

PL408

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO RES2014/02

Resolution Under Clause 21 of the PRS

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 24 May 2017, pursuant to section clause 21 of the PRS, the WAPC resolved—

- A. To require any development which is on land zoned under the Peel Region Scheme and which is of a kind or class set out in Schedule A of this instrument, to have the planning approval of the WAPC;
- B. To require a local government to refer an application for development on land zoned under the Peel Region Scheme, and which is of a kind or class set out in Schedule A of this instrument, to the Department of Agriculture and Food for advice and recommendations before it is considered by the local government;
- C. To amend 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 B below, to give effect to this resolution; and
- D. To confirm that words used in this notice have the meanings given to them in the *Planning and Development Act 2005* and the PRS and, unless the context otherwise requires, the meanings defined in Schedule 3 of Resolution 2014/02.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

Schedule A**8. Development near or in the Priority Agricultural Land**

Development in, adjacent to or in close proximity to zoned land—

- (a) identified as Priority Agricultural Land in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy; and
- (b) which, in the opinion of the WAPC or the local government, is or carries the potential to—
 - i. be incompatible with agricultural activities on such land;
 - ii. be adversely affected by such agricultural activities; or
 - iii. adversely affect such agricultural activities.

Schedule B**1. Instrument of Resolution amended**

The amendments within this Schedule are to the Schedules set out in Resolution 2014/02.

2. Schedule 1—amended (p1414)

Schedule 1 is amended by the addition of the following clause—

“8. Development near or in Priority Agricultural Land

Development in, adjacent to or in close proximity to zoned land—

- (a) identified as Priority Agricultural Land in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy; and
- (b) which, in the opinion of the WAPC or the local government, is or carries the potential to—
 - i. be incompatible with agricultural activities on such land;
 - ii. be adversely affected by such agricultural activities; or
 - iii. adversely affect such agricultural activities.”

3. Schedule 2—amended (p1414)

Schedule 2 is amended by inserting a new clause 6 as follows—

“6. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.”

Further, existing clauses 6 and 7 of Schedule 2 are renumbered to 7 and 8, respectively.

4. Schedule 3—amended (p 1415)

The heading for Schedule 3 is amended to read “Schedule 3—Definitions and Interpretation”

