEME <u>Education, research and health specialisation</u> — UWA/QE2 Karnup (East) Murdoch <u>Education, research and technology specialisation</u> — Bentley/Curtin <u>Aviation and logistics specialisation</u> — Perth Airport*	Main role and typical attributes
	Specialised centres focus on regionally significant economic and institutional activities, such as logistics-based businesses for airports or knowledge-based for health and tertiary education precincts. Planning for these centres should aim to protect the specialisation while improving the growth and clustering of business activity of State and regional significance, particularly in knowledge-based or logistics-based industries. These areas are to be developed as places with a concentration of linked businesses and institutions providing a major contribution to the economy, with excellent transport links and potential to accommodate significant future growth in jobs and in some instances housing. Specialised nodes are smaller in scale than specialised centres.
	Future indicative service population (trade) area
	n/a
	Typical transport connectivity and accessibility
	Important focus for passenger rail and/or high frequency bus network.
	Desired land uses
	n/a
	Typical urban form
	n/a
	Average residential density (dwellings per gross hectare within the walkable catchment)

Jandakot Airport*	n/a
GREATER BUNBURY REGION SCHEME	Preferred residential dwelling types
<u>Education research and health specialisation—</u> Bunbury Health and Education Precinct (College Grove)	n/a

*Under s112 of the *Airports Act 1996 (Commonwealth)*, Perth and Jandakot Airports are not subject to the Western Australian planning framework, including SPP 4.2. Instead, Part 5 of the *Airports Act 1996 (Commonwealth)* regulates land use planning through requiring the preparation of 'Airport master plans' and 'Major development plans'. These 'plans' must consider their impacts on, among other things, "the local and regional economy and community, including...commercial and retail development in the adjacent area" and must address and justify any inconsistencies with adjoining planning schemes.

SECONDARY CENTRES	
ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
METROPOLITAN (PERTH) AND PEEL REGION SCHEME	Main role and typical attributes
Alkimos ^T	Secondary centres share some characteristics with strategic centres but serve smaller catchments and offer a more limited range of services, facilities and employment opportunities. They perform an important role in the regional economy and provide essential services to their catchments. Secondary centres with a rail station should be a focus for medium and high-density housing, employment growth and diversity of land uses.
Belmont	
Booragoon	
Claremont ^T	Future indicative service population (trade) area
Clarkson	Up to 150,000 persons
Cockburn ^T	Typical transport connectivity and accessibility
Ellenbrook ^T	Important focus for passenger rail and/or high frequency bus network with routes to multiple destinations.
Karrinyup	Desired land uses
Kwinana	All local, neighbourhood and district centre land uses.
Leederville ^T	Secondary centres with access to a rail station may be suitable for office—large.
Maddington ^T	Typical urban form
Mirrabeeka	Medium and high-density urban area within the centre core characterised by mid to high-rise buildings that provide contiguous, activated and pedestrian-friendly street frontages and public spaces.
Pinjarra	Outside the core, low to mid-rise buildings achieve a pedestrian scale at the street frontage and streetscapes retain an attractive landscaped character through street planting and landscaping of the private realm.
Subiaco ^T	New development should create an attractive and coherent street frontage that reflects the prevailing or planned pattern of street setbacks
Two Rocks North	Average residential density (dwellings per gross Urban Zone hectare within the walkable catchment)
Victoria Park	25+ (400m)
Wanneroo	40+ (800-1200m) where there is an existing or proposed train station within 400m of the centre
Warwick	Preferred residential dwelling types
Whitfords (Hillarys)	Medium to high-rise apartments/multiple dwellings
GREATER BUNBURY REGION SCHEME	Town houses/Grouped dwellings—2+ storeys
Wanju (Waterloo)	

^TIndicates a centre with a train station

DISTRICT CENTRES

ACTIVITY CENTRES

METROPOLITAN (PERTH) AND PEEL REGION SCHEME				GREATER BUNBURY REGION SCHEME
Central Sub-Region		North-West Sub-Region	South Metropolitan Peel Sub-Region	
Ashfield ^T	Petra Street	Alexander Heights	Baldivis	Bunbury Forum (East Bunbury)
Bassendean ^T	Riseley Street (Ardross)	Banksia Grove	Byford ^T	Dalyellup
Bayswater ^T	Riverton/Parkwood	Butler ^T	Cockburn Coast (North Coogee)	Eaton
Bentley	Scarborough	Currambine	Falcon	Fair (Eaton)
Bull Creek	Southlands (Willetton)	Eglinton ^T	Forrest	Parks Centre (Carey Park)
Burswood Peninsula ^T	South Perth	Girrawheen	Lakes (Thornlie)	Treendale
Canning Bridge ^T	Stirling Central (Westminster)	Gnangara ^T	Gosnells ^T	
Cottesloe ^T	Wembley/Jolimont	Greenwood	Halls Head	
Dianella	West Leederville ^T	Madeley	Harrisdale	
Dog Swamp (Yokine)		Sorrento	Karnup	
East Victoria Park		Two Rocks (Town Centre)	Kelmscott ^T	
Fitzgerald		Woodvale Yanchep Central	Lakelands	
Street (North Perth)		Yanchep Centre E	Mundijong (Whitby)	
Floreat		Yanchep Centre F	Phoenix (Spearwood)	
Glendalough ^T			Ravenswood (Riverfront)	
Inglewood		North-East Sub-Region	Secret Harbour	
Kardinya		Brabham ^T	Southern River	
Livingston (Canning Vale)		Kingsford (Bullsbrook)	Thornlie	
Main Street (Osborne Park)		Forrestfield	Wandi	
Maylands ^T		High	Warnbro	
Melville		Wycombe (Station) ^T	Waroona	
Mount Hawthorn		Kalamunda	Wungong (Hilbert)	
Mount		Mundaring		
Lawley/Highgate				
Noranda				
North Fremantle ^T				
Northlands (Balcatta)				
Oats Street (Carlisle) ^T				

ROLES AND CHARACTERISTICS

Main role and typical attributes

District centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale and catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the needs of their catchments. Many district centres also have a specialisation such as tourism or entertainment which serves a wider catchment. District centres with a rail station should be a focus for medium and high-density housing and employment growth.

Future indicative service population (trade) area

20,000—50,000 persons

Typical transport connectivity and accessibility

Focal point for rail and/or bus network, ideally with high frequency bus links.

Desired land uses

All local and neighbourhood centres land uses plus district centre land uses—

Bulky goods showroom, nightclub, cinema/theatre, hotel, motel.

District centres with access to a rail station may be suitable for office—large.

Typical urban form

Characterised by mid-rise buildings and contiguous, pedestrian friendly street frontages and public spaces that include some activation.

New development should create an attractive and coherent street frontage that has a pedestrian scale and provides passive surveillance of the street.

Average residential density (dwellings per gross Urban Zone hectare within the walkable catchment)

25+ (400m)

35+ (800-1200m) where there is an existing or proposed train station within 400m of the centre

Preferred residential dwelling types

Medium rise apartments/multiple dwellings

Town houses/grouped dwellings—2+ storeys

^T Indicates a centre with a train station

NEIGHBOURHOOD CENTRES

ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
Refer Local Planning Strategy	Main role and typical attributes
	Neighbourhood centres are important local focal points that provide for daily to weekly household shopping needs, community facilities and a small range of other convenience services. They are also a focus for medium density housing. These centres play an important role in providing walkable access to services and facilities for local communities.
	Future indicative service population (trade) area
	2,000—15,000 persons
	Typical transport connectivity and accessibility
	Stopping / transfer point for bus network
	Desired land uses
	All local centre land uses plus neighbourhood centre land uses— Shop—large, liquor store—large, market, restricted premises, amusement parlour, educational establishment, recreation—private, small bar, tavern, office—small, medical centre, art gallery.
	Typical urban form
	A compact and cohesive urban form that complements the surrounding built form character in scale and style. New development should contribute to the public realm by enhancing and activating the streetscape and contributing to creating a distinct and appealing character for the centre.
	Average residential density (dwellings per gross Urban Zone hectare within the walkable catchment)
	25+ (200m) 30+ (800m) where there is an existing or proposed train station within 400m of the centre
	Preferred residential dwelling types
	Low to medium-rise apartments/multiple dwellings Townhouses/grouped dwellings

LOCAL CENTRES

ACTIVITY CENTRES	ROLES AND CHARACTERISTICS
Refer Local Planning Strategy	Main role and typical attributes
	Local centres provide for the convenience and incidental needs of local communities. These centres provide an important role in providing walkable access to services and facilities for local communities.
	Future indicative service population (trade) area
	n/a
	Typical transport connectivity and accessibility
	n/a
	Desired land uses
	Local centre land uses— convenience store, shop—small, liquor store—small, fast food outlet / lunch bar, restaurant/café, small bar.
	Typical urban form
	Streetscapes have a landscaped character and built form patterns are defined by overall scale of the streetscape rather than individual building height or style. New development should respond to the existing or planned scale of the area. Development should include on-site landscaping to enhance the public realm and provide amenity for residents and neighbours.

	Average residential density (dwellings per gross Urban Zone hectare within the walkable catchment) *
	25+ (200m)
	Preferred residential dwelling types*
	Low-rise apartments/multiple dwellings
	Townhouses/grouped dwellings
	Single houses—Terrace

* Where local centres are located within industrial areas (either zoned Industrial under the region scheme or surrounded by Industry zone or similar, there is no requirement to provide residential land uses within the walkable catchment.

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO DEL2014/01

Notice of Amendment to Instrument of Delegation—Powers of Local Governments (GBRS)

Notice of amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Greater Bunbury Region Scheme, as gazetted on 9 May 2014, and as amended.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 23 March 2022 pursuant to section 16 of the Act, the WAPC resolved, amongst other things,—

- A. To AMEND the Instrument of Delegation 2014/01 Delegation Powers of Local Governments GBRS of certain powers and functions of the Western Australian Planning Commission as gazetted on 9 May 2014 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

SCHEDULE 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2018/01—Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Greater Bunbury Region Scheme as gazetted on 9 May 2014, and as amended.

2. Amendment to Schedule 2—Development on zoned land delegated to local governments (p1421)

- a) Clause 12 is deleted and replaced with the following new clause 12—
12. Development of the following kinds which is for Category A activity centre uses and which requires planning approval under the GBRS—
- (a) Development which—
- is major development located in a local centre or neighbourhood centre; or
 - is generally in accordance with a WAPC endorsed precinct structure plan; or
 - is major development 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.
- (b) Development for which the local government decides to refuse approval under the GBRS.

3. Amendment to Schedule 4—Definitions (p1423-1424)

- 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 GBRS. Unless the context otherwise requires—
- 'abutting' reserved land means the zoned land shares a common boundary with reserved land.
- 'access' means entry or exit (or both) from either a road or abutting development by a vehicle.
- 'activity centre' is defined in State Planning Policy 4.2.

'activity centre hierarchy' means the category 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 GBRs as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

'animal husbandry-intensive' has the same meaning as in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

'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 Bunbury 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*.

'non-conforming use' has the same meaning as it has in the *Planning and Development Act 2005* section 172.

'not acceptable' means that the local government wishes the application to be determined in a manner that is inconsistent with the advice and/or recommendation received from the advice agency which the local government was required to consult.

'planning approval' and 'planning approval under the GBRs' mean the planning approval of the WAPC as required under the GBRs and by resolution of the WAPC under clause 27 of the GBRs, whether granted by the WAPC or by delegates of the WAPC including committees, officers, local governments and members and officers of local governments.

'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.

'proximity' and 'in close proximity' mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.

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

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*.

PLANNING AND DEVELOPMENT ACT 2005**AMENDMENT TO RES2014/03****Resolution under clause 27 of the GBRS**

Notice of amendment to resolution made under clause 27 of the Greater Bunbury Region Scheme regarding development on zoned land requiring planning approval.

Preamble

Under clause 24 of the Greater Bunbury Region Scheme (GBRS), and subject to the exemptions stated in clause 25 and 26, 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 27 of the GBRS.

Resolution under clause 27 of the GBRS

On 23 March 2022, pursuant to section clause 27 of the GBRS, 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 2014/03 made by the WAPC on 22 April 2014 and published in the *Government Gazette* on 9 May 2014 at pages 1415 -1420 (**Resolution 2014/03**) as amended, 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 2014/03.

2. Schedule 1—amended (p1416)

- a) Paragraph 9 is deleted and replaced with the following new paragraph 9—

9. Development in Activity Centres

Applications made under clause 24 of the GBRS 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) 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.

2. Schedule 3—amended (p1418-1419)

- a) Schedule 3 is deleted and replaced with the following—

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

'abutting' reserved land means the zoned land shares a common boundary with reserved land.

'access' means entry or exit (or both) from either a road or abutting development by a vehicle.

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

'activity centre hierarchy' means the category 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 GBRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

'animal husbandry-intensive' has the same meaning as in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

'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 Bunbury office of the Department of Planning, Lands and Heritage.

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

'net lettable area' has the same meaning as in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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

'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.

'proximity' and 'in close proximity' mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.

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

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*.
