

# Frequently Asked Questions – Scheme Amendment No. 172.

## GENERAL INFORMATION

### Why is the City amending the Scheme?

The State Government is implementing its 'Planning Reform' agenda to improve the State's planning system. It aims to simplify the planning system by standardising and making local planning schemes more similar and improve consistency across local governments.

Our local planning scheme is over 20 years old and we are required to update its format to match the State Government's new template, which is called the 'Model Provisions'.

#### The amendment involves –

- Renaming existing land use zones to correspond with those in the State's model provisions;
- Combining a number of existing zones or consolidating some zones into others where these zones no longer exist under the model provisions;
- Renaming land use definitions to correspond with those in the State's model provisions;
- Deleting a number of existing land use definitions and/or replacing them with new ones where these land uses no longer exist under the model provisions; and
- Addressing a number of minor typographical and/or grammatical errors.

### Why did I receive a letter?

Public consultation on all scheme amendments is required by the State Government, even on fairly trivial matters.

In this particular case, it is likely that the name of the zone within which you are located have changed or have been consolidated with another zone, and we are therefore required to notify you.

### How will this change how I can or can't develop/use my property?

The City is not proposing to change the existing development potential of properties in the City. All the existing planning and development controls for each zone will largely remain despite the change to the name of the zone.

Some minor exceptions to this exist, and these are detailed within the individual Fact Sheets available to download from Your Say Wanneroo.

## **How will this affect my rates?**

This amendment will not have an impact on how rates are calculated, nor will it directly result in an increase in rates.

Rates are determined by the Landgate Valuer - General (State Government) based on the gross rental value of a property, or 'unimproved value' in the case of rural land.

## **How does this relate to East Wanneroo?**

This amendment has no bearing on East Wanneroo and the associated District Structure Plan. The planning and development of East Wanneroo is being dealt with through a separate process.

## **SPECIFIC ZONING CHANGES**

### **Why is the City combining the Special Residential zone with the Residential zone? Will this change the character of the area?**

The State Government no longer recognises Special Residential as a zone that local governments can use in their planning schemes, and therefore we are required to remove this zone and change these properties to Residential.

In order to protect the character of these areas, we have allocated a low density R Code to these lots to prevent subdivision.

Also, all other land use and development controls remain the same (see Schedule 3 – Restricted Uses), with the exception of 'Holiday Accommodation' which is proposed to no longer be permitted.

Refer to Fact Sheet for further information.

### **Will this amendment allow for subdivision in the existing Special Rural, Rural Community or Special Residential zones?**

No, the City is not proposing to change the existing development potential of properties in the City. The existing planning scheme controls, including minimum lot size requirements, are being transferred into the new scheme as part of this amendment.

## Can I still have stables and equestrian uses (i.e. horses) in the new Rural Residential zone?

Yes, current planning scheme requirements that relate to the keeping of horses on land will remain unchanged within the revised scheme.

This amendment is replacing the existing land use definitions of 'Stables' and 'Equestrian Activity' with a new model land use called 'Rural Pursuit/Hobby Farm' which includes the ability for the property owner to carry out '*the rearing, agistment, stabling or training of animals*' on their land, among other activities.

This new land use will therefore encompass the existing land uses within the proposed Rural Residential zone – so landowners are able to continue with what they are currently doing.

## Can I still operate an existing established office or shop in the new Service Commercial zone if it's no longer permitted?

Yes, established uses with appropriate approvals in place will be able to continue operating under the non-conforming use provisions of the scheme.

A non-conforming use applies where an existing Permitted or Discretionary land use becomes 'Not Permitted' in a zone (i.e. an 'X' use), the planning scheme allows the use to carry on in perpetuity (i.e. forever on) as long as the use does not cease for a period of 6 months or more. This applies even if the property changes hands.

## I am located within the Landscape Enhancement Zone – why did I get a letter?

In transferring over to the revised planning scheme, we made an error with listing the Recreation - Private land use as 'Not Permitted' when it should be 'Discretionary'. We are aware of this error and have written to let you know that the City is addressing it.

## Why did the Marina zone change to a Special Use zone?

The State Government no longer recognises the Marina zone as a zone that local governments can use in their planning schemes, and therefore we are required to remove this zone and change these properties to Special Use zone. This zone usually applies to areas which do not conform to any other of the model zones e.g. Residential, Industrial.

The approved structure plans that apply to the Marina zones, which contain all planning and development controls, will remain unchanged.