

Policy P689 Applications for Development Approval: Applicants Responsibilities

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

Applications for development approval are assessed to ensure compliance with all statutory requirements and policy provisions. The Council must also be satisfied that any proposed development will preserve or enhance the amenity of the locality. The Council endeavours to assess and determine applications in an effective, comprehensive, accurate and timely manner. To assist the Council in this regard, applicants are expected to submit complete and accurate documentation. This Policy identifies certain documentation that applicants are required to submit, in addition to items specified in Town Planning Scheme No. 6. The Policy also clarifies the limited extent of permissible variation from development approval drawings at the building permit stage.

Policy Scope

This Policy is relevant to development applicants, owners, builders, neighbours, the wider community and City officers involved in the planning application process.

Policy Statement

1. Status

This Policy is a planning policy prepared, advertised and adopted pursuant to the relevant clauses of Town Planning Scheme No. 6 (TPS6). Under TPS6 all local planning policies are documents supporting the Scheme.

The TPS6 specifies the drawings and information that applicants are required to submit when applying for development approval and for the submission of *“any other plan or information that the Council may reasonably require to enable the application to be determined.”* Pursuant to these requirements and in addition to specific documents, this Policy specifies other plans and calculations which the applicant is required to submit, and also refers to a check-sheet to be submitted by the applicant.

2. Objective

To facilitate effective, comprehensive, accurate and timely processing of applications for development approval for proposed development, by identifying documentation to be submitted by the applicant.

3. Scope

This Policy applies to any application for development approval for proposed development and to the approved drawings and conditions of development approval.

4. Applicants' responsibilities when applying for development approval

In addition to other documents submitted with an application for development approval for proposed development, the Council requires submission of the following:

(a) Plans and calculations relating to Plot Ratio

(i) Plot Ratio Plans

In every case where the assessment of an application for development approval involves a plot ratio calculation, in addition to the required floor plans, the applicant is to submit a separate set of those floor plans ('Plot Ratio Plans'), at a scale of 1:100, clearly indicating which portions of each floor of the building are included in the plot ratio area, calculated according to the definition of 'plot ratio' contained in TPS6 in the case of non-residential development, or the R-Codes in the case of residential development.

For each level of the building, the plot ratio area is to be depicted by means of bordering and distinctive colouring or other technique, on the Plot Ratio Plans. For each component, the area, in square metres, is to be recorded on the Plot Ratio Plans.

(ii) Plot ratio calculations

The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the plot ratio areas of each floor of the building;
- the total plot ratio area for the entire building; and
- the overall plot ratio figure expressed as a ratio between the site area and the total plot ratio area for the entire building.

(b) Plans and calculations relating to Open Space

(i) Open Space Plans

In every case where the assessment of an application for development approval involves an open space calculation, in addition to the required site plan, the applicant is to submit a separate copy of the site plan ('Open Space Plan'), at a scale of 1:100, clearly indicating which portions of the site comprise open space, calculated according to the definitions of 'open space', 'communal open space' and 'outdoor living area' contained in the R-Codes.

The open space is to be depicted by means of bordering and distinctive colouring or other technique, on the Open Space Plan. For each component, the area, in square metres, is to be recorded on the Open Space Plan.

In the case of Multiple Dwelling proposals, communal open space areas are to be identified separately from other areas of open space. In the case of Grouped Dwelling and Single House proposals, outdoor living areas are to be identified separately from other areas of open space.

(ii) Open space calculations

- The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the areas, expressed in square metres, of total open space and communal open space or outdoor living area; and
- the percentage of the site comprising the total area of open space.

(c) Plan and calculation relating to Landscaped Area

In every case where the assessment of an application for development approval for non-residential development involves a calculation of landscaped area, on the required site plan or a separate copy of the site plan at a scale of 1:100, the applicant is to clearly indicate which portions of the site comprise landscaped area as referred to in TPS6 and defined in the R-Codes.

The landscaped area is to be depicted by means of bordering and distinctive colouring or other technique, on the site plan. For each component of the landscaped area, the area, in square metres is to be recorded on the site plan.

The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the total landscaped area, expressed in square metres; and
- the percentage of the site comprising the landscaped area.

(d) Applicant’s Planning Assessment

An application for development approval is to be accompanied by an *‘Applicant’s Planning Assessment Check-Sheet’*, completed by the applicant or a written report explaining how the proposal addresses relevant planning matters. Check-sheets for different kinds of applications are available on the City’s web site at www.southperth.wa.gov.au. The City’s Applicants need to use the check-sheet applicable to their particular application.

By completing and submitting this information, the applicant is confirming that all of the required documents and information have been submitted to enable the City to determine compliance with TPS6, the R-Codes and Policies. The applicant is also acknowledging that additional information may be required in particular instances.

5. Major Variations from Development Approval not Permitted

When development approval is granted for a proposed development, the approval relates to the drawings and other documents submitted in support of the application. The development approval does not relate to any later drawings incorporating major variations from the approved drawings. Therefore, the subsequent drawings submitted with a building permit application are required to be consistent with the development approval drawings and to also demonstrate compliance with any conditions of development approval. To ensure consistency between development approval and building permit drawings, and to facilitate the Planning Officers’ cross-checking of these documents, the following provisions apply:

(a) Applicant is to identify all variations

When submitting a building permit application, an applicant who proposes any variations from the development approval drawings is to submit a written description of the variations, together with a request for approval of those variations. Unless the written description clearly identifies all major and minor variations, the description is to be accompanied by drawings highlighting the variations.

(b) Major variations

- (i) Where the building permit drawings incorporate major variations from the development approval drawings, the building permit proposal will constitute a different development for which development approval has not been granted. In this situation, a new application

for development approval will be required. Alternatively, the building permit drawings would need to be modified to maintain consistency with the development approval drawings.

- (ii) Changes which constitute ‘major’ variations from the development approval drawings include, but are not limited to, the following:
- Major changes to the exterior of buildings.
 - Where at a Council meeting, the Council exercised discretion in relation to the approval of setbacks, any proposed further variation.
 - Where the approved setback complies with the setback prescribed in TPS6 or the Acceptable Development provisions of the R-Codes and a proposed variation would involve the exercise of discretion.
 - Major variations from the approved site layout and the design of car parks.
 - Any increase in plot ratio area where the increased plot ratio exceeds the prescribed maximum.
 - Any reduction below the minimum requirements for the total area of open space and for communal open space or outdoor living area.
 - Any reduction below the minimum requirement for landscaped area.

(c) Minor variations

- (i) Where any variations from the approved ‘Planning’ drawings are determined to be minor variations, the assigned Planning Officer is to record the reasons for this conclusion. The building permit drawings will then be accepted as being consistent with the development approval drawings.
- (ii) Changes which constitute ‘minor’ variations from the development approval drawings include, but are not limited to, the following:
- Internal changes to the layout of rooms or other spaces, subject to the changes not resulting in conflict with provisions of TPS6, R-Codes or Council Policies.
 - Minor and inconsequential changes to the exterior design of buildings.
 - Minor variations from the approved site layout and the design of car parks.
 - Minor variations from approved setbacks which comply with TPS6 or the Acceptable Development provisions of the R-Codes, provided that the reduced setbacks comply with the prescribed minimum.
 - An increase in plot ratio area of not more than 1%, provided that the increased plot ratio does not exceed the prescribed maximum.
 - A reduction in open space of not more than 1%, provided that the reduced area meets the minimum requirements for the total area of open space and for communal open space or outdoor living area.
 - A reduction in the landscaped area of not more than 1%, provided that the reduced area meets the prescribed minimum.

Legislation / Local Law Requirements

City of South Perth Town Planning Scheme No. 6

Deemed Provisions Part 2 Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015

Building Code of Australia

Other Relevant Policies / Key Documents

City of South Perth Website (www.southperth.wa.gov.au) Development Applications

City of South Perth Website (www.southperth.wa.gov.au) Building

City of South Perth Strategic Plan 2015-2025