

City of Wanneroo

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Purpose

Following the issue of development approval, applicants sometimes seek to amend the approval or in circumstances where they have been unable to commence the development they may request an extension of time.

The intent of this information sheet is to provide guidance on matters to be considered when determining applications for amending or extending a development approval.

General Requirements**1.0 Amendment of Development Approval**

- 1.1 In determining whether to approve an amendment to a development approval, consideration will be given to whether the nature and extent of the proposed amendment is such that the use or development the subject of the development approval:
- a) Remains, in substance, the same; or
 - b) Is changed to such an extent that a new and different use or development is proposed.
- 1.2 Notwithstanding clause 1.1, an amendment to a development approval will be considered against the relevant requirements of Parts 8 and 9 of the Deemed Provisions, as required by clause 77(2) of the Deemed Provisions of District Planning Scheme No. 2.
- 1.3 If the nature and extent of the proposed amendment is such that there is a new and different use or development to that which was the subject of the original development approval, the amendment to the development approval may be refused to be accepted, or may be refused.
- 1.4 If an application to amend a development approval is refused, nothing in this Information Sheet shall preclude the applicant from making, a new application for development approval for the use or development the subject of the amendment application.

2.0 Extension to the Term of Approval

- 2.1 In considering an application to extend the term of a development approval, the City will have regard to the following factors:
- a) Whether or not the planning framework has changed substantially since the development approval to which the extension application was granted; and
 - b) Whether in granting the development approval, a discretion was exercised in relation to the Scheme or policy requirements; and
 - c) Whether the applicant has actively pursued implementation of the approved development; and
 - d) Whether a material change has occurred to either the site to which the development approval relates or the surrounding locality since the development approval was granted.

- 2.2 Notwithstanding clause 2.1, an application to extend the term of a development approval will be considered against the relevant requirements of Parts 8 and 9 of the Deemed Provisions, as required by clause 77(2) of the Deemed Provisions of District Planning Scheme No. 2.
- 2.3 Where an application to extend the term of development approval is approved, a period of up to a further two years will be granted, unless otherwise determined by the decision maker.

3.0 Fees

- 3.1 An application fee will be charged for an application to amend and/or extend the term of a development approval. This fee will be in accordance with the City of Wanneroo Schedule of Fees and Charges.
- 3.2 In the event that an application is made to amend a development approval and it is considered that the proposal has changed to the extent that it must be considered as a new application, the applicant may withdraw the application for an amendment and resubmit a new application. In this circumstance, the application fee paid to amend a development approval may be refunded, depending on the degree of assessment undertaken and costs incurred by the City, and the applicant only required to pay the fee for the new application.

Further Information

Should you require any further information please contact the City of Wanneroo:

Telephone: 9405 5000

Email: enquiries@wanneroo.wa.gov.au

Website: www.wanneroo.wa.gov.au

Disclaimers:

1. In line with the City's recordkeeping requirements, please ensure that the information included with any application is accurate and complete. Please also retain a copy of the application before submitting with the City as the form and any supporting documents will not be returned. The City accepts no responsibility for any loss, damage, liability or inconvenience suffered by any person as a result of using an application form or lodging an application form with the City.

2. This information sheet is produced by The City of Wanneroo in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. This information sheet is correct as of August 2019 and prone to alteration without notification.