



# Local Planning Policy 1.7

Development Exempt  
from Planning Approval



# Development Exempt from Planning Approval

## Citation

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 1.7 – Development Exempt from Planning Approval (LPP 1.7).

## Introduction

Clause 60 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('Deemed Provisions') requires the prior approval of Council for all development subject to Local Planning Scheme No. 4 (LPS4), except as detailed in Clause 61. Clause 61 lists development which is exempt from approval under the planning scheme and includes the carrying out of works or land use specified in a local planning policy or local development plan.

## Objectives

To specify development which does not require Development Approval by the City under Local Planning Scheme No. 4 in addition to the exemptions listed under Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('Deemed Provisions').

## Application of this Policy

This policy applies to all development within the Scheme area and is additional to the exemptions set out in Schedule 2, Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Development Approval is not required for works or use if:

- a) the works or use are of a class specified in Column 1 of an item in Table 1;
- b) the works or use are located in zones or reserves set out in Column 2 of Table 1;
- c) if conditions are set out in Column 3 of Table 1 opposite that item — all of those conditions are satisfied in relation to the works or use; and
- d) the works are not in a Special Control Area or Bushfire Prone Area unless otherwise specified in Table 1.

Notwithstanding the above:

- a) An exemption does not apply if it will result in tree-damaging activity to a regulated tree unless otherwise exempt as per Local Planning Policy 2.26: Tree Retention.



- b) Notwithstanding whether a use is exempted, works to a heritage-protected place will require development approval unless specifically exempted in the table below.
- c) An exempt development cannot contravene any valid conditions of an existing Development Approval.
- d) An exemption from the requirement to obtain Development Approval does not remove the need to seek and obtain any other approval which may be required under any other written law, such as the Building Act, Strata Titles Act, Heritage of Western Australia Act or Dividing Fences Act.

## Policy statement

### Table 1: Exempt works and use

*Note 1: Within a Heritage Area, where identification of 'contributory' places has not yet been carried out in that area and listed in LPP 3.6.1: Heritage Area Listings, all houses in that area are assumed to be 'contributory' for the purposes of this Policy.*

General Exemptions.....	3
Demolition .....	4
Non-Residential Land Use.....	5
Additions and Alterations to Single Houses and Grouped Dwellings .....	6
Outbuildings, Patios and Shade Structures to Heritage-protected Places .....	8
Fences.....	9
Swimming Pools and Site Works.....	11
Painting, External Cladding and Roofs .....	12
Air Conditioners, Solar Panels and Other External Fixtures.....	13
Other Structures and Vegetation .....	15
Definitions .....	16
Appendix 1: Exempt Advertisements.....	20



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
<b>General Exemptions</b>			
1.	Works by any public authority acting pursuant to the provisions of any Act on, in, over or under a public street, or works for a utility service.	All Zones and Reserves	Nil
2.	Works urgently necessary for public safety, safety or security of plant or equipment, maintenance of essential services, or protection of the environment.	All Zones and Reserves	Nil
3.	Temporary works in existence for less than 14 days or such longer time as the City agrees.	All Zones and Reserves	The works are not signs or advertisements.
4.	The carrying out of any building or works to a building which affects only the interior of a building on the Heritage List.	All Zones and Reserves	a) The works are confined to: <ol style="list-style-type: none"> <li>i. Existing kitchen, bathroom or laundry fit out with no structural alterations;</li> <li>ii. Replacement of light fitting(s);</li> <li>iii. Painting/wall papering/plastering of internal walls*;</li> <li>iv. Retiling;</li> <li>v. Construction of new internal non-masonry, non-load bearing walls;</li> <li>vi. New floor covering placed over but not replacing or damaging existing floor surface materials; or</li> <li>vii. Electrical and plumbing works.</li> </ol> b) The place is not: <ol style="list-style-type: none"> <li>i. Level 1A or 1B on the local Heritage List;</li> <li>ii. entered in the State Register of Heritage Places; or</li> <li>iii. the subject of a Heritage Order or Agreement.</li> </ol>
5.	The carrying out of any building or works to a	All Zones and Reserves	The place is not:



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
	building which affects only the interior of a building in a Heritage Area.		<ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List unless exempt under No. 4 above.</li> </ul>
<b>Demolition</b>			
6.	The demolition of a building on a lot to which the R-Codes do not apply.	All Zones and Reserves	The building is not: <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included on the Heritage List; or</li> <li>iv. included in a Heritage Area.</li> </ul>
7.	Demolition of the following structures on a place in a Heritage Area: <ul style="list-style-type: none"> <li>i. Outbuildings;</li> <li>ii. Minor structures;</li> <li>iii. Patios;</li> <li>iv. Shade Structures;</li> <li>v. Carports;</li> <li>vi. External Fixtures;</li> <li>vii. Air Conditioners;</li> <li>viii. Private swimming pools and outdoor spas;</li> <li>ix. Flag poles; and</li> <li>x. Water tanks.</li> </ul>	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) If the building is an outbuilding:               <ul style="list-style-type: none"> <li>i. it is not of masonry or limestone construction; and</li> <li>ii. has a floor area of less than 25m<sup>2</sup>.</li> </ul> </li> <li>b) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included on the Heritage List; or</li> <li>iv. included in a Heritage Area.</li> </ul> </li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
8.	Demolition of internal and boundary / dividing fences in Heritage Areas or Level 3 on the Heritage List.	All Zones and Reserves	a) The fence is not limestone or masonry. b) The fence is not on the primary or secondary street(s). c) The place is not: <ol style="list-style-type: none"> <li>i. Level 2, 1A or 1B on the Heritage List;</li> <li>ii. entered in the State Register of Heritage Places; or</li> <li>iii. the subject of a Heritage Order or Agreement.</li> </ol>
<b>Non-Residential Land Use</b>			
9.	A change in the use of an existing building to any of the following uses: <ol style="list-style-type: none"> <li>a) Shop;</li> <li>b) Office;</li> <li>c) Consulting rooms;</li> <li>d) Child care premises;</li> <li>e) Medical centre;</li> <li>f) Recreation – private; or</li> <li>g) Restaurant.</li> </ol>	City Centre	<i>Note that works to a heritage-protected place will still require planning approval.</i>
10.	A change in the use of an existing building to any of the following uses: <ol style="list-style-type: none"> <li>i. Shop;</li> <li>ii. Office; or</li> <li>iii. Consulting rooms.</li> </ol>	Neighbourhood Centre	If the use is a shop, the net lettable area does not exceed 300m <sup>2</sup> .
11.	A change of use of a building which currently has Development Approval for use as a Small Bar to use as a Restaurant.	Mixed Use, Neighbourhood Centre	The new use operates in accordance with any conditions of Development Approval relating to the hours of operation that apply to the currently approved Small Bar use on the subject site.



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
12.	Advertisements and signs.	Refer to Appendix 1	Refer to Appendix 1.
13.	Patios, carports, shade structures and awnings to non-residential development.	Commercial, Industrial	<ul style="list-style-type: none"> <li>a) Patios, carports and shade sails have a maximum height of 3.5m.</li> <li>b) The development is outside of the primary and secondary street setback area(s).</li> <li>c) There is a minimum 1m setback to any residential zoned land.</li> <li>d) The development does not reduce the landscaping or tree supply required by a local planning policy.</li> <li>e) The place is not a heritage-protected place.</li> </ul>
<b>Additions and Alterations to Single Houses and Grouped Dwellings</b>			
14.	Additions and Alterations to Single Houses or Grouped Dwellings identified as 'Contributory' in a Heritage Area.  <i>See Note 1 above</i>	All Zones	<ul style="list-style-type: none"> <li>a) The works are single storey (ground level).</li> <li>b) The works are located between a dwelling and the side or rear lot boundary of a development site (excluding secondary street setback areas).</li> <li>c) Side additions:               <ul style="list-style-type: none"> <li>i. Are lower in height than the place;</li> <li>ii. Are set back a minimum of 1m behind front building line (main wall);</li> <li>iii. Have a new roof independent from the roof form of the place and which doesn't continue the slope of the roof of the original building exterior; and</li> <li>iv. Have no alteration to existing roof form.</li> </ul> </li> <li>d) Rear additions are standalone buildings detached from the existing place.</li> <li>e) The works meet the applicable deemed-to-comply provisions of the Residential Design Codes and any relevant local planning policy.</li> <li>f) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> </ul> </li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
			<ul style="list-style-type: none"> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included on the Heritage List; or</li> <li>iv. located within Special Control Area 5.7 (SCA 5.7) and with a development granted approval under clause 5.7 of Local Planning Scheme No. 4.</li> </ul>
15.	<p>Additions and alterations to all Single Houses and Grouped Dwellings, including those in a Heritage Area that are <u>not</u> 'Contributory'.</p> <p><i>See Note 1 above</i></p>	All Zones	<ul style="list-style-type: none"> <li>a) The works are single storey (ground level).</li> <li>b) The works are located between a dwelling and the side or rear lot boundary of a development site (excluding secondary street setback areas).</li> <li>c) The works meet the applicable deemed-to-comply provisions of the Residential Design Codes and any relevant local planning policy.</li> <li>d) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included on the Heritage List; or</li> <li>iv. located within Special Control Area 5.7 (SCA 5.7) and with a development granted approval under clause 5.7 of Local Planning Scheme No. 4.</li> </ul> </li> </ul>
16.	<p>The modification of major and minor openings to an existing Single House or Grouped Dwelling.</p>	All Zones	<ul style="list-style-type: none"> <li>a) The modifications meet the relevant deemed-to-comply provisions of the Residential Design Codes.</li> <li>b) If the building is identified as a 'Contributory' property in a Heritage Area, the openings do not impact the original building exterior (<i>See Note 1 above</i>).</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ul> </li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
<b>Outbuildings, Patios and Shade Structures to Heritage-protected Places</b>			
17.	Small outbuildings in Heritage Areas and/or a place listed as Level 3 on the City's Heritage List.	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) The outbuilding is located between a dwelling and a rear lot boundary of a development site (excluding secondary street setback areas).</li> <li>b) The outbuilding meets the applicable deemed-to-comply provisions of the Residential Design Codes for a small outbuilding.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included as a level 1A, 1B or 2 on the Heritage List; or</li> <li>iv. located within Special Control Area 5.7 (SCA 5.7) and with a development granted approval under clause 5.7 of Local Planning Scheme No. 4.</li> </ul> </li> </ul>
18.	Patios to a Single house or Grouped dwelling listed as Level 3 on the City's Heritage List.	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) The works are located between a dwelling and the rear lot boundary of a development site (excluding secondary street setback areas).</li> <li>b) Maximum height of 3m.</li> <li>c) The works meet the applicable deemed-to-comply provisions of the Residential Design Codes.</li> <li>d) The works are freestanding or do not include removal or alterations to the place aside from wall fixings.</li> <li>e) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included as a level 1A, 1B or 2 on the Heritage List; or</li> <li>iv. located within Special Control Area 5.7 (SCA 5.7) and with a development granted approval under clause 5.7 of Local Planning Scheme No. 4.</li> </ul> </li> </ul>
19.	Shade structures to a Single house or Grouped	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) The structure is located between a dwelling and the rear lot boundary of a</li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
	dwelling in Heritage Areas or listed as Level 3 on the City's Heritage List.		<p>development site (excluding secondary street setback areas).</p> <ul style="list-style-type: none"> <li>b) The structure is no greater than 3 metres in height and 25m<sup>2</sup> in area.</li> <li>c) The works are freestanding or do not include removal or alterations to the place aside from wall fixings.</li> <li>d) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement;</li> <li>iii. included as a level 1A, 1B or 2 on the Heritage List; or</li> <li>iv. located within Special Control Area 5.7 (SCA 5.7) and with a development granted approval under clause 5.7 of Local Planning Scheme No. 4.</li> </ul> </li> </ul>
<b>Fences</b>			
20.	Fences on or abutting a property on the Heritage List and/or within a Heritage Area.	All Zones	<ul style="list-style-type: none"> <li>a) The fence is not located within the primary or secondary street.</li> <li>b) The maximum height is 1.2m where within 3m of the boundary of any local open space or regional reserve for parks and recreation, and a maximum height of 1.8m in all other cases.</li> <li>c) The fence is in line with or behind the main wall of the building when viewed from both the primary and secondary streets.</li> <li>d) The fence is freestanding and not attached to any existing structure, existing building or heritage feature.</li> <li>e) If the fence is subject to the Residential Design Codes, it meets the deemed-to-comply criteria for vehicle sightlines.</li> <li>f) If the fence is not subject to the Residential Design Codes, it meets the vehicle sightlines criteria of the relevant Australian Standards.</li> <li>g) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> </ul> </li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions								
			<ul style="list-style-type: none"> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul>								
21.	Primary and secondary street fences in a Heritage Area (excluding the Hilton Heritage Area).	All Zones	<ul style="list-style-type: none"> <li>a) Fencing in the primary or secondary street setback areas (forward of the main wall of the place and measured from the street elevation) is:               <ul style="list-style-type: none"> <li>i. Solid up to 0.9m in height; or</li> <li>ii. Picket, post and wire or slat fences up to 1.2m in height and visually permeable; or</li> <li>iii. Hybrid with a solid portion up to 0.5m and visually permeable above to a total of 1.2m in height; and</li> <li>iv. With any piers up to 1.5m in height.</li> </ul> </li> <li>b) Fences meet the deemed-to-comply criteria of the R-Codes for vehicle sightlines.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List</li> </ul> </li> </ul>								
22.	Primary and secondary street fences in the Hilton Heritage Area	All zones	<ul style="list-style-type: none"> <li>a) Street walls and fences forward of the building line are a maximum height of 1.5m as measured from the street elevation, and with the following visual permeability:               <table border="1" data-bbox="884 1532 1469 1758"> <thead> <tr> <th data-bbox="884 1532 1177 1615">Max Height</th> <th data-bbox="1177 1532 1469 1615">Minimum Visual Permeability</th> </tr> </thead> <tbody> <tr> <td data-bbox="884 1615 1177 1659">Up to 0.9m</td> <td data-bbox="1177 1615 1469 1659">20% above 0.3m</td> </tr> <tr> <td data-bbox="884 1659 1177 1704">1m to 1.2m</td> <td data-bbox="1177 1659 1469 1704">50% above 0.3m</td> </tr> <tr> <td data-bbox="884 1704 1177 1758">1.3m to 1.5m</td> <td data-bbox="1177 1704 1469 1758">85% above 0.3m</td> </tr> </tbody> </table> </li> <li>b) Fences meet the deemed-to-comply criteria of the R-Codes for vehicle sightlines.</li> </ul>	Max Height	Minimum Visual Permeability	Up to 0.9m	20% above 0.3m	1m to 1.2m	50% above 0.3m	1.3m to 1.5m	85% above 0.3m
Max Height	Minimum Visual Permeability										
Up to 0.9m	20% above 0.3m										
1m to 1.2m	50% above 0.3m										
1.3m to 1.5m	85% above 0.3m										



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
23.	Screening material attached to an existing dividing fence.	All Zones and Reserves	a) The material projects no more than 500mm above the top of the fence at any point. b) The material is not situated within a primary or secondary street setback area.
<b>Swimming Pools and Site Works</b>			
24.	Private swimming pools and outdoor spas in Heritage Areas.	All Zones	a) The works are situated between a dwelling and the rear lot boundary of a development site, and no greater than 1.8m in height. b) The place is not: <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ul> <p><i>Note that pool fencing is subject to planning approval unless otherwise exempt in this Policy.</i></p>
25.	Filling or excavation of land with no more than 500mm change to the natural ground level.	All Zones and Reserves	a) The place is not: <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul> b) The works do not impact a regulated tree as defined in Local Planning Policy 2.26: Tree Retention.
26.	Construction of a retaining wall less than 500mm in height above natural ground level.	All Zones and Reserves	a) The place is not: <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul> b) The works do not impact a regulated tree as defined in Local Planning Policy 2.26: Tree Retention.
27.	Outdoor hard surfaces.	All Zones and Reserves	a) The finished level of the surface is no more than 500mm above natural ground level. b) The works meet the deemed-to-comply landscaping provisions of the R-Codes or a relevant local planning policy such as LPP3.8: O'Connor.



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
			c) If the outdoor hard surface is located within a heritage-protected place, the works are located between a dwelling and the side or rear lot boundary of a development site (excluding secondary street setback areas). d) The works do not impact a regulated tree as defined in Local Planning Policy 2.26: Tree Retention. e) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ol>
<b>Painting, External Cladding and Roofs</b>			
28.	The painting or application of render on the external surface of any building or structure.	All Zones and Reserves	a) If the building is in a Heritage Area, the works are not to the original building exterior. b) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ol>
29.	The maintenance and repair of any building or structure being lawfully used immediately prior to the Scheme having effect.	All Zones and Reserves	The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ol>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
30.	Replacing or altering roofing materials on a building.	All Zones and Reserves	a) There is no change to the roof form or pitch. b) If the building is within a Heritage Area, the works are: <ol style="list-style-type: none"> <li>i. not to a contributory place (<i>See Note 1 above</i>); or</li> <li>ii. not impacting the original building exterior; or</li> <li>iii. replacement of asbestos with corrugated zincalume or galvanised steel sheeting; or</li> <li>iv. like-for-like material replacement.</li> </ol> c) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ol>
31.	Adding, altering or replacing external cladding materials on a building.	All Zones and Reserves	a) There is no change to the building form. b) If the building is within a Heritage Area, the works are not to the original building exterior. c) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ol>
<b>Air Conditioners, Solar Panels and Other External Fixtures</b>			
32.	External fixtures installed on a building to which the R-Codes do not apply.	All Zones and Reserves	a) If the building is within a Heritage Area, the works are not visible from the street. b) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. included on the Heritage List.</li> </ol>
33.	External fixtures (excluding air conditioners) on a place on the Heritage List.	All Zones and Reserves	a) The external fixtures: <ol style="list-style-type: none"> <li>i. do not exceed 1.8m in height and are fixed to a wall of a building which faces the rear or a side boundary (excluding walls facing secondary streets); or</li> </ol>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
			<ul style="list-style-type: none"> <li>ii. are fixed to a plane of the roof of a building which faces the rear or a side boundary (excluding roof planes facing secondary streets), or to a flat roof, and project no more than 1m above the part of the existing roof to which the fixture is attached and no greater than 2m wide, or projecting no more than 2m above the highest part of the existing roof at any point in the case of an aerial or antenna.</li> <li>b) If the fixture is a satellite antenna or dish, the maximum diameter is 1m.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul> </li> </ul>
34.	External fixtures (excluding air conditioners) in a Heritage Area.	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) The external fixtures:               <ul style="list-style-type: none"> <li>i. do not exceed 1.8m in height and are fixed to a wall of a building which faces the rear or a side boundary (excluding walls facing secondary streets); or</li> <li>ii. are fixed to a plane of the roof of a building which faces the rear or a side boundary (excluding roof planes facing secondary streets), or to a flat roof, and project no more than 1m above the part of the existing roof to which the fixture is attached, or projecting no more than 2m above the highest part of the existing roof at any point in the case of an aerial or antenna.</li> </ul> </li> <li>b) If the fixture is a satellite antenna or dish, the maximum diameter is 1m.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. on the Heritage List.</li> </ul> </li> </ul>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
35.	Air conditioning units	All Zones and Reserves	a) The unit: <ol style="list-style-type: none"> <li>i. does not exceed 1.8m in height and is fixed to a wall of a building which faces a side boundary (excluding walls facing secondary streets);</li> <li>ii. is fixed to a wall or roof plane of a building which faces the rear boundary at a height not exceeding the highest part of the existing roof at any point; or</li> <li>iii. if the building has a flat roof and is not on the Heritage List, is in a position where the top of the air conditioning unit is not more than 1m above the highest part of the existing roof at any point.</li> </ol> b) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. on the Heritage List.</li> </ol>
<b>Other Structures and Vegetation</b>			
36.	Water tanks on a place on the Heritage List or in a Heritage Area.	All Zones and Reserves	a) The water tank: <ol style="list-style-type: none"> <li>i. is fixed to a wall of a building which faces the rear or a side boundary (excluding walls facing secondary streets) at a height not exceeding the eaves height; or</li> <li>ii. is free standing and located between a dwelling and the side or rear lot boundary of a development site (excluding secondary street setback areas), and no greater than 2.4m in height if more than 1m from any boundary, or 1.8m in height if less than 1m from any boundary.</li> </ol> b) The place is not: <ol style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places;</li> <li>ii. the subject of a Heritage Order or Agreement; or</li> <li>iii. on the Heritage List.</li> </ol>



No.	Development Type (Use/Works)	Zones/Local Reserves	Conditions
37.	Minor structures	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) If within the primary street setback area, the structure is a maximum of 2m in height, excluding clothes lines.</li> <li>b) If outside of the primary street setback area, the structure is a maximum of 3m in height.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul> </li> </ul>
38.	Flag poles	All Zones and Reserves	<ul style="list-style-type: none"> <li>a) Free standing and a maximum of 6m in height.</li> <li>b) Not used for advertising purposes.</li> <li>c) The place is not:               <ul style="list-style-type: none"> <li>i. entered in the State Register of Heritage Places; or</li> <li>ii. the subject of a Heritage Order or Agreement.</li> </ul> </li> </ul>
39.	Removal of trees or vegetation areas.	All Zones	<ul style="list-style-type: none"> <li>a) Trees or vegetation are not:               <ul style="list-style-type: none"> <li>i. identified on the Register of Significant Trees or Vegetation Areas; or</li> <li>ii. required to be retained on a site through a condition of Development Approval.</li> </ul> </li> <li>b) The works are exempt as set out in Local Planning Policy 2.26: Tree Retention.</li> </ul>

\*It is recommended to avoid introducing cement render/plaster and acrylic paints to walls that are not rendered, unpainted or have lime plaster and /or limewash or mineral paint as this can cause damp, mould and structural issues for the building. Refer to the City's Technical Advice Sheets on the preservation of heritage properties.

## Definitions

**External fixtures** has the meaning given to it in the Residential Design Codes, which includes solar panels and home batteries.

**Heritage Act** refers to the Heritage of Western Australia Act 1990, as amended, or subsequent legislation which supersedes this Act.

**Heritage Area** means an area designated as having cultural heritage significance within the Local Planning Scheme area under Schedule 2, clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015.



**Heritage List** means a list identifying places within the Local Planning Scheme area of cultural heritage significance, and worthy of built heritage conservation, under Schedule 2, clause 8 of the Planning and Development (Local Planning Schemes) Regulations 2015.

**Heritage Order or Agreement** refers to an Order or Agreement made under Part 6 of the Heritage Act.

**Heritage-protected place** is as defined in the Planning and Development (Local Planning Schemes) Regulations 2015, which includes state and local heritage listed properties, properties subject to a Heritage Order or Heritage Agreement, and all properties within a Heritage Area, whether contributory or not.

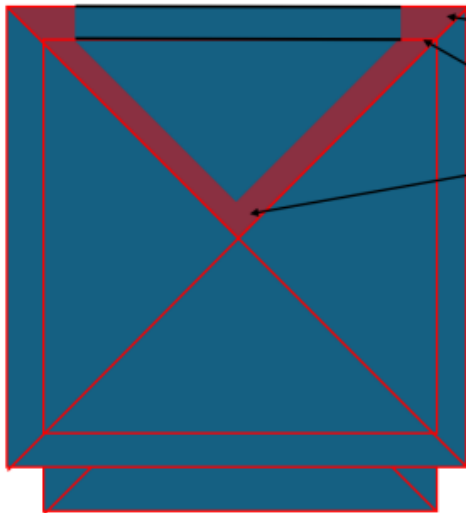
**Maintenance and repair** means minor works that are undertaken to fix, or prevent, a building, structure or place from deteriorating or falling into a state of disrepair. The works are to be undertaken to the same details, materials and specifications of the building, structure or place prior to the deterioration or disrepair occurring. The definition excludes: internal works, the full replacement of roofs or external cladding, or the painting or rendering of an element that is not part of the maintenance and repair as defined above.

**Minor structures** means free standing structures not attached to a building including, without limiting the generality of the foregoing, letter boxes, clothes lines, children's play equipment, basketball and netball hoops, barbeques and free standing satellite dishes, but excluding flag poles.

**Original building exterior** from LPP 3.6, means:

- a) the original external portions of a building that contribute to the area. It includes, the following:
  - i. the main external walls under the original main roofline;
  - ii. the roof, eaves, roof plumbing and chimneys of the original main building;
  - iii. any lean-tos of the same material and constructed at roughly the same time as the original main rooms of the house;
  - iv. porches, verandahs, front steps and the like;
  - v. window frames, doors, shopfronts, and positioning of openings;
  - vi. external detailing and features; and
  - vii. colour, material, texture, and the like.
- b) But excludes:
  - i. portions of rear wall (inclusive of above items i-vii on the rear wall) at least 250mm from a side corner;
  - ii. rear portions of roofs and eaves from the corner of the rear roof or eaves to 250mm in from the side corner of the wall; and
  - iii. any portions of roof at least 500mm behind the apex or parapet and down the length of the rear roof and not visible from the street.

*Refer to figures overleaf*

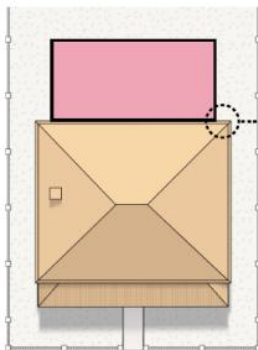


Rear roof: From corner of eaves to 250mm past corner of wall

Rear Wall: 250mm from side corner of wall

Rear roof: 500mm from roof apex/peak

Primary Street



Min. roof offset from corner of eaves to 250mm inset above rear wall

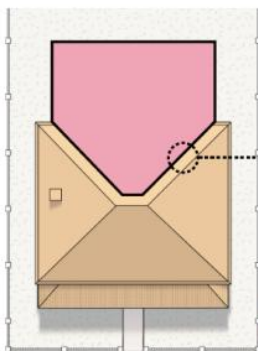
Min. wall offset 250mm from corner of rear wall



**Rear addition with side walls set in from the original building.**

PRIMARY STREET

Existing building  
Addition



Minimum 500mm offset from apex/peak of original roof



**Rear addition offset from original building roof apex**

PRIMARY STREET

Existing building  
Addition



**Shade structures** means unenclosed permeable roofed structures designed primarily for the purpose of providing shade associated with residential development including, without limiting the generality of the foregoing, gazebos, sails, umbrellas, vergolas and pergolas.

**State Heritage Register** refers to the Register of Heritage Places prepared under the Heritage Act.

**Visually permeable** as defined in the Residential Design Codes, means in reference to a wall, gate, door, screen or fence that the vertical surface, when viewed directly from the street or other public space, has:

- continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;
- continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- a surface offering equal or lesser obstruction to view.



## Appendix 1: Exempt Advertisements

Refer to Local Planning Policy 2.14: Advertisements and Signs for definitions.

Note that election signage is governed by the Council Policy - Electoral Activities and Signage and the requirements of the WA Electoral Commission.

★The exempted signs specified below exclude signs which contain any illumination or radio; animation or movement in its design or structure; or reflective, retro-reflective or fluorescent materials.

Sign Type★	Zones/Reserves	Conditions
All	In all zones	Any change to the words, pictures, symbols or colours of any approved advertisement where the change does not alter the size or purpose of the approved advertisement.
Property disposal	In all zones	<ul style="list-style-type: none"> <li>• One sign per street frontage advertising for sale, lease or rent the property on which the sign is situated.</li> <li>• Maximum area as follows—               <ul style="list-style-type: none"> <li>○ Sites less than 5000 sqm - 2 sqm</li> <li>○ Sites greater than 5000sqm - 5 sqm</li> </ul> </li> </ul>
Construction sites	In all zones	<ul style="list-style-type: none"> <li>• One sign per street frontage advertising details of the project, architects, contractors or builders, displayed only for the duration of the construction.</li> <li>• Maximum area as follows—               <ul style="list-style-type: none"> <li>○ Sites less than 5000 sqm — 2 sqm</li> <li>○ Sites greater than 5000 sqm — 5 sqm</li> </ul> </li> </ul>
Temporary sign	In all zones	<ul style="list-style-type: none"> <li>• One sign per road frontage.</li> <li>• Maximum area as follows—               <ul style="list-style-type: none"> <li>○ Sites less than 5000 sqm — 2 sqm</li> <li>○ Sites greater than 5000 sqm — 5 sqm</li> </ul> </li> </ul>



Sign Type★	Zones/Reserves	Conditions
Sign not permanently attached	In all zones, excluding the Residential zone	<ul style="list-style-type: none"> <li>• One per street frontage,</li> <li>• located on the lot to which the sign relates and directly relating to the goods, services, or functions of the property on which it is located,</li> <li>• maximum area 2sqm, and</li> <li>• does not pose a hazard or obstruction to vehicle and/or pedestrian movement or sightlines.</li> </ul>
Window sign	In all zones, excluding the Residential zone	Provided the sign is/are displayed on the windows of the business premises from which the advertised item is sold, or the advertised services are supplied, and the total sign does not cover more than 50% of the total window area of the tenancy as viewed from the street.
Plaques or plates	In all zones	On the site to which they pertain. Maximum area 0.2 sqm
Building identification Sign	In all zones	A single line of letters not exceeding 300mm in height and fixed to the façade of the building.
Signs erected by a public authority, or on its behalf for the purpose of public safety or information and/or the direction and control of people, animals or vehicles	Local Reserves	N/A
Signs erected by a public authority, or on its behalf for the purpose of public safety or information and/or the direction and control of people, animals or vehicles	Road Reserves	N/A



<b>Local Planning Policy – Document Control</b>				
<b>Responsible Officer</b>		<b>Previous Policy Title</b>		<b>Next Review Date</b>
Manager City Planning		Development Exempt from Planning Approval Under LPS4		(four years)
<b>Version</b>	<b>Decision to Adopt/Amend</b>		<b>Brief Details of Modifications</b>	
1	23 September 2020 OCM - PT2009-3		Inclusion of COVID provisions and limitations on Small Bars/Restaurants	
2	22 February 2023 OCM - PC2302-8		Removal of COVID provisions	
3	9 October 2024 OCM – C2410-4		Update to reflect new heritage areas policy and incorporate fencing	
4	11 March 2026 OCM – C2603-5		Incorporate fence & sign exemptions; modify exemptions for heritage places, grouped dwellings and non-res land use; add definitions	
<b>Public Consultation</b>		Yes		
<b>WAPC Approval Required?</b>		No	<b>Date approved by WAPC</b>	N/A