

## Market Uses

<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: Director Urban Planning</b>	<b>Policy No. LPP1.15</b> <b>Last Review Date: 20 September 2016</b>
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### Policy Objectives

- To allow the operation of appropriately located and high quality markets within the City; and
- To ensure that there is no detrimental impact upon the amenity of surrounding properties resulting from the operation of markets.

### Policy Scope

The policy applies to the assessment of applications to conduct markets on property which is not under the care or ownership of the City of Melville.

The operation of markets on land which is under the care and control of the City of Melville are classed as events and require an Event Permit pursuant to the City of Melville Activities on Thoroughfares and Public Places Local Law. Planning approval is not required for such uses.

This policy relates to the matters governed by the *Planning and Development Act 2005* only. Where markets involve the sale of food or involve live animals, additional approval from the City's Health Services pursuant to the *Health Act 1911* may be required.

### Definitions / Abbreviations Used In Policy

LPS6 Regulations	City of Melville Local Planning Scheme No. 6 Planning and Development (Local Planning Schemes) Regulations 2015
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### Policy Statement

#### 1 General

- 1.1 In assessing a development application for a market use, the following matters will be taken into consideration:

#### 2 Preferred locations

- 2.1 On a local or region reserves or within the Centre zones.
- 2.2 Located adjacent to Local Distributor and District Distributor roads.



2.3 In a location well served by footpaths, dual access paths and public transport.

2.4 Where access for pedestrians is available from a number of points.

### **3 Hours of Operation**

3.1 The hours of operation will be controlled taking into account:

- (a) The proximity to any adjacent residential properties.
- (b) The likely noise impacts for occupiers of adjacent noise sensitive property (an Acoustic report may be requested to aid this assessment).
- (c) The availability of parking in the surrounding area during the market's operating hours.

### **4 Access and Parking**

4.1 A Traffic and Parking Management Plan is required to be submitted with the application. This should outline clearly where car parking is to be made available to support the operations of the market use.

### **5 Waste**

5.1 A Waste Management Plan is required to be submitted with the application. This must detail how all waste is to be stored, collected, and disposed of.

### **6 Signage**

6.1 The City's requirements for advertising and signage are outlined in Local Planning Policy LPP2.2 Outdoor Advertising and Signage.

### **7 Temporary Approval**

7.1 Where necessary to allow ongoing monitoring of the impacts of a market, the approval period may be limited in accordance with the Regulations.



### References that may be applicable to this Policy

Legislative Requirements:

Planning and Development Act 2005  
Health Act 1911  
Planning and Development (Local Planning Schemes)  
Regulations 2015

Procedure, Process Maps, Work Instructions:

Planning Application Directorate Procedure

Other Plans, Frameworks, Documents Applicable to Policy:

Local Planning Scheme No. 6

Delegated Authority No:

DA-020: Planning and Related Matters

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### ORIGIN/AUTHORITY

Ordinary Meeting of Council

17/8/2010

### Item No.

P10/3152

### Reviews

Ordinary Meeting of Council

20/05/2014

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P16/3718