

Local Planning Policy

Exemptions

1. 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 (LPP) – Exemptions.

2. Introduction

This policy outlines the conditions and requirements for categories of development within the Shire of Murray to be exempt from requiring Development Approval. These exemptions are in addition to those specified in cl.61 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 – Development for which development approval is not required, and is prepared pursuant to table item 20 of cl.61(1)

3. Objectives

- a) To streamline and support development within the Shire of Murray by exempting low impact categories of development.
- b) To provide flexibility for minor works that align with the existing and desired context envisioned in Local Planning Scheme No.4 (LPS4) and the other elements of the local planning framework.

4. Definitions

Terms have the meanings given in LPS4, the Residential Design Codes or the Planning and Development (Local Planning Schemes) Regulations 2015.

Minor works means development that, in relative terms, will not have any material effect on the operation of a land use or on the appearance of the land or buildings on which it is installed or constructed. Examples of minor development include ancillary uses, small garden structures, solar collectors and water tanks.

Residential areas include land located within the Residential, Residential Development, Special Development and similar zones. This **does not** include the Canal Development Zone

Rural Residential areas include land that is zoned Special Residential, Special Rural, Farmlet, Hills Landscape Protection and similar zones.

5. Policy Application

This Policy applies to all land within the Shire of Murray subject to LPS4 including development in residential and non-residential zones, unless otherwise stated.

The scope of this policy is limited to providing additional pathways for exempted development. It does not apply to the assessment of development applications and does not replace, modify, or supplement any development standards.

This policy does not apply to:

- a) Land or buildings entered on the State Register of Heritage Places under the Heritage Act 2018; or
- b) Land or buildings the subject of an order under the Heritage Act 2018 Part 4 or Part 11, Division 4; or
- c) Land or buildings included on the Shire of Murray Heritage List; or
- d) Land or buildings within an area designated under LPS4 as a Heritage Area; or

- e) Development required to be referred by the Peel Region Scheme Instrument of Delegation prior to determination; or
- f) Land subject to the bushfire requirements of the Planning and Development (Local Planning Schemes) Regulations 2015; or
- g) Land within a place of landscape value area designated under LPS4; or
- h) Land within a floodway designated under LPS4; or
- i) Development which includes the removal of trees.

6. Policy Statement

Refer to cl. 61(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 for works for which development approval is not required, in addition to the following:

No.	Works	Conditions
1	The installation of a water tank on a lot in Rural Residential areas.	<ul style="list-style-type: none"> (i) A single house is a class P use in the zone in which that lot is located; and (ii) The development standards (including location within a building envelope) set out in the scheme for that particular zone and any relevant policy are satisfied.
2	The installation of, or alterations or additions to a patio, carport, pergola or similar on the same lot as a single house on a lot in Rural Residential areas.	<ul style="list-style-type: none"> (i) A single house is a class P use in the zone in which that lot is located; and (ii) The development standards (including location within a building envelope) set out in the scheme for that particular zone and any relevant policy, with the exception of the Residential Design Codes, are satisfied.
3	The installation of, or alterations or additions to a patio, pergola or similar on the same lot as a single house in Residential areas.	<ul style="list-style-type: none"> (i) A single house is a class P use in the zone in which that lot is located; and (ii) Is located behind the primary street setback; and (iii) Has eaves, gutters and roofs set back at least 450mm from the lot boundary; and (iv) In areas coded R25 and below, the patio is not higher than 3m, up to a maximum length of the greater of 10m or one-third the length of the balance of the site boundary behind the front setback; or

		(v) In areas coded R30 and above, not higher than 3m for two-thirds the length of the balance of the site boundary behind the front setback.
3	Minor Works and additions to Caravans or Park Homes on land within the Caravan / Chalet Park Zone.	The works comply with the requirements of the <i>Caravan and Camping Ground Regulations 1997</i> .
4	Residential Development in the Canal Zone	The works meet the listed exemption requirements of the <i>Requirements for Properties Abutting an Artificial Canal Waterway Local Planning Policy</i> .
5	Domestic Outbuildings	The works meet the listed exemption requirements of the <i>Domestic Outbuildings Local Planning Policy</i> .
6	Sea Containers	The works meet the listed exemption requirements of the <i>Sea Containers Local Planning Policy</i> .
7	Boating Facilities and Moorings	The works meet the listed exemption requirements of the <i>Boating Facilities and Moorings Local Planning Policy</i> .
8	Signs	The works meet the listed exemption requirements of the <i>Signs Local Planning Policy</i> .

7 Administration

Directorate	Officer Title
Planning and Sustainability	Director Planning and Sustainability

Version	Decision to Advertise	Decision to Adopt	Current Status
1	OCMXX/XX	OCMXX/XX	




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