

Local Planning Policy 3.4 Exempt Development

VERSION 1

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town planning services

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1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *Exempt Development local planning policy* (LPP No.x.x).

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme, the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

2.0 INTRODUCTION

This local planning policy has been developed to identify certain types of development that are exempt from requiring development approval under the *Planning and Development (Local Planning Schemes) Regulations 2015*. The purpose of the policy is to streamline the planning process by recognising works and land uses with minimal impact, or where adequate controls exist elsewhere.

By specifying exempt development, the policy aims to provide clear guidance to anyone wanting to undertake development, ensuring efficient decision-making while maintaining appropriate management of potential impacts within the Scheme area.

3.0 OBJECTIVES

- a) Facilitate good development outcomes by eliminating unnecessary regulatory barriers.
- b) Prevent duplication in approval processes to streamline the regulation of development.
- c) Identify development that poses little or no risk of adverse impact.

4.0 DEVELOPMENT REQUIREMENTS

4.1 Works for which development approval is not required

4.1.1 Development approval is not required for works if —

- (a) the works are of a class specified in Column 1 of an item in Table 1; and
- (b) if conditions are set out in Column 2 of Table 1 opposite that item — all of those conditions are satisfied in relation to the works.

Table 1

	Column 1 Works	Column 2 Conditions
1	Alteration of a building or structure. <i>(Note: Changes to buildings or structures that don't increase its size)</i>	(a) It is not a residential building or structure; (b) No additional floor area is created; (c) The alterations do not increase the height of the building or structure; and (d) Either — (i) neither the building or structure nor any part of it is located in a heritage-protected place of a kind referred to in <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Part 1 cl. 1A (1)(a) to (e); or (ii) the building or structure, or a part of it, is located in a heritage-protected place of a kind referred to in <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Part 1 cl. 1A (1)(a), (c), (d) or (e), but the interior of the building or structure is specified as not being of cultural heritage significance in the relevant register, order, agreement or list referred to in that clause.
2	Erection of, alterations or additions to a building or structure <i>(Note: Exemptions applying to lessees on Council owned and managed land).</i>	(a) The building or structure is located on land owned or managed by the City of Greater Geraldton; (b) All works are undertaken by or on behalf of the lessee of the land; (c) All works are consistent with the lease of the land; and

	Column 1 Works	Column 2 Conditions
		(d) The building or structure is not located within a Special Control Area.
3	Retaining wall and Siteworks <i>(Note: Retaining walls and the excavation and filling of land)</i>	(a) All works are in association with the use of the land for a non-residential purpose (b) The height of the retaining wall does not exceed 500mm, measured from natural ground level, and (c) The siteworks will not result in a change in the natural ground level of more than 500mm
4	The erection of, or alterations or additions to, a Grouped dwelling on a lot. <i>(Note: Two dwellings on a lot.)</i>	(a) The development results in no more than two dwellings on a parent lot (b) The R-Codes apply to the works, (c) The works comply with the deemed-to-comply provisions of the R-Codes, and (d) The works are not located in a heritage-protected place or a Special Control Area.
5	Building or structure used for the storage of vehicles, machinery or equipment. <i>(Note: Farm storage sheds)</i>	The building or structure is: (a) ancillary to the use of the land for Agriculture – Intensive, Animal Husbandry – Intensive, or Industry – Primary Production; (b) located in the Rural Zone; (c) located outside a Special Control Area; and (d) located more than 100m from land within a Residential, Rural Residential or Urban Development Zone.
6	The installation of a water tank. <i>(Note: Water tanks outside of residential areas)</i>	(a) The water tank is not located within the Residential or Urban Development Zone (b) The water tank is not installed in the street setback area of a building (b) The volume of the water tank is no more than 15 000 L (c) The height of the water tank is no more than -

	Column 1 Works	Column 2 Conditions
		(i) for a tank fixed to a building — the height of the eaves of the building; or (ii) for a tank that is not fixed to a building and is more than 1 m from each boundary of the lot — 2.5 m; or (iii) for a tank that is not fixed to a building and is 1 m or less from a boundary of the lot — 1.8 m, and (d) The works are not located in a heritage-protected place or Special Control Area.

4.2 Uses for which development approval is not required

4.2.1 Development approval is not required for the following uses —

- (a) the use is of a class set out in Column 1 of an item in Table 2;
- (b) the zone is of a class set out in Column 2 of Table 2 opposite that item; and
- (c) if conditions are set out in Column 3 of Table 2 opposite that item — all of those conditions are satisfied in relation to the use.

Table 2

	Column 1 Use	Column 2 Zone	Column 3 Condition
1	The repurposing of an existing building for any of the following uses: • Bulky Goods Showroom • Civic Use • Club Premises • Community Purpose • Discount Department Store • Educational Establishment • Exhibition Centre • Market • Small Bar	Regional Centre	(a) Not more than 50m² of additional floor area is created. (b) The existing number of car parking spaces on the land is maintained.

5.0 Definitions

Additions changes to the fabric of a building that results in a change to its floor area or height.

Alterations changes to the fabric of a building that does not result in a change to its floor area or height.

Repurpose adapting an existing building, structure, or land for a different use than it was previously used for.