



## **Local Planning Policy 6.6.4 – Exemptions from Development Approval**

### 1. Introduction

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Policy may be cited as Local Planning Policy 6.6.4 - Exemptions from Development Approval, and LPP 6.6.4.

Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) are Deemed Provisions and form part of the Shire of Harvey Local Planning Scheme No. 2 (the Scheme). Clause 61 of the Deemed Provisions, and Schedule A of the Scheme, identify development and works that are exempt from development approval. Clause 61 of the Deemed Provisions allows local governments to prepare local planning policies specifying additional development and/or works that are exempt from development approval.

This Local Planning Policy details additional exemptions from development approval that apply in the Shire of Harvey.

Should there be any inconsistencies between the provisions of this Policy and other local planning policies, the provisions of this Policy prevail.

### 2. Objectives

- To detail the specific circumstances and requirements that must be met in order for specific types of development or works to qualify for an exemption from development approval.
- To exempt certain forms of minor development and works from the requirement for development approval (additional to the Deemed Provisions and Scheme), where they qualify with specified standards to minimise the risk of adverse impacts on the amenity of neighbouring properties, the streetscape or within the Shire generally.
- To stimulate economic growth and employment within the Shire by reducing the regulatory burden of the planning framework for a range of compatible land uses.

### 3. Policy Scope

- This Policy applies to all land within the Shire of Harvey.

## 4. Policy

### 4.1 Works

Subject to clauses 61(4) to 61(8) of the Deemed Provisions, development approval is not required for works if:

- (1) The works are of a class specified in Column 1 of an item in Table 1; and
- (2) If conditions are set out in Column 2 of Table 1 opposite that item, all of those conditions are satisfied in relation to the works.

**Table 1 – Works**

	<b>Column 1 Works</b>	<b>Column 2 Conditions</b>
1.	The erection or installation of, or alterations or additions to, an outbuilding on vacant land within the “Rural” or “Priority Agriculture” zone.	Where the outbuilding is to be setback from the lot boundaries in accordance with the Scheme.

### 4.2 Use of land

Subject to clauses 61(4) to 61(8) of the Deemed Provisions, development approval is not required for the use of land if:

- (1) The use is of a class specified in Column 1 of an item in Table 2; and
- (2) The use is to be carried out on land within the zone set out in Column 2 of Table 2 opposite the specified use; and
- (3) If conditions are set out in Column 3 of Table 2 opposite the specified use, all of those conditions are satisfied in relation to the use.

**Table 2 – Use of land**

	<b>Column 1 Use</b>	<b>Column 2 Zones</b>	<b>Column 3 Conditions</b>

## 5. Strategic objective

The policy aligns to the following strategic objective:



### **Protected natural environment**

Adopting a range of management practices to protect, conserve and rehabilitate the biodiversity of the natural environment.



### **Effective civic leadership**

Effective civic leadership is visionary and influential. It means listening to the community, balancing competing demands, making fair decisions and acting with integrity.

## 6. Definitions

- Nil.

## 7. Legislation

- *Planning and Development Act 2005.*
- Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 Deemed Provisions (Part 2).
- Shire of Harvey’s Local Planning Scheme No. 2.

Responsible officer	Director Sustainable Development		
Responsible team	Planning		
Responsible area	Planning Services		
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