What is the Omnibus Amendment to Local Planning Scheme No. 5

Local Planning Scheme No. 5 is the Shire’s planning scheme, which is the legal document that we use to control and guide land use and development proposals. The scheme was adopted in 2008, and needed to be updated. The Omnibus Amendment updated the scheme by making a number of changes to the scheme text only (the zoning maps remain the same).

What are the most significant changes to the Planning Scheme?

Most of the changes are minor updates to the wording of the scheme. However, the most significant changes are aimed at cutting red tape by simplifying the requirements for land use and development.

Land Use

The amended scheme now allows for the following interchangeable uses to occur without the need for planning approval:
- the Shop, Office, Fast Food Outlet, Lunch Bar or Restaurant uses in the Town Centre zone, where permissible under the Dongara Town Centre Precinct Plan; and

The interchangeable uses referred to in clause above may not require planning approval where the local government considers:
1. the use is unlikely to have significant impacts on the amenity of adjoining landowners or the area;
2. the use is unlikely to have significant impacts on the operational effectiveness of the subject land or adjoining areas; and
3. the parking requirements for the use can be adequately met.

More Permitted Development Rights

The amended scheme now allows for the additional forms of development to be carried out without the need for planning approval, as follows:
- outbuildings with an aggregate floor area of 10m²;
- pergolas no more than 2.4m in height from natural ground level, with a maximum aggregate area cover of 20m²;
- shade sails made from pervious cloth, with the pole height being no more than 3.5m in height from natural ground level, and the aggregate sail area not exceeding 20m²;
- roof mounted solar panels except in respect of a place included on the Heritage List or in a Heritage Area;
- ground based solar arrays being no more than 3m in height from natural ground level, and the aggregate array area not exceeding 30m², in the Special Residential, Rural Residential, Rural Smallholdings and General Farming zone and where the relevant Development Requirements are met.

Clause 8.2 of the scheme contains a full list of the existing and new Permitted Development Rights.

What other Permitted Development Rights does the scheme allow for?

The scheme now allows ALL proposals within the Residential zone that meet the deemed-to-comply criteria of the Residential Design Codes to be considered Permitted Development i.e. Planning Approval is not required. However, if a proposal requires a variation to the criteria (even if it is just one variation) Planning Approval will be required (this is in accordance with advice from the State Government).

What do I do if I am unsure if my proposal needs approval?

You can contact the Shire’s Planners, who will let you know if Planning Approval is required. You can also discuss your proposal with the Shire’s Building and Health Services staff to work out if any other approvals are required.