



PLANNING APPROVAL EXEMPTIONS DURING COVID-19

City of Vincent Change of Use Exemptions

In response to COVID-19, Council at its 30 March 2020 Special Council Meeting decided to allow temporary uses and temporary changes of use to occur without requiring planning approval. For example, if you operate a restaurant or café in the City and want to temporarily change the use of your premises to only offer takeaway in response to COVID-19 then you would not require planning approval.

This is subject to the following:

- The temporary use or use change can operate up until 90 days after the current State of Emergency for Western Australia has ended.
- The property where the temporary use or use change is located must not be zoned 'Residential'. To check a property's zoning, please refer to the City's online maps [here](#) and click on the 'Local Planning Scheme No. 2' module.
- The temporary use must be not prohibited in the relevant zone. To check this please refer to the Zoning Table on page 4.
- No more than two food businesses can be registered at the property. If unsure, please contact the City's Health team via 9273 6000 or mail@vincent.wa.gov.au:
- Prior to or within 7 days of commencing the change or use, businesses shall notify the City in writing via mail@vincent.wa.gov.au detailing the change or use and the extent of operational changes being introduced, as well as notifying any adjacent residents in writing in accordance with the diagrams below:

Development/Businesses Located on Mid-block Site					Development/Businesses Located on Corner Site				
Proposed change of use/development site ✓ Adjacent residential affected property					Proposed change of use/development site ✓ Adjacent residential affected property				
	✓		✓	✓		✓		✓	✓
	✓		✓	✓		✓		✓	✓
	✓		✓	✓					
						✓		✓	✓

This written notification should state the nature of the use or change, the details of operations or any operational changes and should include the business owner's contact details in case of any issues arising. Letter templates for notifying neighbours can be downloaded below:

- [Letter Template for Changes to Loading and Delivery Times](#)
- [Letter Template for Changes to a Businesses Operation](#)
- [Letter Template for Uses that are Exempt from Requiring Planning Approval](#)

State Government Exemptions

In addition to the exemptions introduced by the City, the Minister for Planning issued a [Notice of Exemption](#) (updated on 22 April 2022) in response to COVID-19. This outlines a range of temporary exemptions from the need to obtain planning approval which go beyond the City's exemptions.

Planning approval is temporarily not required for the following:



1.1 The use of, or undertaking of works on, land, where the use or works relate to medical or health related activities associated with a response to the COVID-19 pandemic. This is subject to confirmation being provided by the Department of Health that the activities are necessary in response to the COVID-19 pandemic.

1.4 Commercial vehicle parking land uses and any temporary works associated with these uses.

3.1 The requirement to substantially commence development. Any development approval that was still valid on the 8th of April 2020 is eligible for an additional 2 years to commence development on top of the original deadline. This exemption will only be available for development applications decided on, or before, the date upon which the State of Emergency Declaration ceases to have effect, or is revoked. It is also not available for development applications which approved by a Development Assessment Panel after 22 April 2022.

3.2 Varying any restriction on loading or unloading times related to the delivery of goods and/or petroleum products. This is subject to the premises having an existing development approval, or the benefit of an exemption, to sell goods and/or petroleum products.

These exemptions expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked (apart from 3.1). After this a planning application is required to continue the change, use or temporary works permanently.

Planning approval is also temporarily not required for the following during a lockdown declared by the State Government:

5.1 Home business uses, and temporary works associated with these uses, subject to the land being used either being located in a residential zone or a mixed use zone.

To check this refer to the City's online maps [here](#).

5.2 Where premises are already approved for use as a Hotel, Tavern, Restaurant/Café or other similar venue, they are exempt from the following:

- i. Any condition of approval, or designation in the approved use, requiring the food prepared to be consumed on the premises;
- ii. Any requirement to obtain approval for food to be prepared for consumption off premises.
- iii. Any requirement to obtain approval for minor and/or temporary works that are necessary to adapt existing premises to use the exemptions under (i) or (ii) above.

This is subject to no new permanent buildings or structures being required (with the exception that car parking bays are permitted), and where works are required, the property not being a heritage protected place.

These exemptions only apply during a lockdown. After this a planning application is required to continue the change, use or temporary works permanently.

If taking advantage of any one of these exemptions listed above (apart from 3.1), you are required to notify the City via mail@vincent.wa.gov.au prior to or within 7 days of commencing the change, use or works. This notification should include your name, the property address, the exemption being taken advantage of and any details on the change/s proposed. Adjacent residents should also be notified in accordance with the requirements listed under the City of Vincent exemptions listed above.

For further information and the full list of exemptions please refer to the information on the Department of Planning, Lands and Heritage website [here](#).



What information is required for a Development Application?

Please refer to the relevant development application checklist on our website [here](#).

Building and Health Approval

Although these changes, uses and/or works are temporarily exempt from requiring planning approval, businesses are still required to comply with the relevant Health and Building requirements and legislation.

If you would like further information on these requirements the City's Health and Building teams can be contacted on 9273 6000.

Do you have more questions?

If you have any more questions, or if you want to continue the change, use or works permanently beyond the specified period contact the City.

A Duty Planner is available to talk at the City's Administration Office Monday to Friday, 8:30am to 5:00pm, in person or on the phone.

Phone: 9273 6000

Email: mail@vincent.wa.gov.au

Address: Main Administration Building, 244 Vincent Street, Leederville 6007, WA

Disclaimer:

This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original planning schemes, relevant development approvals and other relevant documents is recommended for detailed references.



Zoning Table

Land Use Class	Zones and Permitted Uses (✓)			
	Mixed Use	Local Centre	District Centre or Regional Centre	Commercial
Aged or dependent persons dwellings *	✓	✓	✓	✓
Amusement parlour	✓	✓	✓	✓
Betting agency or Bulky goods showroom	✓	✓	✓	✓
Caravan park or caretakers' dwelling	✓	✓	✓	✓
Car Park	✓	✓	✓	✓
Child care premises	✓	✓	✓	✓
Cinema / theatre	✓	✓	✓	✓
Civic use or club premises	✓	✓	✓	✓
Consulting rooms*	✓	✓	✓*	✓
Convenience store	✓	✓	✓	✓
Corrective institution	✓	✓	✓	✓
Dwelling (grouped)*	✓	✓	✓	✓
Dwelling (multiple)*	✓	✓*	✓*	✓*
Dwelling (single house)*	✓	✓	✓	✓
Educational establishment	✓	✓	✓	✓
Exhibition centre	✓	✓	✓	✓
Family day care	✓	✓	✓	✓
Fast food outlet	✓	✓	✓	✓
Fuel depot or Funeral parlour	✓	✓	✓	✓
Home business, occupation, office or store	✓	✓	✓	✓
Hotel or Motel	✓	✓	✓	✓
Industry – cottage	✓	✓	✓	✓
Industry or Industry – light	X	X	✓	✓
Lunch bar	✓	✓	✓	✓
Liquor store – large	✓	X	✓	✓
Liquor store – small	✓	✓	✓	✓
Market	✓	✓	✓	✓
Medical centre*	✓	✓	✓*	✓
Motor vehicle, boat or caravan sales	✓	✓	✓	✓
Motor vehicle repair or wash	✓	✓	✓	✓
Nightclub	✓	✓	✓	✓
Office*	✓	✓	✓*	✓
Park home park or Place of worship	✓	✓	✓	✓
Reception centre or Recreation - private	✓	✓	✓	✓
Residential building	✓	✓	✓	✓
Restaurant/Café	✓	✓	✓	✓
Restricted Premises	✓	✓	✓	✓
Serviced Apartment, Holiday Accommodation, Holiday House or Bed and Breakfast.	✓	✓	✓	✓
Service Station	✓	✓	✓	✓
Shop	✓	✓	✓	✓
Small bar or Tavern	✓	✓	✓	✓
Trade supplies, display or Transport Depot	✓	✓	✓	✓
Veterinary centre	✓	✓	✓	✓
Warehouse/storage	✓	✓	✓	✓

Land Use definitions are available [here](#) on pages 26-36.

*Dwellings (multiple) are not permitted on the ground floor or at grade level with the street where land is zoned Local Centre, District Centre, or Regional Centre. Dwellings (multiple) are also not permitted where land is zoned Commercial and bounded by Mitchell Freeway, Loftus Street and Newcastle Street in West Perth.

*Consulting rooms, medical centre and office uses are not permitted on the ground floor or at grade level with the street where land is zoned District Centre or Regional Centre.