Appendix 1: Jurisdiction-Specific Reform Plan

National Competition Policy – Bilateral Schedule

FEDERATION FUNDING AGREEMENT - AFFORDABLE HOUSING, COMMUNITY SERVICES AND OTHER

Table 1: Formalities and operation of schedule	
Parties	Commonwealth Western Australia
Duration	This Schedule is expected to expire on 31 December 2034.
Purpose	This Schedule will support the delivery of the National Competition Policy multilateral Schedule. It contains Western Australia's Jurisdiction-Specific Reform Plan that details how Western Australia will deliver the Objectives and Performance Requirements of the multilateral Schedule.
Estimated financial contributions	

Table a **($ million)**		**% of maximum funding allocation**	**Maximum funding allocation ($ million)**
Liberalise and standardise commercial zoning rules and review planning requirements to ensure they do not distort competition			
Output 1	Performance milestone 1 Performance milestone 2	20%	5.088
Output 2	Performance milestone 1 Performance milestone 2	20%	5.088
Output 3	Performance milestone 1 Performance milestone 2	18.85%	4.795
Output 4	Performance milestone 1 Performance milestone 2	21.15%	5.381
Estimated total budget		**80%**	**20.351**
Lower barriers to modern methods of construction			
Output 1	Performance milestone 1 Performance milestone 2	10%	1.272
Output 2	Performance milestone 1	25%	3.180
Estimated total budget		**35%**	**4.452**
National competition principles			
Output 1	Performance milestone 1	100%	5.00
Estimated total budget		**100%**	**5.00**

Appendix 1: Jurisdiction-Specific Reform Plan

Table b

($ million)	**2026-2027**	**2027-2028**	**2028-2029**	**2029-2030**	**2030-2031**	**2035-2036**	**Total**
Estimated total budget	**0.687**	**6.374**	**0.510**	**0**	**4.452**	**17.781**	**29.804**
Less estimated National Partnership Payments	0.687	6.374	0.510	0	4.452	17.781	29.804
WA	0.0	0.0	0.0	0.0	0.0	0	0.0

2026-2027: Commercial Planning and Zoning, Output 4
2027-2028: Commercial Planning and Zoning, Output 3-4; National Competition Principles
2028-2029: Commercial Planning and Zoning, Output 4
2030-2031: Modern Methods of Construction, Outputs 1-2
2035-2036: Commercial Planning and Zoning, Outputs 1-4

Note: Payment arrangements are indicative as determined by the reporting requirements under Clauses 41 to 45 of the NCP Federation Funding Agreement (FFA) Schedule

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
Reform: Liberalise and standardise commercial zoning rules and review planning requirements to ensure they do not distort competition						
Project 1: Implement measures to limit anti-competitive objections to development	1) State and Territory Parties review their respective commercial zoning rules and planning requirements against Guidelines to identify how to achieve the Project 1 Output. 2) State and Territory Parties respectively implement reforms to limit anti-competitive objections to commercial development	No further reforms are planned as WA has already fully delivered Guideline actions 1.1a) and 1.1b) for Project 1 through past reform (see **Attachment 1**).	31/12/2034	$5.088m for reforms completed prior to 29/11/24 upon delivery of 'material additional progress' under Outputs 3 and 4 per Clause 39 of the NCP FFA Schedule.[1]	2035-36	

[1] Reforms considered *'material additional progress'* per Clause 39 of the NCP FFA Schedule include: (1) *the Stations Precinct Improvement Scheme,* (2) *the Consistent Local Planning Schemes Project,* (3) *the New State Development legislation to streamline project approvals,* (4) *the Digital Plan Lodgement Project*, and (5) *the Development of a Renewable Energy Planning Code* that are listed towards Outputs 3 and 4 of this Performance Requirement.

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
Project 2: Remove anti-competitive considerations from planning, rezoning and development processes	1) State and Territory Parties review their respective planning, rezoning and development processes against Guidelines to identify how to achieve the Project 2 Output. 2) State and Territory Parties implement reforms to remove anti-competitive elements from their respective planning, rezoning and development processes in Local Government areas.	Western Australia has already fully delivered Guideline actions 2.1a)-e) for Project 2 through past reform (see **Attachment 2**). However, Western Australia is due to review and update the State Planning Framework (State Planning Policy 1), which could present opportunities to go beyond the Guidelines to further enhance competition outcomes in planning, rezoning and development processes (see **Annexure A** for more information).	31/12/2034	$5.088m for reforms completed prior to 29/11/24 upon delivery of 'material additional progress' under Outputs 3 and 4 per Clause 39 of the NCP FFA Schedule.[2]	2035-36 FY	

[2] Reforms considered *'material additional progress'* per Clause 39 of the NCP FFA Schedule include: (1) *the Stations Precinct Improvement Scheme,* (2) *the Consistent Local Planning Schemes Project,* (3) *the New State Development legislation to streamline project approvals,* (4) *the Digital Plan Lodgement Project*, and (5) *the Development of a Renewable Energy Planning Code* that are listed towards Outputs 3 and 4 of this Performance Requirement.

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		**Delivery Mechanism**				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
Project 3: In development control instruments, increase the number of purposes for which land can be used.	1) State and Territory Parties review their development control instruments against Guidelines to identify how to achieve the Project 3 Output. 2) State and Territory Parties in their respective development control instruments implement reforms to increase the number of commercial purposes for which land can be used in Local Government areas.	**Attachment 3** provides supporting details on how WA's past reforms deliver on elements of the Guideline actions 3.1–3.4 in the Western Australian context.	31/12/2034	$3.078m for reforms completed prior to 29/11/24 upon delivery of 'material additional progress' under Outputs 3 and 4 per Clause 39 of the NCP FFA Schedule.[3]	2035-36 FY	
		Stations Precinct Improvement Scheme In support of Guideline 3.4(a) to encourage greater use of mixed-use zones, the WA Government announced the Stations Precinct Initiative on 14 November 2025. The initiative will support the delivery of higher density residential land uses, as well as complimentary mixed use and commercial development, within 800 metres of train stations. As part of the Initiative, a Stations Precinct Improvement Scheme will streamline the approvals process by centralising decision-making	30/3/2027, when the Station Precinct Improvement Scheme will be fully operational.	$0.687m	2027-28 FY	

[3] Reforms considered *'material additional progress'* per Clause 39 of the NCP FFA Schedule include: (1) *the Stations Precinct Improvement Scheme,* (2) *the Consistent Local Planning Schemes Project,* (3) *the New State Development legislation to streamline project approvals,* (4) *the Digital Plan Lodgement Project*, and (5) *the Development of a Renewable Energy Planning Code* that are listed towards Outputs 3 and 4 of this Performance Requirement.

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		powers with the WA Planning Commission rather than individual local governments. This will be rolled out progressively, beginning with ten metropolitan station precincts that are being prioritised.				
		Consistent Local Planning Schemes project This project will provide a single set of land use definitions and zones to be used in all planning schemes in WA. There are currently around 800 land use terms and 269 zones across Western Australia. Many land use terms constitute variations of similar land uses, for example: child care; child care centre; child care premises, child care service; child day care centre; child family care centre; child family day care; child minding centre; and childcare centre. Similarly, many of the zones constitute variations of similar zones and have some alignment with those within the model provisions. The reform aligns with the intent of Guideline action 3.4b) to 'minimise the number of commercial and industrial zones and rationalise the number of zones in accordance with the public interest test'. As outlined in the May 2024 Consistent Local Planning Schemes Report, the reform actions to be completed include: • amending model and deemed provisions in Regulations to refine land uses, zones and reserves	By 31/12/2034, 80% of local government areas in Perth and Peel to have adopted the consistent set of land use definitions and zones in their Local Planning Schemes.	$1.03m	2035-36FY	

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		(statewide) and to include provisions relating to non-conforming uses and restrictive covenants (expected to be completed in 2027); and • providing local planning scheme guidance to assist the preparation and amendment of local planning schemes and improve transparency of approved variations to the model provisions. The consistent land use definitions and zones established through the amendments will be adopted by local governments into local planning schemes as the schemes are updated through regular scheme review processes. This reform will increase the number of commercial purposes for which land can be used in Local Government areas through: • simplification and generalisation of land use terms and zones, which will make planning schemes less prescriptive and more flexible, opening more opportunities for diverse commercial activities across broader categories; • rationalisation of commercial and industrial zones in priority key economic regions (Perth Metropolitan and Peel Region, which account for around 85% of all development activity), which will support increased commercial land use by				

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		streamlining zoning regulations and aligning them with contemporary business needs; and • improved decision-making and reduced red tape, with a greater focus on outcomes rather than process, and clearer more transparent schemes, which will assist local governments in more efficiently approving a wider range of commercial developments, reducing delays and encouraging investment. **Attachment 3** provides supporting details on the adoption target in Perth and Peel and the additionality of this reform.				
		WA intends to seek the remaining funding allocation in future updates to the JSRP (see **Annexure A**).	N/A	N/A	N/A	N/A

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
Project 4: Streamline criteria and processes for development assessment and rezoning.	1) State and Territory Parties review their respective criteria and processes for development assessment and rezoning against Guidelines to identify how to achieve the Project 4 Output. 2) State and Territory Parties implement reforms to streamline their respective criteria and processes for commercial development assessment and rezoning in Local Government areas.	**Attachment 4** provides supporting details on how WA's past reforms deliver on Guideline actions 4.1–4 in the Western Australian context.	31/12/2034	$3.497m for reforms completed prior to 29/11/24 upon delivery of 'material additional progress' under Output 3 and 4 per Clause 39 of the NCP FFA.[4]	2035-36 FY	
		New State Development legislation to streamline project approvals In support of the output of Project 4 to 'streamline criteria and processes for development assessment and rezoning', and intent of Guideline 4.4, the WA Government passed legislation to establish an office of the Coordinator General with statutory powers to accelerate, coordinate, facilitate and promote projects and precincts of strategic or economic significance to the State on 19 February 2026.	19/2/2026	$0.687m	2026-27 FY	

[4] Reforms considered *Material Additional Progress* per Clause 39 of the NCP FFA Schedule include: (1) *the Stations Precinct Improvement Scheme,* (2) *the Consistent Local Planning Schemes Project,* (3) *the New State Development Legislation,* (4) *the Digital Plan Lodgement Project*, and (5) *the Development of a Renewable Energy Planning Code* that are listed towards Outputs 3 and 4 of this Performance Requirement.

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		The *State Development Bill 2025* enables the Minister for State Development to delegate new statutory functions and powers to the Coordinator General to streamline approvals for significant Priority Projects. Priority Projects will be chosen for their strategic or economic significance to Western Australia and will benefit from fast-tracked approvals, reduced duplication of process and coordinated engagement and support across government. The legislation will do this through the introduction of five distinct powers. For example, the Bill empowers the Minister for State Development (or the Coordinator General if delegated) to issue a timeframe notice to relevant public authorities to align functions under several Acts to streamline priority project approvals and provide increased certainty for proponents undertaking industrial and commercial developments.				

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		The Bill also enables the Minister for State Development to declare a State Development Area (SDA) to support Western Australia's economic development, including strategic industrial precincts, renewable energy hubs, circular economy clusters, and common-user infrastructure that support competitive markets. Within an SDA, land use planning and zoning will be streamlined through an integrated framework that aligns commercial and industrial development with the SDA's strategic intent. All decision-makers will be required to have due regard to a central SDA Plan, ensuring consistency across approvals. The Coordinator General will oversee development within the SDA and support the preparation of a dedicated Improvement Scheme that can replace the local planning scheme. This approach centralises oversight, simplifies planning processes, and provides clarity for proponents by ensuring that development assessments reflect the long-term economic and commercial objectives of the SDA.				
		Digital plan lodgment project In support of the output of Project 4 to 'streamline criteria and processes for development assessment and rezoning', and intent of Guideline 4.4, the WA Government will implement a digital solution to allow 95% of development plan types to be submitted through a portal, with a view to having 80% of all plans	31/12/2026	$0.687m	2027-28 FY	

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	Performance Milestones	Implementation approach	Delivery date	Payment amount ($m)	Payment year	Dependencies
		lodged digitally. This faster streamlined development assessment is anticipated to save up to 4 weeks in the processing of new land subdivisions. While Landgate currently operates a digital plans lodgement portal that allows plans to be created and lodged electronically by surveyors before being progressed to the WA Planning Commission (WAPC), systems limitations result in only 30% of plans being lodged digitally. This is in comparison to most other dealing types which are now able to be facilitated electronically through Electronic Lodgement Network Operators. Plans that are not lodged digitally through the existing portal take around 30 days (sometimes up to 10 weeks) to examine and progress to WAPC. Commercial and industrial development is typically required to undergo a planning assessment, in addition to the time required to process any subdivision applications if required as part of the development. The time savings gained through the digital solution will reduce the overall approval process for these development types by allowing Landgate to process plans more quickly and put WAPC in a position where they can begin their assessments sooner. This will reduce holding costs for developers and improve the financial viability of development activity.				

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		Development of a Renewable Energy Planning Code This reform delivers on Guideline action 4.2 to remove duplicative assessment processes and requirements in legislation and development instruments' and the intent of Guideline action 4.4 to 'ensure fast, streamlined assessment tracks for development applications that are classified as 'low risk". At present there is no specific decision-making pathway for renewable energy projects in Western Australia and the State provides limited guidance for assessing and determining such projects. Instead, applicants must navigate a range of local schemes, zones, land use permissibility, approvals pathways and approval authorities that can impact the timing and delivery of projects. In response, the Government has supported amendments being made to the *Planning and Development (Significant Development) Regulations 2024* to consolidate the existing three different approval pathways into a single mandatory State Assessment pathway for significant renewable energy projects. This will enable the Western Australian Planning Commission's (WAPC) assessment and determination of all major renewable projects under Part 11B of the *Planning and Development Act 2005*.	31/12/2027	$0.510m	2028-29 FY	

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		To complement this regulatory amendment, the Western Australian Planning Commission (WAPC) has initiated the preparation of a Renewable Energy Planning Code. The Code will introduce consistent development assessment standards and application requirements across all local government areas in WA. The first iteration of the Code will focus on standards for wind farms, with flexibility to be expanded to address other renewable energy related developments such as solar, battery storage and transmission infrastructure. Providing process certainty, and consistent development requirements for renewable energy firms seeking to establish across the State directly reduces investment risk and can attract further investment as firms seek to scale up in different locations across WA. The draft Renewable Energy Planning Code was released for consultation in December 2025, with public comments closing in April 2026. **Attachment 4** provides supporting details on the additionality of this reform.				
		WA intends to seek the remaining funding allocation in future updates to the JSRP (see **Annexure A**).	N/A	N/A	N/A	
Reform: Lower barriers to modern methods of construction						

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
Project 1: Legislate nationally consistent definitions of prefabricated and modular construction	1) State and Territory Parties, through the Australian Building Codes Board, participate in the development of a national definition of prefabricated and modular construction through the National Construction Code. 2) State and Territory Parties adopt the national definition of prefabricated and modular construction in their relevant legislation to create a nationally consistent definition.	WA intends to implement reform actions to deliver these Performance Requirements, subject to agreement on the final national definition. WA is participating in the development of a national definition of prefabricated and modular construction through the National Construction Code (NCC). The Department of Local Government, Industry Regulation and Safety (LGIRS) leads WA's engagement with the Australian Building Codes Board (ABCB), with current Board membership representation. The ABCB are working on the definition as part of the development of a National Scheme for manufacturer certification of prefabricated and modular construction: Project 2, and LGIRS are actively contributing to the working group supporting this project. Following agreement on a national definition, it is envisaged that the agreed definition will be incorporated in the NCC at the appropriate time. In Western Australia, the *Building Act 2011* and *Building Regulations 2012* adopt the NCC as the applicable building standard in accordance with the Intergovernmental Agreement that forms the ABCB.	31/12/2029	$1.272m	2030-31 FY	ABCB agreement on a national definition

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		It is envisaged that the agreed definition will be included in the next edition of the NCC, noting that the publication and adoption date is subject to a decision by the relevant building ministers.				
Project 2: National voluntary manufacturer certification scheme to verify compliance with the National Construction Code and ensure a chain of responsibility between off-site and on-site construction	1). State and Territory Parties remove any legislative barriers to the acceptance of manufacturer's certificates for National Construction Code compliance where these certificates are issued in accordance with the national manufacturer certification scheme.	WA intends to implement reform actions to deliver these Performance Requirements. WA will contribute to developing a national voluntary manufacturer certification scheme (the Scheme) for the NCC as part of the ABCB. The project roadmap includes the following estimated timeframes for the milestones below: • Drafting of the Scheme including consultation: Q1-4 2026. • Jurisdictional agreement of the Scheme: Q1-2 2027. • Jurisdictional implementation of the Scheme: Q3 2027- Q2 2028 (Scheme operational). The NCC is adopted into WA law through express reference in the Building Regulations 2012. The Scheme will likely take the form of an amendment to the NCC. When an amendment to the NCC is	31/12/2029	$3.180m	2030-31 FY	Development of a national voluntary manufacturer certification scheme through the ABCB.

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		published, the WA Government will move to amend the Building Regulations 2012 to update the NCC reference.				
Reform: National Competition Principles						
Implement the National Competition Principles	1. State and Territory Parties will provide evidence that they have: a) updated policies and processes to assess the competition impacts of their major policy decisions, per the requirements in Schedule 1 of the Intergovernmental Agreement on National Competition Policy; b) updated their competitive neutrality policies and processes, per the requirements in Schedule 4 of the	In line with clause 16 of the Intergovernmental Agreement on National Competition Policy, WA has published a timetable identifying how the revitalised National Competition Principles will be implemented. Towards Schedules 1 and 5 of the Intergovernmental Agreement on National Competition Policy, WA will review its rules, policies, procedures and processes against the requirements set out in the Schedule and implement identified changes to ensure they are consistent with the requirements by 31 December 2026. This will include: • participation in the national working group on Competition Impact Assessments and Single National Market, to ensure a consistent approach with other jurisdictions where appropriate; • completing a review and update of WA's Better Regulation Program to align it with the requirement of the NCP IGA to consider the competition impacts of major decisions with the	31/12/2026	$5.00m	2027-28 FY	

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
	Intergovernmental Agreement on National Competition Policy; c) established or updated processes to ensure regulators in their jurisdictions consider the impact of their decisions on national competition where necessary, per the requirements in Schedule 5 of the Intergovernmental Agreement on National Competition Policy; and d) established or updated an efficient charging guide for government-delivered goods and services where necessary, per the requirements in Schedule 6 of the	potential for material impacts on competition; and • consultation with stakeholders across the WA Government, including regulators, in the development of updated templates, training and guidance material to support competition impact assessments in decision making and highlight the importance of assessing regulatory proposals for impacts on interstate trade to ensure that proposals promote a single national market. Towards Schedule 4 of the Intergovernmental Agreement on National Competition Policy, WA is reviewing its rules, policies, procedures and processes against the requirements set out in the Schedule and implementing identified changes to ensure they are consistent with the requirements by 31 December 2026. This will include: • participation in the national working group on Competitive Neutrality, to ensure a consistent approach with other jurisdictions where appropriate; and • completing a review and update of the 1996 Policy Statement on Competitive Neutrality to align it with the requirements of the NCP IGA including: clearly defining a significant government business				

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
	Intergovernmental Agreement on National Competition Policy.	activity; including new guidance on debt neutrality, government start-ups and cross-jurisdictional issues; improving the independence and operation of the complaints mechanism; and consulting with stakeholders across the WA Government, including Government Trading Entities, in the development of the updated Policy Statement on Competitive Neutrality and accompanying agency guidance. Towards Schedule 6 of the Intergovernmental Agreement on National Competition Policy, WA released an update of its Costing and Pricing Government Services Guidelines on 5 November 2025. The update aligns with the requirements of the IGA, including: determining the actual direct cost of providing the good or service; exploring efficiency improvements to reduce the cost of providing a good or service; and considering the social costs or benefits from providing a good or service (externalities). WA will also continue to participate in the national working group on Efficient Government Charging. Beyond the required actions in the FFA, a broader set of guidance for agencies on implementing the National Competition Principles will be developed and released by December 2026, in consultation with stakeholders across WA Government. The intent of these guidelines				

Appendix 1: Jurisdiction-Specific Reform Plan

Table 2: Performance requirements		Delivery Mechanism				
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Payment amount ($m)**	**Payment year**	**Dependencies**
		is to provide information and prompting questions for agencies to consider for each of the Principles.				

Appendix 1: Jurisdiction-Specific Reform Plan

The Parties have confirmed their commitment to this schedule as follows:

Signed *for and on behalf of the Commonwealth of Australia by*

The Honourable Dr Jim Chalmers MP
Treasurer

24 August 2026

Signed *for and on behalf of the State of Western Australia by*

The Honourable Rita Saffioti MLA
Treasurer

09 SEP 2026

Appendix 1: Jurisdiction-Specific Reform Plan

Annexure A

The Party is not seeking a determination of the maximum funding allocation for these Performance Requirements at this stage. The Party will update their JSRP at a later date with an implementation approach.

Table 2: Performance requirements		**Delivery Mechanism**		
Output	**Performance Milestones**	**Implementation approach**	**Delivery date**	**Dependencies**
Reform: Liberalise and standardise commercial zoning rules and review planning requirements to ensure they do not distort competition				
Project 2: Remove anti-competitive considerations from planning, rezoning and development processes	1) State and Territory Parties review their respective planning, rezoning and development processes against Guidelines to identify how to achieve the Project 2 Output. 2) State and Territory Parties implement reforms to remove anti-competitive elements from their respective planning, rezoning and development processes in Local Government areas.	**Review and update of the State Planning Framework (State Planning Policy 1)** A review and update of the State Planning Framework would provide the opportunity to update and contemporise the economy section, including articulating further the National Competition Principles (Principles). The last significant update of State Planning Policy 1 was completed in 2017. Western Australia will update this JSRP once this project has been formally initiated by the WAPC.	To be confirmed	There are no anticipated dependencies for this review.
Project 3: In development control instruments, increase the number of purposes for which land can be used.	1) State and Territory Parties review their development control instruments against Guidelines to identify how to achieve the Project 3 Output.	**Review the WA guidance/policy suite to identify opportunities to address matters related to when prohibited uses are appropriate, as well as matters of net public benefit.**	To be confirmed.	There are no anticipated dependencies for this reform.

	2) State and Territory Parties in their respective development control instruments implement reforms to increase the number of commercial purposes for which land can be used in Local Government areas.	The proposed review will examine all documents within the WA State Planning Framework, including the WA Planning Manual and the 'Making Good Planning Decision Guide' and identify where changes can be explored and potentially incorporated to provide further guidance around prohibited uses and incorporate appropriate considerations around matters of net public benefit / Principles. Western Australia will update this JSRP once the project has been formally initiated by the WAPC.		
Project 4: Streamline criteria and processes for development assessment and rezoning.	1) State and Territory Parties review their respective criteria and processes for development assessment and rezoning against Guidelines to identify how to achieve the Project 4 Output. 2) State and Territory Parties implement reforms to streamline their respective criteria and processes for commercial development assessment and rezoning in Local Government areas.	**1. Ensure that there is line of sight across the planning framework so that approval conditions/outcomes are clearly linked back to policy objectives / regulatory requirements of the planning framework.** It is anticipated that scoping for this project will be undertaken in conjunction with the Review of the State Planning Framework (SPP 1). Western Australia will update this JSRP once the implementation approach has been determined and the project has been formally initiated by the WAPC. **2. Streamline approvals requirements for mixed use developments between the Strata Titles Act/Community Titles Act**	To be confirmed	There are no anticipated dependencies for this reform.

Appendix 1: Jurisdiction-Specific Reform Plan

		and the Planning and Development Act to remove both potentially duplicative processes, and processes that do not require planning oversight. The WA Government has commenced a review of the *Strata Titles Act 1985* with the release of a discussion paper in October 2024. Comments received are currently being reviewed, and it is anticipated that a second discussion paper, including seeking feedback on this reform will be released in due course. After reviewing stakeholder feedback, the State will decide whether to proceed with the project. If so, Western Australia will update this JSRP once the implementation approach has been determined. See Five year review of WA's strata law | Landgate for details.	To be confirmed	There are no anticipated dependencies for this reform.
Reform: Lower barriers to modern methods of construction				
Project 3: Regulatory neutrality between modern and conventional methods of construction in state and territory planning and building legislation, including that of Local Government Planning	**1). State and Territory Parties, through the Planning Ministers' Meeting, review their respective planning systems with respect to off-site construction methods to identify where the regulatory burden materially exceeds that for on-site construction methods and does not appropriately balance this**	WA intends to participate in undertaking a review of the State's planning system with respect to off-site construction methods through the relevant Planning Ministers' Meeting (PMM), subject to the proposed Terms of Reference, to determine the scope of issues, identify opportunities for any reform or other actions, including planning mechanisms appropriate for WA.	To be confirmed	Review of respective planning systems through the PMM.

	additional burden with the costs (including restrictions to competition). **2). State and Territory Parties, through the Planning Ministers' Meeting, participate in developing Guidelines that detail reforms required to remove unnecessarily burdensome regulatory requirements for off-site construction based on issues identified in the jurisdictional legislation reviews.** **3). After completing Performance Milestones 1 and 2, State and Territory Parties amend their respective planning systems to achieve regulatory neutrality.**	Subject to the outcomes of the review, WA will participate in developing Guidelines for reform that may include recommendations outside of the planning system and consider whether further changes to the planning system to achieve regulatory neutrality, where appropriate, are required and update the JSRP as required.		
Project 4: Regulatory neutrality between modern and conventional methods of construction in house and building consumer protections	**1). State and Territory Parties lead a review of house and building consumer protections through the Building Ministers' Meeting to identify disparities between consumer protections for modern and conventional methods of construction.** **2). State and Territory Parties participate in developing Guidelines through the Building Ministers'**	WA intends to participate in undertaking a review of house and building consumer protections through the Building Ministers' Meeting (BMM), subject to the proposed Terms of Reference, and participate in developing Guidelines that detail required reforms. Subject to the outcomes of the review and Guidelines for reform, WA will consider how and whether to amend consumer protections for houses and buildings, including providing appropriate	To be confirmed	Review of house and building consumer protections through the BMM.

	Meeting that detail reforms required to establish regulatory neutrality between modern and conventional methods of construction in house and building consumer protections, based on the issues identified in the review. **3). After completing Performance Milestones 1 and 2, State and Territory Parties amend their respective consumer protections for houses and buildings including to provide appropriate enforcement mechanisms.**	enforcement mechanisms, where appropriate, and update the JSRP as required.		

Appendix 1: Jurisdiction-Specific Reform Plan

Attachments

Annexure A: Detail of reforms the Party is committed to but is not seeking a determination of funding allocation in this version of the JSRP

Attachment 1: Project 1 - Implement measures to limit anti-competitive objections to development

Attachment 2: Project 2 – Remove anti-competitive considerations from planning, rezoning and development processes

Attachment 3: Project 3 – In development control instruments, increase the number of purposes for which land can be used

Attachment 4: Project 4 – Streamline criteria and processes for development assessment and rezoning

Appendix 1: Jurisdiction-Specific Reform Plan

Attachment 1: Project 1 - Implement measures to limit anti-competitive objections to development

Western Australia already fully complies with Guideline Actions 1.1(a) and(b) for Project 1 by having no third-party development and planning appeal rights.

A. Past progress made toward the Performance Requirements prior to the Commonwealth signing the FFA schedule

Guideline Action 1.1(a) Limit third party appeals to issues that were subject to development assessment consideration

Anti-competitive objections to development through an appeal are not possible in the Western Australian planning system. Only an applicant may request that the State Administrative Tribunal (SAT) reviews a planning decision (an appeal). Neither the *Planning and Development Act 2005* (PD Act) nor local planning schemes provide for third party appeal rights against the granting of development approval (or other planning decisions) in WA. This fully meets both Actions 1(a) and 1(b) of the Guidelines and prevents any nuisance objections to developments that are not in the public interest.

Guideline Action 1.1(b) Require third party appeals processes to clearly identify appellants and their grounds for appeal

There is the ability under Section 242 of the PD Act for a third party to provide a submission to an existing appeal requested by the applicant under very specific circumstances that effectively rule out nuisance objections. Section 242 of the PD Act provides for the SAT to receive or hear submissions in respect of an application from a person who is not a party to the application if, in the opinion of SAT, that person has sufficient interest in the matter. This provision enables a third party to seek the approval of SAT to provide a submission to an existing appeal - in effect an appeal that has already been commenced by the applicant, against either a refusal or a condition of approval. The ability for the third party to participate is then only possible following a rigorous assessment by the SAT as to the grounds on which they seek to be involved in the appeal, and the appeal applicant and respondent's views are heard before the SAT determines the outcome.

The ability for others to join the appeal is a matter for the SAT to determine. If approved, the SAT also determines the extent to which participation is permitted, including limiting what a joining party can do (e.g. may not be permitted to cross-examine witnesses). The process is also relatively expensive, generally requiring the engagement of consultants and/or lawyers. The case of Satterley Property Group Pty Ltd and Western Australian Planning Commission [2025] outlines the considerations and limits given to third parties seeking to make a submission to an existing planning appeal process.

The advantage of this system is that when an application is approved, not having third party rights of appeal means the applicant can act upon the approval immediately.

Appendix 1: Jurisdiction-Specific Reform Plan

Attachment 2: Project 2 – Remove anti-competitive considerations from planning, rezoning and development processes

Western Australia already fully complies with the Guidelines for Project 2. As evidenced below, the Guidelines are followed in full for Guidelines 2.1(a)-(c), and the deviations from Guidelines 2.1(d)-(e) are supported by the application of net public interest tests.

A. Past progress made toward the Performance Requirements prior to the Commonwealth signing the FFA schedule

Guideline 2.1(a) Impact on viability of existing businesses

Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) provides the matters that local government must have due regard to when considering a proposed development in so far as they are relevant. Clause 67(2v) of the LPS Regulations explicitly rules out local governments considering "potential loss that may result from economic competition between new and existing businesses" as part of applications for development approvals. Similarly, section 3.7 of the Making Good Planning Decisions Manual outlines *'The threat of competition to existing businesses is not a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community'* (pg. 40).

Guideline 2.1(b) Commercial viability of proposed development

Clause 67(2) of the LPS Regulations provides the matters that local government must have due regard to when considering a proposed development in so far as they are relevant. The commercial viability of the proposed development is not one of the considerations listed in Clause 67(2) in Schedule 2 of the LPS Regulations. Planning decisions must relate to planning matters and are controlled under the *Planning and Development Act 2005* s.69 (General objects of schemes), s.73 (Contents of scheme), ss 76 and 77A (Minister's powers in relation to local planning schemes) and Schedule 7 (Matters which may be dealt with by planning scheme).

The High Court decision of Kentucky Fried Chicken Pty Ltd v Gantidis (1979) 140 CLR 675 has established case law relating to economic competition and business viability considerations in planning.

Guideline 2.1(c) Competition between individual businesses

Clause 67(2) of the LPS Regulations provides the matters that local government must have due regard to when considering a proposed development in so far as they are relevant. Clause 67(2v) of the LPS Regulations explicitly rules out local governments considering "potential loss that may result from economic competition between new and existing businesses" as part of applications for development approvals. Similarly, section 3.7 of the Making Good Planning Decisions Manual outlines *'The threat of competition to existing businesses is not a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community'* (pg. 40).

Appendix 1: Jurisdiction-Specific Reform Plan

Guideline 2.1(d) Restriction on numbers of types of retail stores

WA does not restrict the numbers of types of retail stores as part of planning, rezoning, and development processes and decisions. Clause 31(1) of the LPS Regulations defines 'shop' broadly and does not distinguish between types of retail stores[5].

There may be circumstances where a development approval for a liquor store cannot be implemented, due to the refusal to grant a liquor license under liquor licensing laws. However, this restriction on liquor stores achieves an equal or higher net public benefit to those in the Guidelines by minimising potential significant harm among vulnerable cohorts of the State's population, including in regional and remote communities. While allowing for a restriction on liquor licenses, which indirectly restrict liquor stores, the *Liquor Control Act 1988* incorporates a public interest test. Under S.38, an applicant can put forward a case to the licensing authority that the granting of the application is in the public interest. This case-by-case approach helps to prevent considerable harm on certain communities and cohorts of individuals, while providing an avenue for applicants to demonstrate how the granting of a liquor license may be in the public interest. The land use definition for a liquor store includes 'small' (having a net lettable area of not more than 300m^2) and 'large' (having a net lettable area of more than 300m^2) which distinguishes premises offering a drive through service to better manage amenity impacts (particularly traffic).

More broadly, State Planning Policy 4.2 - Activity Centres (SPP 4.2) guides the development of mixed use centres (including retail uses) and identifies indicative floor space thresholds for various types of centres. SPP 4.2 is a WAPC policy and therefore required to be considered in planning decisions – cl.67(2)(c) in Schedule 2 of the LPS Regulations. Each local planning scheme includes a Zoning Table – cl. 17 of Schedule 1 of the LPS Regulations - which is considered by the WAPC and approved by the Planning Minister as part of the local planning scheme. The Zoning Table identifies the permissibility of identified land uses within the specified zones and cannot be changed without a public advertising process and the approval of the Planning Minister.

Guideline 2.1(e) Proximity restrictions on particular types of retail stores

WA does not have proximity restrictions on particular types of retail stores for more than 95 per cent of all commercial developments. This is because in practice most commercial development is exempt from undertaking a Net Benefit Test showing it will not have a negative impact as part of WA's policy on centre hierarchy and activity centres (State Planning Policy 4.2 - Activity Centres). Under SPP4.2, exemptions include:

- major developments in Perth Capital City and strategic centres;
- non-major developments in specialized, secondary, district, neighbourhood and local centres;
- out-of-centre developments, unless the proposal is above 500m^2 NLA for shop/retail uses or proposes to rezone land for any commercial use above 500m^2 NLA; and
- Proposals up to 1,500m^2 NLA within 400m of a train station.

---

[5] There are some exceptions from the term shop, including a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

Appendix 1: Jurisdiction-Specific Reform Plan

However, even where a Net Benefit Test is required, SPP4.2 Implementation Guidelines clearly states at 5.3(c) that "competition between business in and of itself is not considered a relevant planning consideration" and "the Net Benefit Test is not to be used in a way purely to prevent competition between businesses." The Net Benefit Test (where required) 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; and
- deliver net benefit to the community and not reduce the level of access to services by the community.

The need to assess the impact or net benefit of new or proposed retail development on existing Activity Centres is of legitimate concern to Government for two key reasons:

1) the efficiency argument: the planning system is concerned with the efficient use and allocation of resources; and
2) the equity argument: the degree of accessibility of different types of retail and community facilities affects the quality of life of individuals and groups in society.

Smaller activity centres (local and neighbourhood centres) play an important role in ensuring efficient and equitable access to essential goods and services needed by a community daily. These centres are more numerous, distributed throughout urban areas and are located closest to local communities. Due to their smaller size, these centres tend to be more susceptible to loss of services and changes to their perceived attractiveness due to development pressures.

The Net Benefit Test and the objectives and outcomes of SPP4.2 aims to ensure adequate facilities and services are accessible to local communities in an efficient and equitable manner. The Net Benefit Test has been calibrated to ensure only those proposals that are more likely to have an impact on the efficient and equitable access to goods, services and employment are captured. It should be demonstrated and justified that any proposal will deliver a net benefit to the community. For example, supermarkets and shops that sell fresh food and other essential daily items, are critical to the successful and sustainable operation of smaller centres.

SPP 4.2 was reviewed (consultation outcomes) and updated in July 2023 as part of WA's extensive planning reform program. Updates included:

- alignment with the WA Planning Commission's Perth and Peel @ 3.5 Million strategy and the Government's Planning Reform and METRONET projects;
- addressing concerns by some stakeholders about implementation issues and to ensure the policy remains contemporary and responsive;
- better alignment with current State Planning Policies, particularly the Design WA policy suite; and
- providing clear guidance to deliver contemporary outcomes when planning major centres with a mix of uses including retail, commercial, community services and medium and high-density housing.

Attachment 3: Project 3 – In development control instruments, increase the number of purposes for which land can be used

As a result of system design and past reform, Western Australia's planning system already goes a significant way towards achieving the Guidelines for Project 3. However, opportunities for material additional progress have been identified.

A. Past progress made toward the Performance Requirements prior to the Commonwealth signing the FFA schedule

Background

The vast majority of development in Western Australia is determined under the auspices of a local planning scheme. A scheme consists of map/s (zoning the land) and a scheme text, which operate in tandem to control land use.

An important part of a local planning scheme is a zoning or 'land use' table, which lists a range of land uses (the types of land use permitted in zones and defined in Schedule 1 of a scheme). See below and Local Planning Strategies, Schemes and Structure Plans and Planning and Development (Local Planning Schemes) Regulations 2015 for more details.

Prior to adoption, all local planning schemes are required to undergo an extensive public consultation process for a period of 90 days as provided in Part 4 Division 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Local Planning Scheme Regulations). With the exception of a basic amendment (as defined in regulation 34), all local planning scheme amendments are also required to be publicly advertised for either 60 days for a complex amendment as per regulation 38(3) or 42 days for a standard amendment as per regulation 47(3).

The Western Australian government has been undertaking extensive planning reforms since 2019 in response to the 2019 Action Plan for Planning Reform and a comprehensive State-wide consultation program in 2021. Relevant reforms and initiatives for Project 3 include:

- The WA planning system now has more consistent definitions and processes for local planning schemes, which establish zones and reserves within Local Government areas. The Local Planning Scheme Regulations (with 14 amendments since 2020) includes deemed provisions (which are effectively a statewide scheme) and a schedule of model provisions for local planning schemes to provide for this consistency. Of the 134 local governments with local planning schemes in place, 119 local governments (89%) had schemes that aligned with the model provisions as of August 2025. The remaining 15 local governments are in regional and remote areas with limited development activity occurring. These local governments cover vast areas and largely support mining and pastoral activities - neither of which trigger planning applications - and they rely on State support to review their schemes as they generally do not have access to professional planning staff. The State has a rolling programme to finalise these conversions on the basis of need and priority. Prior to these reforms, there was greater variation in a number of processes, including: the variation of parking and application of cash-in-lieu for carparking shortfalls which as a significant issue for small business and now included as Part 9A in

Schedule 2 of the Local Planning Scheme Regulations; timeframes and procedures for public consultation and making documents publicly available were less consistent; and many projects were captured under a mandatory determination by a Development Assessment Panel (DAP) which added time and cost for proponents (the reforms have provided the proponent with the option to have an application determined by a DAP or the usual decision-maker).

- The WAPC has recently published the WA Planning Manual which serves as a guide to the production of planning documents, including local planning schemes. The manual consolidates individual documents guiding the preparation, assessment and use of planning instruments, and it includes the manner and form templates approved by the WAPC for the preparation of these instruments.
- WA also has initiatives such as the 'Making Good Planning Decisions' guide which is a guide to decision makers and for people working within the planning system to assist in consistent decision making. This document is currently being updated to include recent Court and Tribunal decisions.

See Planning Reform Program and Planning Reform Progress for details.

The remainder of this section outlines how the Western Australian planning system aligns with each of the Guideline actions for Project 3 following these reforms.

Guideline Action 3.1 – Focus assessments of land use on the impacts of use rather than blanket prohibitions

The WA planning system was designed to provide a balance between ensuring that all land uses that are required to support the economy and consumer demands are able to be established in a competitive environment against the protection of public health and safety outcomes. There is provision for all land uses to be able to be established within WA, with those that have significant off-site impacts being able to establish in industrial or rural zones, so as to not limit or impact the establishment of the majority of commercial and residential uses in other zones. This approach provides for allowable use of land in most instances, with some conditions as appropriate, while only designating 'not permitted' ('X') where the outcome would not be in the public interest.

Clause 16 in Schedule 1 of the Local Planning Scheme Regulations (page 88) sets out objectives for zones which includes providing for the range of residential, business, industrial, recreation, health, educational, employment, community, and civic uses required to provide for community needs. These objectives include references to considering the impacts of that type of development. As examples, one of the objectives of the commercial zone is 'to ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality'. For mixed use zones, one of the objectives is 'to allow for the development of a mix of varied by compatible land uses, such as [...], which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents'.

Schedules 1 and 2 also contain definitions for land uses and a "permissibility" for each land use is assigned to a zone. All local planning schemes must have a purpose and aims - clauses 8 and 9 of the model provisions. The zone objectives are then read in conjunction with these clauses. The PD Act also sets out the general objects of schemes (s.69), the contents of a scheme (s.73), relevant considerations in preparing a scheme (s.77 - 80), environmental review (s.81 & 82), and matters which may be dealt with by a planning scheme (sch. 2).

Appendix 1: Jurisdiction-Specific Reform Plan

Most land uses are either 'P' (permitted if it complies with any relevant development standards), 'D' (permitted if the decision-maker exercises discretion and approves it) or 'A' (permitted if the decision-maker exercises discretion and approves it after publicly advertising the proposal). A 'P' (permitted) use may still require a planning approval where the impact of the use (not the use itself) requires assessment and management. Clause 61 of Schedule 2 of the Local Planning Schemes regulations sets out development (use and works) that is exempt from the requirement for planning approval. This provision applies statewide and each local government may add to (but not remove) works or uses form this list.

Guideline Action 3.2 – Where prohibited uses are identified they should be subject to the public interest test[6]

As discussed above, through the development of local planning schemes, WA's approach provides for allowable use of land in most instances, with some conditions as appropriate, while only designating 'not permitted' ('X') where the outcome would not be in the public interest. The final allocation of use permissibility is determined by the Minister for Planning on advice of the WAPC through the approval of a local planning scheme or amendment. Together, these considerations satisfy requirements under Guideline action 3.2(b), as they result in a non-exhaustive list of what collectively determines permissible activities within zones.

The identification of a land use as not permitted ('X') is typically used to prevent undesirable outcomes such as industrial uses being developed in a residential area. For example, proposals with an unacceptably high environmental impact could be considered not in the public interest and so deemed not permitted. Other examples might include an abattoir in a residential zone or a tourist development in a general industry zone. Where land uses are not permitted (X), an extensive process of analysis of the impacts of such a use and a transparent public consultation process are undertaken before these are approved by the Minister. In considering whether a land use should be prohibited, public interest extends to consideration of the offsite impacts on public health and the amenity of an area, including matters related to noise, vibration, air quality, hazards and traffic amongst others as well as the ability (if any) to mitigate or manage those impacts. It may be that these impacts create an unacceptable level of additional risk and therefore allowing these would be more detrimental to the public than could be offset by the potential benefit from increased competition. For example, industrial and rural uses are prohibited in residential and mixed-use zones, as the noise and emissions associated with these uses impact on the amenity of residential and commercial uses. Housing or other sensitive land uses such as childcare or schools are generally prohibited in industrial zones as long-term exposure to noise or other emissions can have health impacts. Similarly rural uses are generally not permitted in industrial zones, as they generally require large areas of land, which would limit / reduce the amount of land available for industrial uses.

Clause 67(2) of the Local Planning Scheme Regulations outlines the matters local governments (and by extension the Minister) consider when assessing an application other than a class X application, which together amount to a broad public interest test. While not explicitly stated, the Minister will have regard to these matters as part of considering approving use where it is otherwise prohibited (X). Further, consultation has recently closed on an amended chapter for the WA Planning Manual providing explicit guidance for local government in the preparation of a local planning scheme.

[6] See: Part 5, Division 4 of the *Planning and Development Act 2005* supported by Part 4, Division 3 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Draft - WA Planning Manual Local Planning Schemes.

Appendix 1: Jurisdiction-Specific Reform Plan

Where a land use is not listed in the zoning table, planning schemes include provisions that allow the decision-maker (usually the Local Government) to determine if the proposed land use is consistent with the objectives of the zone, and, if so, provides the capacity for it to either be permitted without approval, or a discretionary use and a development application can be lodged for assessment. These provisions are outlined in clause 16(4) in Schedule 1 of the Local Planning Scheme Regulations.

Guideline Action 3.4 – Broaden the definition of commercial and industrial zones to be consistent with externalities being managed

WA has three industrial zones (Light, General, and Strategic Industry) and an Industrial Development zone (specifically to designate land for future industrial development) as well as four commercial zones (Commercial, Mixed Use, Service Commercial and Centre). The objectives of these zones are summarised in the Local Planning Scheme Regulations, pages 85-87.

In accordance with Guideline Action 3.4(a), mixed use development is encouraged, with Schedule 1 of the Local Planning Schemes Regulations providing for mixed use development within both commercial and mixed use zones. The objectives for these zones are as follows:

- Commercial:
  - to provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres;
  - to maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades; and
  - to ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
- Mixed Use:
  - to provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels; and
  - to allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.

On Guideline Action 3.4(b), a review of all commercial and industrial zones was undertaken prior to the finalisation of Local Planning Scheme Regulations in 2015, which concluded that the existing number and definition of zones is appropriately balancing the net public interest. However, subsequently, as part of the Action Plan for Planning Reform 2019, this issue was reconsidered through the Consistent Local Planning Schemes Final Report which identified that some minor modifications would be desirable in the medium term.

Experience has proven that, in WA, expansion of retail and offices in industrial zones has often had a detrimental impact on industrial land uses and inhibits industrial expansion and development. For example, the use class "shop" applies equally to a small boutique and a full line supermarket such as Coles or Woolworths. A "bulky goods showroom" definition has been developed to cover large format retail (which tend to co-locate in homemaker centres) and generally in areas that were design for industrial uses. The predominantly retail nature of these premises attract significant volumes of traffic (usually light vehicles) which conflict with the typically heavy vehicle traffic generated in industrial areas with the volume and nature of light traffic inhibiting the movement of the heavy vehicles which has an impact on industrial processes. To ensure that impacts are appropriately assessed and managed if necessary, bulky goods showrooms are often categorised as a discretionary use in an industrial zone.

By providing for restricted retail and small-scale supermarkets to be discretional in industrial zones, it provides the opportunity for proposals to be assessed to ensure:

- there are no land use conflicts, or these can be appropriately mitigated;
- that incompatible land uses are not located within close proximity to one another (e.g. noxious industries, or industries with potential public health ramifications would need to have appropriate separation distances, and impacts be kept to a minimum);
- traffic can be suitably managed (e.g. sedans are appropriately separated from triple road trains); and
- there is sufficient land available to provide for manufacturing/processing or similar industrial uses within WA.

B. Evidence supporting how the Consistent Local Planning Schemes project makes materially additional contributions to past progress and further details on the adoption target for Perth and Peel

This project will provide a single set of land use definitions and zones to be used in all planning schemes in WA. The reform aligns with the intent of Guideline action 3.4(b) to 'minimise the number of commercial and industrial zones and rationalise the number of zones in accordance with the public interest test'.

The current process for reviewing a local planning scheme (Part 5, Division 5 of the *Planning and Development Act 2005*) requires the preparation of a consolidated scheme text, advertising, preparation of a report on outcomes of the scheme and submission of recommendations with regard to required actions to the WAPC. The WAPC must consider this and make a recommendation to the Minister for Planning. If the Minister requires a new local planning scheme to be prepared (as is usually the case), the local government must follow the procedures outlined in s.72 and Part 4 of the Local Planning Schemes Regulations. This is intended to occur every five years; however, the processes required to prepare, advertise and finalise a new scheme are complex and take longer than this to complete. Further the same process applies equally to an urbanized metropolitan local government with significant development pressure as to a remote local government with no development pressure and a declining population.

The reforms will increase the number of matters and processes covered by Schedule 2 of the Local Planning Schemes Regulations (deemed provisions) which apply automatically and remove the requirement for the 134 local governments to apply individually to amend their schemes. Provisions which require local contextualization and application will remain in Schedule 1 to facilitate required nuancing (noting WAPC oversight and Ministerial approval requirements remain unchanged). An updated review process will enable the report on the operation of the scheme (report of review) to be targeted to the requirements of the local government area (in context) with a more straightforward process able to be applied where this is required (predominantly regional and remote areas). It is anticipated that this will significantly reduce unnecessary administrative burden both for local government and the WAPC/DPLH and enable resources to be applied where required and operate to maximum value enabling scheme reviews to occur more effectively where required and less frequently where there is no pressing need. The increased content of Schedule 2 in particular will mitigate any potential risks as smaller local governments with limited resources are unlikely to require significant additional scheme content. Standard templates will be provided to ensure consistency and to identify required areas for analysis during reviews.

Modifications are also proposed to statutory timeframes for processing and determining planning proposals to enable appropriate stakeholder engagement at strategic milestones and facilitate improved decision-making capacity. Further, the expansion of concurrent processes (eg for structure plans and scheme amendments) will significantly reduce timeframes for many projects and provision of greater WAPC ability to intervene where certain proposals are not progressing will provide better oversight of functions and areas for improvement or intervention.

Expected benefits from these reforms include:

- Simplified and faster planning processes: The project reduces complexity in the planning system, enabling quicker preparation, interpretation, and implementation of local planning schemes. This helps both local and State Government reduce delays and associated costs for developers and other stakeholders.
- Standardised terminology and zoning: By reviewing approximately 800 land use terms and 269 different zones and identifying where consolidation is appropriate as well as appropriate provisions to accommodate regional differences (for example, different zones and land uses terms are required in the Kimberley and agricultural regions than in Perth) and applying these where they are contextually appropriate, the system will become easier to navigate improving clarity for all users.
- Targeted improvements in key economic areas: The project prioritises the rationalisation of commercial and industrial zones in the Perth Metropolitan and Peel regions, supporting more efficient land use in areas central to the State's economy.
- Improved accessibility for all stakeholders: A more consistent and legible planning framework allows community members, developers, and decision-makers to better understand statewide requirements, reducing time, cost, and frustration.
- Reduced red tape and misalignment: The project addresses inconsistencies that often lead to confusion and outcomes misaligned with strategic goals or community expectations, particularly for developers and planning professionals.
- Outcome-focused decision-making: shifting the focus from process to outcomes enhances the quality of planning decisions, benefiting the broader community, commercial operators, and the development industry.
- Enhanced support for Local Governments: Local governments receive improved tools and guidance for preparing or amending local planning schemes, leading to more effective and timely updates.

Appendix 1: Jurisdiction-Specific Reform Plan

- Greater transparency across the State: The initiative increases visibility into how planning schemes operate, fostering trust and accountability in the planning process.

The target of 80 per cent of local government areas in the Perth and Peel adopting the consistent set of land use definitions and zones in their Local Planning Schemes by the end of 2034 applies to the following 33 local government areas:

- (Perth) Metropolitan Region Scheme - Armadale, Bassendean, Bayswater, Belmont, Cambridge, Canning, Claremont, Cockburn, Cottesloe, Gosnells, East Fremantle, Fremantle, Joondalup, Kalamunda, Kwinana, Melville, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Victoria Park, Vincent, and Wanneroo; and
- Peel Region Scheme - Mandurah, Murray and Waroona.

For the purposes of assessing progress on implementing this reform against the 80 per cent target, the publication of a Ministerially-approved local planning scheme in the Government Gazette will be evidence that a local government area has adopted the consistent set of land use definitions and zones following the scheme's review.

Attachment 4: Project 4 – Streamline criteria and processes for development assessment and rezoning

Western Australia's planning system goes a significant way towards achieving the intent of Guideline Actions 4.1-4.4 for Project 4 following reforms undertaken since 2019. However, opportunities for material additional progress have been identified.

A. Past progress made toward the Performance Requirements prior to the Commonwealth signing the FFA schedule

Guideline Action 4.1 – Link development assessment requirements and criteria to a clear specific regulatory objective/s, and remove those that cannot be linked.

Subdivision assessment criteria must be directly linked to specific regulatory objectives. Pursuant to Part 10 of the Planning and Development Act 2005, the Western Australian Planning Commission (WAPC) determines all freehold, vacant, survey strata subdivisions and Community Schemes in Western Australia against the relevant local planning scheme. The WAPC's Model Subdivision Conditions Schedule which was updated in December 2025 provides a consistent framework aligned with planning legislation and policy. The schedule is updated regularly with the approval of the WAPC. In the most recent update if an agency proposes an alternative condition, it must be justified with supporting information and assessed for consistency and validity.

Past: The Model Subdivision Conditions Schedule existed in earlier forms (2012 edition), but it was not regularly updated, referral agencies and local governments often used custom or ad hoc conditions, which varied in quality and legal robustness and there was no formal requirement to justify alternative conditions or assess them for consistency with planning legislation.

Guideline Action 4.2 – Remove duplicative assessment process and requirements

The WA Government has been undertaking extensive planning reforms since 2019 in response to the 2019 Action Plan for Planning Reform and a comprehensive State-wide consultation program in 2021.[7] These reforms have had the impact of streamlining assessment processes and providing more choice for proponents to choose a determination pathway that better suits the complexity and scale of their projects.

As a result of the reforms, WA has three decision-making pathways for development assessment:

- Local Government Pathways (for most development assessments);
- Development Assessment Panels (criteria applies); and
- Significant Development Pathway determined by the Western Australian Planning Commission Pathway (criteria applies).

[7] See Planning Reform Program and Planning Reform Progress for details.

Appendix 1: Jurisdiction-Specific Reform Plan

There are two further decision-making pathways that apply in very limited circumstances:

- Region Scheme development approval – for development of State importance under a region scheme, determined by the WAPC and identified in the Clause 28 Notice; and
- Redevelopment Scheme approval – applies only in designated areas identified in Redevelopment Areas - DevelopmentWA - Shaping our State's future, determined by Development WA (Metropolitan Redevelopment Authority).

Past: Prior to amendments to the Metropolitan Region Scheme (MRS) passed in October 2024, development proposals often required duplicate approvals - one under MRS 1963 and another under the local planning scheme. Additionally, the WAPC lacked formal powers to prepare district structure plans or coordinate regional infrastructure, making strategic planning slower and less integrated.

If approval is required, the application must be determined in either 60 days (no public consultation required) or 90 days (where public consultation is required by the local planning scheme). If a decision is not made within those timeframes, the application is considered 'deemed refused' and the applicant has a right of appeal to the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005* (PD Act). A 'deemed refusal' does not prevent the decision-maker from determining the application, it simply provides an option for the applicant to refer the matter to the SAT (upon such referral, the decision-maker is then prevented from making a decision). The SAT's 2023-24 annual report states that 162 applications to the SAT relating to planning and development matters were lodged across all three pathways, which is less than one per cent of all applications.

The Significant Development Pathway was implemented in 2024 for developments valued at over $20 million in the Perth and Peel regions and $5 million in other regions where the WAPC is the decision-maker and the statutory timeframe for determination is 120 days. This pathway streamlines approvals for significant projects, reducing costs and delays for commercial developments than they otherwise would, providing a net public benefit to the community in terms to increased investment and jobs. This pathway includes access to the State Referral Coordination Unit which coordinates and streamlines the inputs of servicing authorities and works to resolve issues and potential conflicts prior to a planning decision being made. The first application was determined under this new process on 26 March 2025 - 26 Mar 2025 - Statutory Planning Committee - Minutes. Eligibility criteria is contained in the *Planning and Development (Significant Development) Regulations 2024*.

Past: Prior to the introduction of Part 17 Significant Development Pathway in 2020 and its permanent successor in 2024, WA did not have a dedicated fast-track pathway for assessing and approving large-scale or strategically significant developments. All development applications, regardless of scale or strategic importance, were assessed through standard local government or Development Assessment Panel (DAP) processes which were often slow, fragmented, and inconsistent. The new pathway addressed these gaps by creating a dedicated pathway with WAPC as the decision-maker, coordinated referrals, and statutory timeframes.

Based on data maintained by the Department of Planning, Lands and Heritage and the Western Australian Local Government Association, over 80% of all development applications in WA were determined within these statutory timeframes in 2022-2023 and 2023-24 (the latest available annual data).

Appendix 1: Jurisdiction-Specific Reform Plan

Guideline Action 4.3 – Make 'as of right' development processes standard practice

Rather than having a specific streamlined assessment track for low risk applications, in WA the majority of low risk applications are exempt from planning approval where they meet identified criteria (such as a building setback) through the 'deemed provisions' of the *Planning and Development (Local Planning Scheme) Regulations 2015*. These exemptions were further expanded as part of the recent planning reforms and are supported by clear policy and guidance. Local government can expand exemptions through their local planning policies but cannot restrict or remove exemptions.

In WA the term 'deemed to comply' is only used for development under the Residential Design Codes. Otherwise, the term 'permitted (P)' development is used. The term "development" encompasses both "use" of land and "works" on land. Where development is permitted, a development approval is generally not required to be issued by the Local Government for the use of the land. However, development approval may be required for a permitted development where the development standards for that particular use that are specified in the local planning scheme cannot be met, so that the decision maker can determine if these standards should be applied / it is appropriate for the use to be established without meeting the standards. For example, a change of use from an office to a shop may require approval as the car parking requirements are different and there is a shortfall.

Recent amendments to the Local Planning Scheme Regulations have removed the need for many 'change of use' approvals as cl. 61(2) in Schedule 2 of the Local Planning Schemes Regulations now exempt 'P' and 'D' uses from requiring approval if the proposal has no works component or the works component does not require approval (noting internal works are typically exempt from requiring approval).

Past: There was no consistent guidance across jurisdictions about when development approval was required change of use for permitted uses. This led to inconsistent practices between local governments, uncertainty for applicants and delays and additional costs for minor or low-risk proposals.

Rezoning processes

Rezoning processes are established under the PD Act and associated Regulations. Timeframes are outlined for the different steps in the process, with these being applicable to Local Government and the WAPC.

There are two stages in the process that do not have designated timeframes:

- The Environment Protection Authority for setting level of assessment for the scheme amendment; or
- the Minister for Planning, as the final decision maker (approver) on the scheme amendment.

In WA, local planning schemes are considered by the WAPC, and its advice and recommendations are made to the Minister for Planning as the final decision maker. There is no capacity for the Minister's decision to be reviewed or for third party intervention. This differs to other jurisdictions, which provide for panels to hear submissions before a final decision is made by the relevant Minister, which adds further time to the rezoning process.

Past: The 2019 Action Plan for Planning Reform initiated a comprehensive overhaul of Western Australia's planning system. Prior to this, WA's local planning scheme rezoning process was less transparent and did not adequately accommodate processes to optimise the available streams for amendments. Processes were poorly coordinated and with significant variations across instruments making it difficult for applicants, decision-makers and the community to *determine complex matters and reconcile reasons for decision-making.*

Guideline Action 4.4 – Ensure fast, streamlined assessment tracks for development applications that are classified as 'low risk'

The reforms outlined under Guideline Action 4.2 are also relevant for Guideline Action 4.4.

B. Evidence supporting how the planned reforms make materially additional contributions to past progress

Development of a Renewable Energy Planning Code

This reform delivers on Guideline action 4.2 to 'remove duplicative assessment processes and requirements in legislation and development instruments' and the intent of Guideline action 4.4 to 'ensure fast, streamlined assessment tracks for development applications that are classified as 'low risk''.

Expected benefits from the development of a **renewable energy code** are:

- clear and consistent information for applicants on the documentation that is required to support applications (if required);
- a consistent statewide set of assessment principles and criteria for decision makers to assess and determine proposals; and
- clear direction from the State regarding expectations for the assessment and determination of renewable energy related developments.

At present there is no specific decision-making pathway for renewable energy projects in Western Australia and the State provides limited guidance for assessing and determining such projects. Instead, applicants must navigate a range of local planning schemes, zones, land use permissibility, approvals pathways, local planning policies and approval authorities that can impact the certainty, timing and delivery of projects. In the absence of State guidance, local governments (mainly in rural and agricultural areas) have developed policies and provisions in an attempt to deal with applications lodged by private companies seeking to expand or develop renewable energy facilities.

The Renewable Energy Planning Code is intended to address the issues that are being raised through current development application proposals, particularly the need for a consistent assessment framework. For example, renewable energy development applications which are determined and considered under Part 17 and now Part 11B of the PD Act (i.e. the State Government assessment and approvals process, with the WAPC as the decision maker) have faced challenges resulting from:

- inconsistent local planning policies and standards across local government areas;
- inconsistent currency of local planning frameworks; and
- gaps in development standards and provisions to deal with key matters including noise impacts, safety setbacks and visual and landscape impacts.

The Renewable Energy Planning Code will provide a single statewide set of provisions to be used for the assessment of renewable energy developments. Concurrent amendments to the *Planning and Development (Significant Development) Regulations 2024* will provide for the WAPC (likely a subcommittee) to be the decision-maker for these projects, with assessment undertaken by DPLH. This will provide certainty and consistency, and will streamline decision-making processes for renewable energy providers, while also reducing the administrative burden from a number of small rural local governments.