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UDIA ENGAGEMENT TOOLKIT

Significant Development Pathway Fact Sheet



Overview

Part 11B of the Planning and Development Act 2005 provides a refined assessment pathway directly to the Western Australian Planning Commission (WAPC) for complex and significant development proposals.

As the development approvals process can often be long and complex, particularly for larger projects, the State Government's Significant Development Pathway seeks to provide a streamlined assessment process for significant development proposals.

The permanent Part 11B Significant Development Pathway became operational on 1 March 2024 and is a refined version of the temporary Part 17 pathway by incorporating pre-lodgement and State agency referrals.

The State Development Assessment Unit (SDAU) is responsible for the coordination of Part 11B applications and will be operated within the Department of Planning, Lands and Heritage (Department). Whilst coordination of State referral agency submissions will be controlled by the new State Referral Coordination Unit (SRCU) which will manage stakeholder inputs and deliver a single whole-of-government response to submitted applications.

Eligibility

The Part 11B pathway is open to developments which are valued at:

- \$20 million or more for proposals located wholly or partly within the Perth or Peel Region Schemes or Swan Valley Planning Scheme; or
- \$5 million or more in other parts of the State.

Projects that do not meet the criteria above but raise issues which are worthy of State or regional significance can be authorised for entry into the pathway by the Premier, or by recommendation from the Minister for Planning.

Projects that meet the value threshold of the Part 11B pathway and are likely to benefit the most are those that:

- Present issues of State or regional importance;
- Involve referral to multiple State Government agencies and would be assisted by coordination; and/or
- Align with State government policies and priorities but are restricted by an out-of-date local planning framework.



Frequently Asked questions

What is the process?

The process for an application proceeding with the Significant Development pathway is as follows:

1. Pre-lodgement Engagement – prospective applications are required to consult the WAPC on the intent to proceed with the Part 11B pathway and seek design review. This process is fluid and feedback will depend on the attributes of the proposal and likelihood of approval.
2. Lodgement and Assessment – Lodged via a Form 11B-1, the application will be assessed by the Department, referred to the Local Government and relevant State agencies, and advertised. Assessment may require design review and additional information may be requested during this period.
3. Determination by WAPC – The Department will prepare a Responsible Authority Report with recommendation for consideration. WAPC will review the application at a meeting and will listen to deputations before determining the application. Applications are required to be determined within 120 days of lodgement.
4. Amendments – Applications seeking to amend approved developments can be lodged via a completed Form 11B-2. The assessment process, timeframe and determination pathway are similar to that of the original application but partially simplified dependent on extent of amendment.
5. Satisfying Conditions – After a proposal has received approval from WAPC, proponents will be provided with a Condition Tracking matrix to assist with clearance of conditions.

Who determines applications via the Part 11B pathway?

Part 11B applications are generally determined by the WAPC or a committee of the WAPC, such as the Statutory Planning Committee (SPC). Key stakeholders and anyone who made a submission during the consultation period will be provided with information on attending the meeting and/or making a deputation.

Applications are required to be determined within 120 days of lodgement unless otherwise agreed between the proponent and the WAPC.

Who/what is the SDAU?

The SDAU is a team of experienced planners who undertake various activities associated with significant development proposals on behalf of the WAPC. Activities include:

- Engaging in preliminary meetings pre-lodgement to determine the likelihood of approval, requirements for lodgement, and initial design review.
- Assessing development applications, including overseeing design review, preparing the RAR, liaising with the SRCU to manage stakeholder and State agency inputs.
- Assessing applications to amend approved developments, including applications to extend substantial commencement.
- Issuing clearances for conditions of approval on behalf of the WAPC.

Who is responsible for administering conditions of approval?

The SDAU, on behalf of the WAPC, works with the applicant and State Agency to propose recommended conditions to the board for review. Post approval, the SDAU are also responsible for issuing clearances for conditions on behalf of the WAPC.

Is the WAPC decision final?

An applicant may request that the determination be reviewed through the State Administrative Tribunal (SAT).

Consultation

Are there opportunities for public feedback?

Following initial planning, design review and technical consideration by the SDAU, the application will be released for public advertising and comment.

The submitted plans will be released on the Department's website and notices of the application will also be published in local newspapers, letters sent to the owners and occupiers of surrounding properties. There is no prescribed timeframe for the advertising of significant development applications, however, expectation is that applications will be advertised for a period of 28 days or more.

Opportunities to provide submissions for each application will be included on the consultation notices.

Members of the public may make an application to present to a WAPC meeting. The form must be completed and submitted no later than 2pm three business days prior to the WAPC meeting.

Useful Links/Resources

Overview of Part 11B

<https://www.planning.wa.gov.au/significant-development-pathway/part-11b-significant-development-pathway>





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