



CITY OF BAYSWATER

Civic Centre, 61 Broun Avenue, Morley, Western Australia 6062

Business Hours: 8.30 a.m. to 4.30 p.m.

Telephone: (08) 9272 0622 Facsimile: (08) 9272 0665

Postal Address: PO Box 467, Morley, W.A. 6943

Change of Use Applications

WHAT IS A CHANGE OF USE?

A change of use refers to any modification made to the approved land use for a particular site.

Changing a land use from one use to another use (for example changing a shop to a restaurant) may require planning approval.

If you are thinking of changing the land use of a particular site, please contact one of the City's Planning Officers who can advise you further.

WHY IS A CHANGE OF USE APPLICATION REQUIRED?

Any person proposing to develop or use land must ensure they have the necessary approvals. Each town planning scheme specifies what kind of residential, industrial or commercial development requires planning approval.

Different zones allow for different land uses. For example, residential zones provide for land uses that complement residential living. Industrial land uses would not be permitted in a residential zone (for example) as they may unduly affect residential activities.

A change of use application will need to demonstrate that the proposed use is allowed by the town planning scheme and Council policy, is consistent with the zoning of the land, has sufficient car parking and will not unduly affect the amenity of the area.

HOW TO MAKE A CHANGE OF USE APPLICATION

The information to be submitted with a change of use application includes (but is not limited to):

1. A completed Metropolitan Region Scheme Form 1, signed by the owner of the land (available at www.bayswater.wa.gov.au);
2. The relevant planning application fee. Please refer to the information sheet on planning application fees (available at www.bayswater.wa.gov.au);
3. An explanation and justification for the proposed land use(s) and supporting information such as letters of support from adjoining landowners;
4. A description of all business activities carried out, including:
 - a) The nature of the business proposed;
 - b) The number of staff employed; and
 - c) The days and hours of operation;
5. Three (3) copies of all plans to scale (preferably 1:200 or less) showing the following information:
 - a) The position, type and use of all existing buildings on the land;
 - b) The use to be made of the land and the portions of the buildings;
 - c) The location, dimensions and layout for all existing and proposed car parking spaces, driveways and crossovers;
 - d) Loading, unloading and vehicular manoeuvring areas on the property;
 - e) The location and means of access to bin areas (if required);

- f) The location, dimensions and design of landscaped areas; and
- g) The number, location and size of any proposed signs.

THE CHANGE OF USE APPLICATION PROCESS

Upon receipt of a change of use application, a Planning Officer will assess the application. It is important to make sure that all the necessary information has been provided with the application (see above). Further information will be sought from the applicant where necessary.

DETERMINATION OF A CHANGE OF USE APPLICATION

If the proposal complies with all aspects of the relevant Town Planning Scheme, the City's policies and any other relevant considerations, approval may be issued under delegated authority.

Where an application proposes variations to the relevant Town Planning Scheme or the City's policies, public advertising and/or the approval of Council may be required.

Council meetings are held once a month. However, before an application can be referred to Council for determination, it must be assessed, further information (if required) submitted by the applicant and a Council report written prior to the Council Agenda deadline. The applicant will be notified when an application is to be referred to Council for determination.

In considering an application for planning approval, the City may:

- Grant planning approval subject to such conditions as it considers necessary; or
- Refuse to grant planning approval.

Should the decision or any of the conditions imposed by the City be unacceptable, the applicant has a right of review under Part 14 of the *Planning & Development Act 2005*.

FURTHER INFORMATION

Should you require any further information, please contact the City's Planning and Development Services Division.

Phone: (08) 9272 0622

Fax: (08) 9272 0665

E-mail: mail@bayswater.wa.gov.au

Web: www.bayswater.wa.gov.au

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