

POL	DISCRETION TO MODIFY DEVELOPMENT STANDARDS – NON RESIDENTIAL DEVELOPMENT	LPP 3.10
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POLICY CODE:	LPP 3.10
DIRECTORATE:	Planning and Development
BUSINESS UNIT:	Planning and Development
SERVICE UNIT:	Statutory Planning Services
RESPONSIBLE OFFICER:	Manager, Statutory Planning
FILE NO.:	182/001
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ATTACHMENTS:	N/A
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Dates of Amendments / Reviews:		
DAPPS Meeting:	27 September 2012	26 November 2015
	22 August 2013	23 February 2017
	26 February 2015	23 November 2017
	2 June 2015	
OCM:	9 April 2009	11 June 2015
	11 October 2012	10 December 2015
	12 September 2013	9 March 2017
	12 March 2015	

BACKGROUND:

The City of Cockburn Town Planning Scheme No.3 allows some discretion to modify development standards or requirements when assessing planning applications. The City must be satisfied that the approval is consistent with orderly and proper planning, the development will not adversely affect the locality, and that the spirit and purpose of the standard will not be departed from.

PURPOSE:

To provide guidelines for the exercise of Council discretion regarding 'Variations to Site and Development Requirements' of TPS 3.

POLICY:

- (1) Pursuant to TPS 3 if a development the subject of a planning application does not comply with a standard prescribed by the TPS 3, the City may have due regard to the following planning principles in approving the applications unconditionally or subject to conditions.
- (2) Planning Principles
 1. The aim, purpose and objective of the standard is adhered to.

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2. That the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or future development of the locality.
- 3 The City will consult with any affected owners or occupiers in the locality where it considers that the variation could affect their amenity or function of the adjoining development pursuant to TPS 3.