

Planning Information Sheet: Change of Use Applications

INTRODUCTION

A 'change of use' relates to the process of altering the approved activity that can operate from a property to another activity or 'use'. An example of this would be to change a 'showroom' to a 'restaurant'. Some change of use proposals will require Development Approval from Council prior to commencing operation on site.

DO I NEED AN APPROVAL FOR A CHANGE OF USE?

The *Planning and Development (Local Planning Schemes) Regulations 2015* specify various types of applications that are exempted from requiring development approval. Approval is not required for a change of use where the proposal is a Permitted ('P') use under the Scheme and does not require any works to be undertaken. Works include an increase in the car parking required to be provided on-site as per Local Planning Scheme No 42 ('the Scheme'). However, if the proposed new use is permitted in the zone and does not require additional parking on site; approval is not required to make the change.

WHAT IF THE USE I WANT TO CONDUCT IS ALREADY OPERATING ON THE PROPERTY?

If a building has been approved for a particular use and that business should cease, another business of the same use may occupy that building. This type of change would not need a new development approval. The new business must however comply with any and all conditions imposed on the approval issued for that use. Please note that approval by other departments such as Building (for internal fit outs) or Environmental Health (food licences) may be required.

DOES THE USE COMPLY WITH THE ZONING OF THE AREA?

A change of use application will need to demonstrate that:

- The proposed use can be considered by Local Planning Scheme No. 42;
- Is consistent with the zoning of the land;
- Has sufficient car parking; and
- Will not unduly affect the amenity of the area.

Table 3 of the Scheme outlines the permissibility of the different types of land uses within each zone. Please contact the City's Customer Contact Centre to investigate if a proposed use is compliant within a particular area.

INFORMATION REQUIRED FOR A CHANGE OF USE APPLICATION

When applying for a development application, please ensure that the following information is provided:

- A complete Development Application Checklist for a Change of Use;
- A completed Application for Development Approval Form;
- Site and floor plans (drawn to scale – 1:100 or 1:200) showing the location of the subject unit/property (including car parking and access aisles, landscaping areas and bin stores);
- A cover letter outlining the following details:
 - The nature of the proposed business and type of service(s) provided;
 - Information on the proposed days and hours of operation;
 - Number of employees; and

- The letter should also include any additional information that you consider will help the City's officers understand the nature of the business.
- Details of any proposed signs/advertising on the site; and
- Payment of the applicable development application fee.

Please note that as of 1 August 2017, should you wish to lodge an application in hard copy a \$45 scanning fee will apply. The City has three ways in which to lodge an application; via the post, at the City's Administration Offices and via our Online Lodgement System.

Disclaimer

This information sheet is provided as generalised information. While we aim to keep the content of this document current and accurate, we accept no responsibility or warranties for actions based on the information provided. The City of Canning encourages you to seek professional advice before acting on any information contained in this document. Please contact the City of Canning if you wish to comment on the forms provided and information contained within. Any reported errors will be amended.

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