

Local Planning Policy No. 4.8

COMPLEX DEVELOPMENT APPLICATIONS



1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions), Clause 4 and applies to development across the whole of the City.

2. PURPOSE

The purpose of this Policy is to identify complex applications for development approval for the purposes of part (b) of the definition of complex application in clause 1 of the Deemed Provisions.

Note: 'complex application' means –

- (a) *an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or*
- (b) *an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.*

3. INTERPRETATION

Terms should be interpreted in the same way as they would be interpreted if they were contained within the City of Busselton Local Planning Scheme 21.

4. POLICY STATEMENT

4.1 In addition to any applications for development approval that are complex applications pursuant to the Scheme, subject to 4.2 below, any application that meets one or more of the criteria below, is also complex –

4.1.1 Any application lodged for determination by a Development Assessment Panel, pursuant to the Planning and Development (Development Assessment Panels) Regulations.

4.1.2 Any application for development to a value of more than \$2M estimated cost of development, other than an application that is –

- (a) An application for works associated with a land use that is a 'P' land use in the Zone in which the development is proposed or, if multiple land uses are proposed, all of the land uses proposed are for 'P' land uses on the land on which development is proposed;
- (b) If the land is in the Urban Development or Industrial Development Zone, and is subject of an approved Structure Plan, and the application is for a land use or land uses that would all be 'P' land uses if the land were zoned as per the zoning or land use designation shown on the Structure Plan; or
- (c) An application for Warehouse/Storage, Single House or less than 10 Grouped Dwelling(s).

4.1.3 Any application that –

- (a) Includes an 'A' land use on the land on which development is proposed; or
- (b) In the Urban Development or Industrial Development Zone, and if the land is subject of an approved Structure Plan, one or more of the land uses would be an 'A' land uses if the land were zoned as per the zoning or land use designation shown on the Structure Plan.

4.1.4 Any application to extend, alter or change a non-conforming use, pursuant to clause 3.11 of the Scheme.

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- 4.1.5 Any application for land within the ‘Urban Development’ or ‘Industrial Development’ Zone that is not consistent with an adopted Structure Plan, or where there is no adopted Structure Plan.
- 4.1.6 Any application for a Child Care Premises within 100 metres of a Dwelling.

4.2 Notwithstanding 4.1 above, any applications of the following types are not complex applications –

- (a) An application to amend or cancel a development approval; or
- (b) An application that is subject of Section 31 of the State Administrative Tribunal Act 2004; or
- (c) An application that the City identifies as being relatively minor development, which is unlikely to generate significant community interest or be of significant strategic importance.

4.3 In addition to advertising as required by the Deemed Provisions, complex applications shall also be advertised by –

- (a) The placement of a notice in a newspaper circulating in the District; and
- (b) The placement of a notice on one or more of the social media channels where the City has a presence.

5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	DATE	18 October 2023	Resolution #	C2310/127
Previous Adoption	DATE		Resolution #	