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A “Commercial use” is a broad term which generally refers to any premises that sell goods or provide a service to the public. It includes but is not limited to a number of land uses including shops, offices, restaurants and medical centres. As each of these commercial uses has a varied impact on the amenity of the area and the orderly and proper planning of the locality, each commercial use has different development standards that apply.

Do I need planning approval?

Planning approval is required where a new commercial development is proposed. In relation to a change in use of an existing development, uses (including commercial uses) that are listed, in the zoning table of Local Planning Scheme no.1, as a ‘P’ (permitted) use in a zone is exempted from planning approval provided:

- The change in use does not entail a works component; or
- Development approval is not required for the works component of the development.

How do I apply for planning approval?

You will need to complete a planning application form and complete the attached checklist, which will assist you in ensuring that all the required documentation is submitted with your application. Please note that the checklist requires the submission of a detailed statement, which should provide justification for any variations from [Local Planning Scheme No. 1](#) (click link, click on “all categories drop down list” and select Local Planning Scheme) (the Scheme) and any relevant Policies or Strategy. Note that in many cases, particularly for larger and more complex proposals, it may be more appropriate to engage a consultant to lodge an application on your behalf.

What do I need to know?

You will need to look at the Zoning Table (Table No. 1) in Local Planning Scheme no. 1 to determine if the use is permitted in that particular zone (*the zoning of a property is obtained by referring to the scheme maps of which a hard copy is available at the Shire administration building. The scheme maps can also be viewed on the Shire’s online mapping service at <http://www.amrshire.wa.gov.au/services/interactive-shire-maps>. The Shire’s website is <http://www.amrshire.wa.gov.au/>*). **Clause 4.3** of the Scheme explains how to read the use class table and definitions of each use are provided in Schedule 1. If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Shire may still consider the application as a “use not listed”.

Schedule 9 of the Scheme provides the development standards for each use class, such as landscaping, setbacks, site coverage etc. Schedule 8 provides the parking standard for each use class. In addition to the standards set out in schedules 8 and 9, each zone may have additional provisions including setback requirements, height of buildings, parking, landscaping etc. It is important to read the general provisions of the Scheme as well as the zone specific provisions of the scheme to make sure that all relevant requirements of the scheme are addressed.

Local Planning Policies (LPP's) are developed to help guide the Shire's discretionary decision making. The relevant local planning policies must be identified and the development proposal must be justified against the provisions of any relevant policies. LPP26 – Signage is a policy local policy that is commonly applicable to commercial developments.

LPP 26: Signage - A planning application is required for any new signage or any modifications to the existing signs. An application for a sign may be included in a change in use application or a development application. If a sign application is not included in the initial planning application, a separate application may be required.

Local planning strategies are largely aimed at new developments or the redevelopment/upgrade of existing properties in order to achieve a specific built form and character for an area. Where appropriate, the provisions and guidelines of these strategies/policies must be addressed to indicate how the proposed use or development will contribute towards the envisaged outcome of a policy/strategy area:

1. Townsite strategy, Village strategies; and
2. Local Planning Strategy.

Copies of these strategies can be viewed at the Shire's Offices and are available on the Shire's website at <http://www.amrshire.wa.gov.au/>

Is there anything else?

Depending on the development that is proposed, you may also require a building licence and/or approval from the Shire's Environmental Health Department. On this basis, it is suggested that you consult with the Shire's Building and Environmental Health Department regarding any other approvals that may be required. These departments can be contacted on (08) 9780 5255.

Note: Prior to lodging your application for planning approval you may wish to consider making an appointment with one of Shire's Planning Officers to discuss the proposal. Please phone (08) 9780 5220 for an appointment. Applications that do not comply with the relevant standards or contain insufficient information may be refused or take longer to process.

**** DISCLAIMER ****

This information sheet is a guide only. Verification with original Local Laws, Acts, Local Planning Scheme No. 1 and other relevant documents is recommended for detailed references. The Shire of Augusta Margaret River accepts no responsibility for errors or omissions.