



DEVELOPMENT APPLICATION GUIDE

Introduction

This Development Application Guide has been provided to help you submit a Development Application to the Shire and to outline the process. The Guide sets out information that must or may be included in your Development Application, depending on the type, scale and location of the proposed development.

The Guide is intended to provide general information only. Any queries regarding a specific property or development should be directed to the Shire.

Development approval may be required prior to commencing or carrying out development (works and/or use of land) within the Shire. A wide variety of activities are classified as development including changing the use of a premise from one activity to another activity.

Some developments do not require development approval with details summarised in **Attachment 1**.

Development Application requirements

Where a Development Application is required, it consists of the following:

- Application for Development form – All required sections to be completed with the form signed by the owner of the land and the applicant;
- Site Plan – To be drafted or drawn to scale or alternatively can use Google Maps, Landgate Map Viewer or similar if includes a scale or shows measurements. Need to show the entire property, existing and proposed buildings and vehicle entrance and exit points. Details to relate to the proposal but could also include showing natural features (e.g. native vegetation, watercourses), contours, proposed landscaping, the location of easements and services (e.g. power lines);
- Floor Plan – Could use previously prepared plans if the building is existing, otherwise draft or prepare plans to scale. Depending on the proposal, it will need an appropriate scale and outline existing and proposed buildings;
- Elevation Plan(s) – Draft or prepare plans to scale including showing wall and roof heights or alternatively could use photographs if the building or structure is existing. Depending on the proposal, it could require all elevations (views), showing the natural ground level and the finished floor level; and
- Payment of the Development Application fee - The fee is payable to the Shire when the application is lodged.

Subject to the proposed type, scale and location of the development, there may also be a need to provide the following:

- Covering letter outlining and justifying the proposal. This could include justification on why the proposal does not comply with the deemed-to-comply requirements of the Residential Design Codes or seeks a variation to a Local Planning Scheme standard;
- Copy of the Certificate of Title and the Deposited Plan/Survey Plan;
- Bush Fire Attack Level (BAL assessment) or other form of bush fire assessment - if the property is within a Bush Fire Prone Area and you are proposing a house, short stay

accommodation, other form of habitable building or it is a 'vulnerable land use'. To check, please visit <https://maps.slip.wa.gov.au/landgate/bushfireprone/>; and

- Any other plan or information that the Shire may reasonably require to enable the application to be determined.

The Shire may waive some of the requirements if they are deemed irrelevant to the specific proposal.

Processing Your Development Application

Initial check

When a Development Application is submitted, the Shire will initially check to see if all appropriate information and the fee have been provided by the applicant. If not, the applicant will be contacted to address any outstanding matters prior to further processing of the application. Detailed assessment of the application will only commence once all required information is received.

Consultation

Based on the requirements set out in the *Shire of Boddington Local Planning Scheme No. 3* (the Scheme), or the type, scale and location of the proposed development, the Shire is required to seek comments on some Development Applications before determining the application. This may require the Shire seeking comments from:

- Adjoining and nearby landowners;
- The broader community and other stakeholders;
- Relevant State Government or other agencies.

Where the Scheme sets no requirement to seek comments and where a proposal is unlikely to have a detrimental impact on neighbours, the Shire may determine there is no requirement to seek comments.

Where consultation is required, it will be 14 days for most Development Applications. More complex applications or those requiring input from State Government agencies are for 42 days. Additional time is required for consultation during holiday periods (such as Christmas or Easter).

Determination

Following the close of any required consultation, the Shire will consider whether the application can be determined under delegated authority or whether the application is required to be presented to Council for determination.

Most applications are determined under delegated authority by the Shire, where consistent with the Scheme, planning policies, other regulations and where no substantive/bona fide objections have been received through the consultation process.

If a bona fide objection is received in writing on an application, or the application cannot be determined under delegated authority for any other reason such as complexity of the application or variation(s) being sought, the application will be presented to Council for determination.

The Shire's approval of a Development Application is normally associated with conditions. The conditions need to be addressed and then suitably maintained by the applicant/landowner.

Right of Review

The Shire's determination of a Development Application is subject to a Right of Review (appeal) to the State Administrative Tribunal.

ATTACHMENT 1 – DEVELOPMENT APPROVAL NOT REQUIRED

The following summarises where development approval is not required based on Schedule A – Supplemental provisions to the deemed provisions of the *Shire of Boddington Local Planning Scheme No. 3* and from Schedule 2 Part 7 Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Please refer to these documents for the full requirements and the associated conditions. This includes that many of the below requirements do not apply to a heritage-protected place.

Development approval is not required for the following:

- Development of land in a local reserve, where the land is held by the Council or vested in a public authority for the purpose for which the land is reserved under the Scheme;
- The erection of a boundary fence except as otherwise required by the Scheme;
- The erection of or addition to a single house in the Residential zone where it satisfies the deemed-to-comply requirements of the Residential Design Codes (R-Codes) and Part 10A of the Regulations – bushfire risk management;
- The erection of or additions to an ancillary dwelling, outbuilding, boundary wall or fence, patio, pergola, verandah, deck, garage or carport where the R-Codes apply and where it satisfies the deemed-to-comply requirements of the R-Codes;
- Ancillary structures including swimming pool, shade sail, water tank, cubbyhouse, flagpole and solar panels (refer to conditions in the Regulations);
- Rainwater tanks;
- Rural pursuit in various zones;
- Works by a public authority;
- Internal works, maintenance or improvement to a building;
- Works urgently necessary for public safety or for the safety or security of plant or equipment;
- The demolition or removal of a single house, outbuilding or ancillary structure;
- Works to change an existing sign - provided the sign gained development approval or was exempt from requiring development approval and the sign's location, size and illumination do not change;
- Temporary works and use - the works and/or use are in existence for less than 48 hours, or a longer period agreed by the Shire, in any 12-month period;
- Development that is a class 'P' use in relation to the zone in the Scheme (refer to the Zoning Table) if the development has no works component – this includes a change of use for a shop, office and restaurant/cafe in the Commercial zone;
- Development that is an 'D' use on land zoned Commercial (refer to the Zoning Table in the Scheme) if the development has no works component and the development addresses conditions in the Regulations. This includes a change of use for consulting rooms; and
- Home office.

Refer to the above mentioned documents for the full list of matters not requiring development approval.