

[GO TO CONTENTS PAGE](#)

# SHIRE OF WOODANILLING

## LOCAL PLANNING SCHEME NO. 1

---

Updated to include AMD 3 GG 06/08/2024

---



Prepared by the  
Department of Planning, Lands and Heritage

Original Town Planning Scheme Gazettal  
8 July 2005

### Disclaimer

This is a copy of the Local Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning, Lands and Heritage. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning, Lands and Heritage of any errors or omissions in this document.

Department of Planning,  
Lands and Heritage  
Gordon Stephenson House  
140 William Street  
Perth WA 6000

Locked Bag 2506  
Perth WA 6001

website: [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)  
email: [info@dph.wa.gov.au](mailto:info@dph.wa.gov.au)

tel: 08 6551 9000  
fax: 08 6551 9001

National Relay Service: 13 36 77  
infoline: 1800 626 477

## SHIRE OF WOODANILLING TPS 1 - TEXT AMENDMENTS

| AMD NO | GAZETAL DATE | UPDATED    |     | DETAILS  |
|--------|--------------|------------|-----|--|
|        |              | WHEN       | BY  |  |
| 1      | 22/6/12      | 16/7/12    | NM  | Inserted A2 into Schedule 2 – Additional Uses.   |
| 2      | 5/12/14      | 16/12/14   | MD  | Renumber Clause 8.2 (g) as (h)<br>Insert new text for 8.2(g)   |
| 3      | 6/08/2024    | 06/08/2024 | HAB | <p>Delete the following clauses from the Scheme Text, as they have been superseded by the deemed provisions set out in Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015:</p> <ul style="list-style-type: none"> <li>– Part 2 Local Planning Policy Framework;</li> <li>– Part 7 Heritage Protection;</li> <li>– Part 8 Development of Land;</li> <li>– Part 9 Applications for Planning Approval;</li> <li>– Part 10 Procedure for Dealing with Applications;</li> <li>– Part 11 Enforcement and Administration;</li> <li>– Schedule 1 - General Definitions;</li> <li>– Schedule 6 Form of application for planning approval;</li> <li>– Schedule 7 Additional information for advertisements;</li> <li>– Schedule 8 Notice of public advertisement of planning approval;</li> <li>– Schedule 9 Notice of determination on application for planning approval.</li> </ul> <p>Replace the following terms within the Scheme Text:</p> <ul style="list-style-type: none"> <li>– ‘Application for Planning Consent’ to be replaced with ‘Application for Development Approval’.</li> <li>– ‘Council’ to be replaced with ‘Local Government’.</li> <li>– ‘Planning Approval’ to be replaced with ‘Development Approval’.</li> <li>– ‘Residential Planning Codes’ to be replaced with ‘R-Codes’.</li> <li>– ‘Town Planning Act’ to be replaced with ‘Planning and Development Act’.</li> </ul> <p>Replace references within the Scheme Text as follows:</p> <ul style="list-style-type: none"> <li>– Clause 3.3.1 replace “Clause 8.2(g)” with “clause 61 of the deemed provisions”.</li> <li>– Clause 3.3.1 replace “Part 9 of the Scheme” with “Part 8 of the deemed provisions”.</li> <li>– Clause 3.2.2(a) replace “clause 10.2” with “clause 67 of the deemed provisions”;</li> <li>– Clause 4.3.2 ‘A’ replace “clause 9.4” with “clause 64 of the deemed provisions”.</li> <li>– Clause 4.3.3 Note 3 replace “clause 10.2” with “clause 67 of the deemed provisions”.</li> <li>– Clause 4.4.2(b) replace “clause 9.4” with “clause 64 of the deemed provisions”.</li> <li>– Clause 4.8(c) replace “clause 11.2.1” with “clause 80(1) of the deemed provisions”.</li> <li>– Clause 4.9.2 replace “clause 9.4” with “clause 64 of the deemed provisions”.</li> <li>– Clause 5.5.2(a) replace “clause 9.4” with “clause 64 of the deemed provisions”.</li> <li>– Clause 5.5.3(a) replace “clause 10.2” with “clause 67 of the deemed provisions”.</li> <li>– Clause 5.11.1 replace “clause 4.2” with “clause 3.2”</li> <li>– Clause 5.12.1 replace “clause 4.2” with “clause 3.2”</li> </ul> <p>In clause 1.4 add:</p> <p>(c) the deemed provisions (set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2)</p> <p>In Clause 1.5 replace sub paragraph (g) with:<br/>“address other matters referred to in Schedule 7 of the Act.”</p> <p>Insert Schedule A and the following provisions into Schedule A – Supplemental Provisions:</p> |

|  |  |  |   |
|--|--|--|---|
|  |  |  | <p><b>Schedule A – Supplemental provisions to the deemed provisions</b></p> <p>These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Clause 61(1)(k) the carrying out of any works on Reserved land owned or vested in a public authority if the land is used -</p> <ul style="list-style-type: none"> <li>(i) For the purpose for which is reserved under the Scheme;</li> <li>(ii) For any purpose for which it was lawfully used before the coming into force of the Scheme;</li> <li>(iii) For any purpose for which the land may be lawfully used by the public authority including: <ul style="list-style-type: none"> <li>- Works for the purpose of or in connection with the supply of water, electricity, gas, or the drainage treatment of waste, water or sewerage; and</li> <li>- Works on land reserved for Railway Purposes connected with a railway.</li> </ul> </li> </ul> <p>Clause 61(1)(l) the carrying out of works urgently necessary to ensure public safety, for the safety or security of plant or equipment or for the maintenance of essential services.</p> <p>Clause 61(1)(m) the carrying out of any other works as specified in Local Planning Policy 4 “Minor and Ancillary Development” pursuant to clauses 61(1)(i) and 61(2)(e).</p> <p>Clause 61(1)(n) the erection or installation of a sign or advertisement of a class specified in Schedule 5 of this Scheme that applies in respect of the sign unless the sign is to be erected or installed -</p> <ul style="list-style-type: none"> <li>(i) on a place included on a heritage list prepared in accordance with this Scheme; or</li> <li>(ii) on land located within an area designated under this Scheme as a heritage area.</li> </ul> <p>Clause 61(1)(o) the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the Regional Rural zone where the R-Codes do not apply, and where the development standards set out in the scheme (including boundary setbacks) are satisfied, unless the development is located in a place that is:</p> <ul style="list-style-type: none"> <li>(i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or</li> <li>(ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or</li> <li>(iii) included on a heritage list prepared in accordance with this Scheme; or</li> <li>(iv) within an area designated under the Scheme as a heritage area; or</li> <li>(v) the subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act 1990</i> section 29;</li> <li>(vi) a relocated dwelling; or</li> <li>(vii) on a lot abutting an unconstructed road or with no gazetted road access.</li> </ul> <p>In Schedule 1 - Land use definitions updating the references to Acts as follows:</p> <ul style="list-style-type: none"> <li>- In “betting agency” replace “<i>Totalisator Agency Board Betting Act 1960</i>” with “<i>Racing and Wagering Western Australia Act 2003</i>;”</li> <li>- Replace the definition of “child care premises” with “means premises where — <ul style="list-style-type: none"> <li>(a) an education and care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> section 5(1), other than a family day care service as defined in that section, is provided; or</li> <li>(b) a child care service as defined in the <i>Child Care Services Act 2007</i> section 4 is provided”;</li> </ul> </li> </ul> |
|--|--|--|---|

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  | <ul style="list-style-type: none"> <li>- Replace the definition of “family day care” with “means premises where a family day care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> is provided”;</li> <li>- Replace the definition of “plantation” with “has the same meaning as in the <i>Code of Practice for Timber Plantations in Western Australia (Second Edition 2014)</i> published by the Forest Industries Federation (WA) Inc.”</li> <li>- Replace the definition of “restricted premises” with “means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of — <ul style="list-style-type: none"> <li>(a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth)</i>;</li> <li>(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;</li> <li>(c) smoking-related implements”;</li> </ul> </li> </ul> <p>Amend Schedule 1 – Dictionary of defined words and expressions, general definitions and land use definitions as follows:</p> <ul style="list-style-type: none"> <li>i. Replace General Definitions in the Scheme text with the Model provisions for local planning schemes as defined in clause 37, Part 6, Schedule 1 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; and</li> <li>ii. Replace Land Use Definitions in the Scheme text with the Model provisions for local planning schemes as defined in clause 38, Part 6, Schedule 1 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>;</li> </ul> <p>Renumber the remaining Scheme provisions and Schedules sequentially and update any cross referencing to the new clause numbers as required.</p> |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

## **Preamble**

This Town Planning Scheme of the Shire of Woodanilling consists of this Scheme Text and the Scheme Maps. The Scheme Text should be read with the Local Planning Strategy for the Shire.

The Scheme divides the local government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage. The Scheme Text also sets out the requirements for development approval, enforcement of the Scheme provisions and non-conforming uses.

*AMD 3 GG 6/08/2024*

## **SCHEME DETAILS**

**The Shire of Woodanilling**  
**Town Planning Scheme No.1**  
**District Zoning Scheme**

The Shire of Woodanilling under the powers conferred by the *Planning and Development Act 2005* makes the following Town Planning Scheme.

## TABLE OF CONTENTS

|  |           |
|--|-----------|
| <b>PART 1 - PRELIMINARY .....</b>  | <b>9</b>  |
| 1.1. Citation .....  | 9         |
| 1.2. Responsible Authority .....   | 9         |
| 1.3. Scheme Area.....  | 9         |
| 1.4. Contents of Scheme.....   | 9         |
| 1.5. Purposes of Scheme .....  | 9         |
| 1.6. The Aims of the Scheme .....  | 10        |
| 1.7. Definitions.....  | 10        |
| 1.8. Relationship with Local Laws .....  | 10        |
| 1.9. Relationship with Other Schemes .....   | 11        |
| <b>PART 2 - RESERVES.....</b>  | <b>12</b> |
| 2.1. Reserves .....  | 12        |
| 2.2. Local Reserves.....   | 12        |
| 2.3. Use and Development of Local Reserves.....  | 12        |
| <b>PART 3 — ZONES AND THE USE OF LAND.....</b>   | <b>13</b> |
| 3.1. Zones.....  | 13        |
| 3.2. Objectives of the Zones.....  | 13        |
| 3.3. Zoning Table .....  | 14        |
| 3.4. Interpretation of the Zoning Table .....  | 15        |
| 3.5. Additional Uses .....   | 15        |
| 3.6. Restricted Uses .....   | 15        |
| 3.7. Special Use Zones .....   | 16        |
| Table 1: Zoning Table .....  | 17        |
| 3.8. Non-conforming Uses.....  | 18        |
| 3.9. Extensions and Changes to a Non-conforming Use .....                                  | 18        |
| 3.10. Discontinuance of Non-conforming Use.....  | 19        |
| 3.11. Termination of a Non-conforming Use .....  | 19        |
| 3.12. Destruction of Non-conforming Use Buildings .....                                    | 19        |
| <b>PART 4 - GENERAL DEVELOPMENT REQUIREMENTS.....</b>                                      | <b>14</b> |
| 4.1. Compliance with Development Standards and Requirements.....                           | 20        |
| 4.2. R- Codes <i>AMD 3 GG 6/08/2024</i> .....  | 20        |
| 4.3. Special application of Residential Planning Codes .....                               | 20        |
| 4.4. Restrictive Covenants .....   | 20        |
| 4.5. Variations to Site and Development Standards and Requirements.....                    | 20        |
| 4.6. Environmental Conditions .....  | 21        |
| 4.7. Site and Development Requirements .....   | 21        |
| 4.8. Relocated Residential Dwellings .....   | 21        |
| 4.9. General Appearance of Buildings .....   | 21        |
| 4.10. Height and Appearance of Buildings.....  | 21        |
| 4.11. Regional Rural Zone .....  | 22        |
| 4.12. Local Rural Zone .....   | 23        |
| 4.13. Caretaker's Dwellings.....   | 25        |
| 4.14. Development on Lots Abutting Unconstructed Roads or with no Gazetted Road Access ... | 25        |
| 4.15. Tourist Development .....  | 25        |
| Table 2: Site and Development Requirements Table ** .....                                  | 27        |
| <b>PART 5 - SPECIAL CONTROL AREAS.....</b>   | <b>28</b> |
| 5.1. Operation of Special Control Areas.....   | 21        |

**SCHEDULES**.....

SCHEDULE 1 - DICTIONARY OF DEFINED WORDS AND EXPRESSIONS..... 23  
    [TERMS USED](#) *AMD 3 GG 06/08/2024* ..... 23  
    LAND USE DEFINITIONS..... 24

SCHEDULE 2 - ADDITIONAL USES ..... 31

SCHEDULE 3 - RESTRICTED USES ..... 32

SCHEDULE 4 - SPECIAL USE ZONES ..... 33

SCHEDULE 5 - EXEMPTED ADVERTISEMENTS ..... 34

SCHEDULE 6 - ENVIRONMENTAL CONDITIONS..... 37

SCHEDULE A – SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS..... 38



# PART 1 - PRELIMINARY

## 1.1. CITATION

1.1.1. The Shire of Woodanilling Scheme No. 1 (“**the Scheme**”) comes into operation on its Gazettal date.

1.1.2. There were no previous Schemes over this area

## 1.2. RESPONSIBLE AUTHORITY

The Shire of Woodanilling is the responsible authority for implementing the Scheme.

## 1.3. SCHEME AREA

The Scheme applies to the Scheme area which covers all of the local government district of the Shire of Woodanilling as shown on the Scheme Map.

## 1.4. CONTENTS OF SCHEME

The Scheme comprises —

- (a) the Scheme Text;
- (b) the Scheme Map (sheets 1 – 3).
- (c) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2). *AMD 3 GG 6/08/2024*

*Note: The Scheme Map comprises an overall map that covers the entire Shire and two maps which focus on the area of higher intensity.*

## 1.5. PURPOSES OF SCHEME

The purposes of the Scheme are to —

- (a) set out the local government’s planning aims and intentions for the Scheme area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme; and
- (g) address other matters referred to in Schedule 7 of the Act *AMD 3 GG 6/08/2024*
- (h) to ensure that urban development can be adequately and efficiently serviced.
- (i) That compatible land uses are achieved adjacent to or where specified, within Special Control Areas.

## 1.6. THE AIMS OF THE SCHEME

The aims of the Scheme are —

- To assist the effective implementation of regional plans and policies including the State Planning Strategy.
- To ensure there is sufficient supply of serviced and suitable land for housing, employment, commercial activities, community facilities, recreation and open space.
- To provide for housing choice and variety with a community identity and high levels of amenity.
- To assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home based employment.
- To facilitate an integrated network of open space catering for active and passive recreation, consistent with the needs of the community.
- To promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities.
- To protect and enhance the environmental values and natural resources of the Scheme area and to promote ecologically sustainable land use and development.
- To safeguard and enhance the character and amenity of the built and natural environment of the Scheme area.
- To promote the compatible use of land surrounding essential infrastructure.
- To promote the use of water sensitive urban design principles.

## 1.7. DEFINITIONS

1.7.1. Unless the context otherwise requires, words and expressions used in the Scheme have the same meaning as they have —

a) in the *Planning and Development Act 2005*, or  
*AMD 3 GG 6/08/2024*

b) if they are not defined in that Act —

- (i) in the Dictionary of defined words and expressions in Schedule 1; or
- (ii) in the R- Codes.

*AMD 3 GG 6/08/2024*

1.7.2. If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the R=Codes —

*AMD 3 GG 6/08/2024*

a) in the case of a residential development, the definition in the R-Codes prevails; and  
*AMD 3 GG 6/08/2024*

b) in any other case the definition in the Dictionary prevails.

1.7.3. Notes, and instructions printed in italics, are not part of the Scheme.

## 1.8. RELATIONSHIP WITH LOCAL LAWS

Where a provision of the Scheme is inconsistent with a local law, the provision of the Scheme prevails.

## **1.9 RELATIONSHIP WITH OTHER SCHEMES**

By the way of information, the following other Schemes of the Shire of Woodanilling are, at the Gazettal date of the Scheme, complementary to the Scheme-

There are no other Schemes of the Shire of Woodanilling which apply to the Scheme area.

## PART 2 - RESERVES

### 2.1. RESERVES

Certain lands within the Scheme area are classified as Local Reserves.

### 2.2. LOCAL RESERVES

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

### 2.3. USE AND DEVELOPMENT OF LOCAL RESERVES

2.3.1. Except where provided for in Clause 61 of the deemed provisions a person must not — *AMD 3 GG 6/08/2024*

- a) use a Local Reserve; or
- b) commence or carry out development on a Local Reserve,

without first having obtained development approval under Part 8 of the deemed provisions of the Scheme. *AMD 3 GG 6/08/2024*

2.3.2. In determining an application for development approval, the local government is to have due regard to — *AMD 3 GG 6/08/2024*

- a) the matters set out in clause 67 of the deemed provisions; and *AMD 3 GG 6/08/2024*
- b) the ultimate purpose intended for the Reserve.

2.3.3. In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval. *AMD 3 GG 6/08/2024*

## PART 3 — ZONES AND THE USE OF LAND

### 3.1. ZONES

3.1.1. The Scheme area is classified into the zones shown on the Scheme Map.

3.1.2. The zones are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

### 3.2. OBJECTIVES OF THE ZONES

The objectives of the zones are —

#### *Residential Zone*

To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the R-Codes.

AMD 3 GG 6/08/2024

#### *Commercial Zone*

To provide for retail shopping, office and commercial development, and social, recreational and community activities servicing the town as a whole.

#### *Industrial Zone*

To provide for manufacturing industry, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential areas.

#### *Regional Rural Zone*

To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality. Specific objectives are as follows:

- to ensure the continuation of broad-acre farming as the principle land use in the District and encourage where appropriate the retention and expansion of agricultural activities;
- to protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;
- to consider other non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment;
- to provide for a range of rural pursuits such as broad-acre and diversified farming which are compatible with the capability of the land and retain the rural amenity and character of the locality;
- to provide for a range of commercial and light industrial land uses that are appropriately located and will not cause land conflicts or adverse impacts on the amenity and character of the zone;
- to prevent the fragmentation of broad-acre farming properties through the process of subdivision;

- to protect broad-acre agricultural land from land degradation and any further loss of biodiversity by:
  - (i) minimising the clearing of remnant vegetation on public and private lands;
  - (ii) encouraging the retention and protection of existing remnant vegetation;
  - (iii) encouraging the development and protection of corridors of native vegetation;
  - (iv) encouraging the development of environmentally acceptable surface and sub-surface drainage;
  - (v) encouraging the rehabilitation of salt affected land;
  - (vi) controlling the introduction and spread of alien species of flora and fauna;
  - (vii) encouraging soil conservation through the application of cultural vegetational land management measures.

### *Local Rural Zone*

To provide for a mix of residential and business related uses in a rural setting which achieves a high standard of visual amenity, facilitates landscape protection and conservation and will not cause land use conflicts or adverse impacts on the amenity and character of the zone.

## **3.3. ZONING TABLE**

3.3.1. The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table (Table 1).

3.3.2. The symbols used in the cross reference in the Zoning Table have the following meanings —

‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

*AMD 3 GG 6/08/2024*

‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions;

*AMD 3 GG 6/08/2024*

‘X’ means a use that is not permitted by the Scheme.

3.3.3. A change in the use of land from one use to another is permitted if —

a) the local government has exercised its discretion by granting development approval;

*AMD 3 GG 6/08/2024*

b) the change is to a use which is designated with the symbol ‘P’ in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;

c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or

d) the change is to an incidental use that does not change the predominant use of the land.

- Note:
1. *The development approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.* AMD 3 GG 6/08/2024
  2. *The local government will not refuse a 'P' use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme and may refuse or impose conditions on any development of the land.*
  3. *In considering a 'D' or 'A' use, the local government will have regard to the matters set out in clause 67 of the deemed provisions.* AMD 1 GG 6/08/2024
  4. *The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.*

### **3.4. INTERPRETATION OF THE ZONING TABLE**

- 3.4.1. Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.
- 3.4.2. If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may —
  - a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
  - b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or AMD 3 GG 6/08/2024
  - c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

### **3.5. ADDITIONAL USES**

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

*Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.*

### **3.6. RESTRICTED USES**

Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

*Note: A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.*

### **3.7. SPECIAL USE ZONES**

3.7.1. Special use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

3.7.2. A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

*Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.*



**TABLE 1: ZONING TABLE**

P – Permitted D – LG Discretion A – Advertising X – Not Permitted

| Use Class |   | Zones       |            |            |             |                |             |
|-----------|---|-------------|------------|------------|-------------|----------------|-------------|
|           |   | Residential | Commercial | Industrial | Special Use | Regional Rural | Local Rural |
| 1         | Aged & Dependent Persons Dwelling                                 | P           | A          | X          |             | A              | A           |
| 2         | Agriculture – Extensive   | X           | X          | X          |             | P              | P           |
| 3         | Agriculture - Intensive   | X           | X          | X          |             | D              | D           |
| 4         | Ancillary Accommodation   | D           | D          | X          |             | D              | D           |
| 5         | Animal Establishment  | X           | X          | X          |             | P              | A           |
| 6         | Animal Husbandry Intensive  | X           | X          | X          |             | D              | X           |
| 7         | Bed And Breakfast   | A           | X          | X          |             | D              | D           |
| 8         | Betting Agency  | X           | A          | X          |             | X              | X           |
| 9         | Bulky Goods Showroom<br><i>AMD 3 GG 6/08/2024</i>                 | X           | P          | D          |             | X              | X           |
| 10        | Caravan Park  | X           | A          | X          |             | A              | D           |
| 11        | Caretaker's Dwelling  | X           | X          | D          |             | X              | X           |
| 12        | Car Park  | X           | P          | P          |             | D              | D           |
| 13        | Cemeteries/Crematoria   | X           | X          | X          |             | A              | X           |
| 14        | Child Care Premises   | A           | D          | X          |             | X              | A           |
| 15        | Civic Use   | A           | A          | A          |             | A              | A           |
| 16        | Club Premises   | X           | A          | X          |             | A              | A           |
| 17        | Community Purpose   | P           | P          | P          |             | P              | P           |
| 18        | Consulting Room   | A           | P          | X          |             | A              | A           |
| 19        | Corrective Institution  | X           | X          | X          |             | X              | X           |
| 20        | Dog Kennels   | X           | X          | X          |             | A              | X           |
| 21        | Dry Cleaning Premises   | X           | P          | P          |             | X              | X           |
| 22        | Educational Establishment   | A           | A          | A          |             | A              | A           |
| 23        | Exhibition Centre   | X           | D          | X          |             | A              | A           |
| 24        | Family Day Care   | A           | D          | X          |             | D              | A           |
| 25        | Fast Food Outlet/Lunch Bar<br><i>AMD 3 GG 6/08/2024</i>           | X           | D          | X          |             | X              | X           |
| 26        | Fuel Depot  | X           | X          | A          |             | X              | X           |
| 27        | Funeral Parlour   | X           | X          | A          |             | X              | X           |
| 28        | Home Business   | A           | D          | X          |             | D              | A           |
| 29        | Home Occupation   | P           | D          | X          |             | P              | P           |
| 30        | Home Office   | P           | D          | X          |             | P              | P           |
| 31        | Hotel   | X           | D          | X          |             | X              | X           |
| 32        | Industry Extractive   | X           | X          | X          |             | A              | X           |
| 33        | Industry General  | X           | X          | A          |             | X              | X           |
| 34        | Industry Hazardous  | X           | X          | X          |             | X              | X           |
| 35        | Industry Light  | X           | A          | P          |             | D              | X           |
| 36        | Industry Noxious  | X           | X          | X          |             | A              | X           |
| 37        | Industry Rural  | X           | X          | A          |             | D              | A           |
| 38        | Industry Service  | X           | D          | P          |             | A              | X           |
| 39        | Mining Operations <i>AMD 3 GG 6/08/2024</i>                       | X           | X          | X          |             | A              | X           |
| 40        | Motel   | X           | A          | X          |             | X              | X           |
| 41        | Motor Vehicle Repair  | X           | X          | A          |             | X              | X           |
| 42        | Motor Vehicle, Boat or Caravan Sales<br><i>AMD 3 GG 6/08/2024</i> | X           | A          | X          |             | X              | X           |
| 43        | Motor Vehicle Wrecking  | X           | X          | X          |             | A              | X           |
| 44        | Night Club  | X           | A          | X          |             | X              | X           |
| 45        | Office  | A           | A          | X          |             | A              | A           |
| 46        | Place Of Worship  | A           | A          | X          |             | A              | A           |
| 47        | Plantation  | X           | X          | X          |             | D              | X           |
| 48        | Public Amusement  | X           | A          | X          |             | A              | X           |
| 49        | Public Utility  | P           | P          | P          |             | P              | P           |
| 50        | Reception Centre  | X           | A          | A          |             | A              | A           |
| 51        | Recreation Private  | X           | D          | X          |             | D              | A           |
| 52        | Residential – Group Dwelling                                      | D           | D          | X          |             | D              | D           |

| Use Class |   | Zones       |            |            |             |                |             |
|-----------|---|-------------|------------|------------|-------------|----------------|-------------|
|           |   | Residential | Commercial | Industrial | Special Use | Regional Rural | Local Rural |
| 53        | Residential – Multiple Dwelling                       | X           | X          | X          |             | X              | X           |
| 54        | Residential – Single House                            | P           | A          | X          |             | P              | D           |
| 55        | Residential Building                                  | A           | A          | X          |             | A              | A           |
| 56        | Restaurant/Café<br><i>AMD 3 GG 6/08/2024</i>          | A           | A          | X          |             | A              | A           |
| 57        | Restricted Premises                                   | X           | X          | X          |             | X              | X           |
| 58        | Rural Home Business                                   | X           | X          | X          |             | D              | A           |
| 59        | Rural Pursuit/Hobby Farm<br><i>AMD 3 GG 6/08/2024</i> | D           | A          | A          |             | P              | D           |
| 60        | Service Station                                       | X           | A          | A          |             | X              | X           |
| 61        | Shop  | X           | P          | X          |             | X              | X           |
| 62        | Sportsground  | X           | X          | X          |             | A              | X           |
| 63        | Tavern  | X           | D          | X          |             | X              | X           |
| 64        | Telecommunications Infrastructure                     | D           | D          | D          |             | D              | D           |
| 65        | Tourist Accommodation                                 | A           | A          | X          |             | D              | A           |
| 66        | Transport Depot                                       | X           | A          | P          |             | D              | A           |
| 67        | Tree Farm   | X           | X          | X          |             | P              | A           |
| 68        | Veterinary Centre                                     | X           | A          | A          |             | D              | A           |
| 69        | Warehouse/Storage<br><i>AMD 3 GG 6/08/2024</i>        | X           | D          | D          |             | A              | X           |
| 70        | Winery  | X           | A          | A          |             | D              | A           |
| 71        | Workforce Accommodation<br><i>AMD 3 GG 6/08/2024</i>  | X           | A          | X          |             | D              | X           |
| 72        | Zoological Gardens                                    | X           | X          | X          |             | A              | A           |

### 3.8. NON-CONFORMING USES

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent —

- (a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- (b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorize the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 80(1) of the deemed provisions, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.  
*AMD 3 GG 6/08/2024*

*Note: “Land” has the same meaning as in the Planning and Development Act and includes houses, buildings and other works and structures.*

*AMD 3 GG 6/08/2024*

### 3.9. EXTENSIONS AND CHANGES TO A NON-CONFORMING USE

3.9.1. A person must not —

- a) alter or extend a non-conforming use;
- b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- c) change the use of land from a non-conforming use to another non-conforming use,

without first having applied for and obtained development approval under the Scheme. AMD 3 GG 6/08/2024

3.9.2. An application for development approval under this clause is to be advertised in accordance with clause 64 of the deemed provisions. AMD 3 GG 6/08/2024

3.9.3. Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone. AMD 3 GG 6/08/2024

### **3.10. DISCONTINUANCE OF NON-CONFORMING USE**

Where a non-conforming use of any land has been discontinued for a period of 6 months the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

### **3.11. TERMINATION OF A NON-CONFORMING USE**

The local government may effect the discontinuance of a non-conforming use by the purchase of the land, or by the payment of compensation to the owner or occupier or to both the owner and occupier of that land, and may enter into an agreement with the owner for that purpose.

*Note: Section 13 of the Planning and Development Act enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a town planning scheme, subject to Part 9 of the Land Administration Act 1997, that section and the Scheme.* AMD 3 GG 6/08/2024

### **3.12. DESTRUCTION OF NON-CONFORMING USE BUILDINGS**

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the development approval of the local government. AMD 3 GG 6/08/2024

## **PART 4 - GENERAL DEVELOPMENT REQUIREMENTS**

### **4.1. COMPLIANCE WITH DEVELOPMENT STANDARDS AND REQUIREMENTS**

Any development of land is to comply with the provisions of the Scheme and should be in accordance with planning policy.

### **4.2. R-CODES**

*AMD 3 GG 6/08/2024*

- 4.2.1. A copy of the R-Codes is to be kept and made available for public inspection at the offices of the local government.
- 4.2.2. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R-Codes is to conform with the provisions of those Codes.
- 4.2.3. The R-Codes density applicable to land within the Scheme area is to be determined by reference to the R-Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a R-Code density, as being contained within the area defined by the centre-line of those borders.

### **4.3. SPECIAL APPLICATION OF R-CODES**

*AMD 3 GG 6/08/2024*

There are no exclusions or variations to the R-Codes which apply to the Scheme.

### **4.4. RESTRICTIVE COVENANTS**

*AMD 3 GG 6/08/2024*

- 4.4.1. Subject to clause 4.4.2, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the R-Codes which apply under the Scheme.
- 4.4.2. Where clause 4.4.1. operates to extinguish or vary a restrictive covenant the local government is not to grant development approval to the development of the land which would, but for the operation of clause 4.4.1, have been prohibited unless the application has been dealt with as an 'A' use and has complied with all of the advertising requirements of clause 64 of the deemed provisions.

### **4.5. VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS**

*AMD 3 GG 6/08/2024*

- 4.5.1. Except for development in respect of which the R-Codes apply, if a development is the subject of an application for development approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.
- 4.5.2. In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to —
  - a) consult the affected parties by following one or more of the provisions for advertising uses under clause 64 of the deemed provisions; and
  - b) have regard to any expressed views prior to making its determination to grant the variation.

4.5.3. The power conferred by this clause may only be exercised if the local government is satisfied that —

a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 67 of the deemed provisions; and

*AMD 3 GG 06/08/2024*

b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

#### **4.6. ENVIRONMENTAL CONDITIONS**

There are no environmental conditions imposed by the Minister for Environment which apply to the Scheme.

#### **4.7. SITE AND DEVELOPMENT REQUIREMENTS**

4.7.1 The Development Table (Table 2) sets out the site and development requirements for various land uses in the Scheme area.

4.7.2 A person shall not develop or use any land or erect, use or adapt any building unless car parking spaces in accordance with the Development Table or as specified by the Local Government are provided and such spaces are constructed and maintained in accordance with the requirements of the Local Government.

*AMD 3 GG 06/08/2024*

4.7.3 The Local Government in determining applications for any development may require such development to comply generally with the standards required for development in that zone as required in the Development Table to ensure that the scale, nature, design, general appearance and impact of such uses is compatible with the intentions for the development in that zone and the objectives of the Scheme.

*AMD 3 GG 06/08/2024*

#### **4.8. RELOCATED RESIDENTIAL DWELLINGS**

4.8.1 Relocated Residential Buildings

Within the Scheme area a building may not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless in the opinion of the Local Government, such a building is in a satisfactory condition and will not detrimentally affect the amenity of the area; or the building has been specifically constructed as a transportable dwelling.

*AMD 3 GG 06/08/2024*

#### **4.9. GENERAL APPEARANCE OF BUILDINGS**

No person shall without written approval of the Local Government erect a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance, has an exterior design which is out of harmony with existing buildings or the landscape character of the area.

*AMD 3 GG 06/08/2024*

#### **4.10. HEIGHT AND APPEARANCE OF BUILDINGS**

*AMD 3 GG 06/08/2024*

Any buildings in excess of two storeys or a height of 8 metres above natural ground level requires the approval of Local Government.

Local Government may approve buildings which exceed the height specified after considering information provided and any submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building:

- Will be in harmony with the general character of buildings in the locality.
- Will not be detrimental to the amenity or character of the locality or the quality of environment or the townscape.
- Will observe the required setbacks from the boundaries of the lot on which it is to be constructed and will not prejudice the siting, design, aspect and privacy of buildings on other nearby lots.
- Will not impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views.
- Has been designed in harmony with the natural land form of the site.

#### 4.11 REGIONAL RURAL ZONE

The Regional Rural Zone is intended primarily for the preservation of agriculturally productive land. Land classified as Regional Rural Zone within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. The local government shall therefore seek to ensure that no action is taken to jeopardise this potential.

The local government may *also* permit the development of other non-rural land uses including *limited* commercial and industrial uses in the Regional Rural Zone, *but only* where they can be appropriately located, will not cause land use conflicts, will not have an adverse impact upon the amenity and character of the zone and can be shown to be of benefit to the District.

4.11.1 In considering applications in the Regional Rural Zone the local government shall have regard to the objectives for that zone as specified in Clause 3.2.

*AMD 3 GG 6/08/2024*

4.11.2 The local government will favourably consider applications for the adjustment of lot boundaries in the Regional Rural Zone where the application, if approved, will not result in the creation of one or more additional lots.

4.11.3 The local government does not recognize precedent resulting from subdivision created in the early days of settlement of the District as a reason for it to support further subdivision in the Regional Rural Zone.

4.11.4 The existence of more than one dwelling house on a lot classified Regional Rural Zone shall not be constructed as a basis for the local government's support to the subdivision of the lot.

4.11.5 The development of more than one single dwelling house within the Regional Rural zone requires the approval of Local Government.

*AMD 3 GG 06/08/2024*

4.11.6 The minimum setback from all lot boundaries for any building on a lot zoned Regional Rural shall be 20 metres except for buildings used for commercial or industrial purposes which *may* be setback *a further distance* in accordance with the specific requirements of the local government as determined on a case-by-case basis.

4.11.7 The development of non-rural uses in the Regional Rural Zone is required to be set well back from roads and screened from public view to the satisfaction of the Local Government.

4.11.8 In considering an application for development approval for a non-rural use in the Regional Rural Zone the local government shall have regard for the impact of the proposed development on the surrounding road network, streetscape, local amenities and adjoining residents and may impose conditions relating but not limited to the following matters: *AMD 3 GG 06/08/2024*

- a) building appearance, height and scale;
- b) building materials;
- c) building location including boundary setbacks;
- d) landscaping and visual screening;
- e) vehicle access and parking;
- f) location of open storage areas;
- g) control of dust, noise, odour and vibration;
- h) management of wastes and stormwater disposal;
- i) fire management;
- j) advertising signage.

4.11.9 Applications for planning consent for the development of non-rural uses in the Regional Rural Zone that have potential to cause land use conflicts or adverse impacts upon the visual amenity and character of the locality will not be approved by the local government unless it can be demonstrated to the satisfaction of the local government that such usage can be suitably managed so as to minimize any detrimental impacts.

## **4.12 LOCAL RURAL ZONE**

4.12.1 In considering applications in the Local Rural Zone the local government shall have regard to the objectives for that zone as specified in Clause 3.2. *AMD 3 GG 6/08/2024*

4.12.2 All development in the Local Rural Zone shall be conducted in a manner that preserves local amenity and the natural landscape and rural character of the zone by minimising the clearing of remnant vegetation and promoting revegetation measures.

4.12.3 Tree planting or other approved landscaping may be required to be established and maintained within the front building setback area or other areas of a lot where the preservation of privacy or amenity is considered by the local government to be desirable.

4.12.4 The minimum setback from lot boundaries for any building in the Local Rural Zone shall be 10 metres to any front and rear boundary and five metres to any side boundary.

4.12.5 No person shall on land classified as Local Rural Zone -

- a) develop or establish or allow to develop the land for non-residential purposes unless a residence is first erected;
- b) allow a house to be occupied by any person other than the owner or manager or an employee of the commercial or industrial use;
- c) establish or permit to establish more than one business or industry to operate from each lot;

- d) develop or allow the development of a residence *that precludes* vehicle access to the rear of the lot with a minimum width of five (5) metres.

4.12.6 In considering any application for development approval in the Local Rural Zone the local government shall have regard for the impact of the proposed development on the streetscape, local amenities and adjoining residents and may impose conditions relating but not limited to the following matters:

AMD 3 GG 06/08/2024

- a) building appearance, height and scale;
- b) building materials;
- c) building location including boundary setbacks;
- d) landscaping and visual screening;
- e) vehicle access and parking;
- f) location of open storage areas;
- g) control of dust, noise, odour and vibration;
- h) management of wastes and stormwater disposal;
- i) fire management;
- j) hours of operation;
- k) advertising signage.

4.12.7 Applications for planning consent for development in the Local Rural Zone that have potential to cause land use conflicts or adverse impacts upon the visual amenity and character of the locality will not be approved by the local government unless it can be demonstrated to the satisfaction of the local government that such usage can be suitably managed so as to minimize any detrimental impacts.

4.12.8 The Local Government will not generally recommend approval of applications for further subdivision within the Local Rural zone except where such subdivision is:-

AMD 3 GG 06/08/2024

- Consistent with the policies of the Western Australian Planning Commission;
- Is a boundary realignment and no additional lots are created;
- An amalgamation; or
- Where development associated with subdivision would not necessitate the clearing of any remnant vegetation.

4.12.9 The development of more than one single dwelling house within the Local Rural zone requires the approval of Local Government.

AMD 3 GG 06/08/2024

4.12.10 The presence of more than one dwelling unit on a lot in the Local Rural Zone shall not be considered by itself to be sufficient grounds for subdivision.

4.12.11 In order to conserve the rural environment or features of natural beauty within the Local Rural zone all trees shall be retained unless their removal is authorised by the Local Government.

The approval of the Local Government is required for the clearing of indigenous trees or other substantial vegetation except for the clearing of vegetation which is:



- a) dead, diseased or dangerous;
- b) necessary for any firebreak required by law;
- c) for the purpose of access to an approved dwelling or outbuildings;
- d) within a defined building envelope and limited to that;
- e) necessary for the construction of a dwelling, outbuildings and an area of 20m width surrounding the dwelling for the purpose of bush fire protection.

#### **4.13 CARETAKER'S DWELLINGS**

The provisions of this clause apply for all caretaker's dwellings in the Industrial Zone:

- (a) a caretaker's dwelling is not to be developed and/or occupied on a lot unless that lot has been developed and is being used in accordance with the Scheme;
- (b) only one caretaker's dwelling is to be permitted on a lot; for the purposes of this clause "lot" excludes a strata lot or survey-strata lot created under the *Strata Titles Act 1985*;
- (c) a caravan park home is not permitted as a caretaker's dwelling for either permanent or temporary occupation;
- (d) a caretaker's dwelling is to be screened and/or fenced from the street frontage of the lot to the satisfaction of the local government and wherever possible is to be sited at the rear of other buildings on the lot;
- (e) a caretaker's dwelling is to contain one bedroom only within a total floor area that does not exceed 100 square metres measured from the external face of walls; and
- (f) open verandahs may be permitted but must not be enclosed by any means unless the total floor area remains within the 100 square metres referred to in paragraph (e).

#### **4.14 DEVELOPMENT ON LOTS ABUTTING UNCONSTRUCTED ROADS OR WITH NO GAZETTED ROAD ACCESS**

Notwithstanding anything else appearing in the Scheme, development approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering such an application the Local Government shall either:

*AMD 3 GG 06/08/2024*

- (a) refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or
- (b) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or
- (c) require such other arrangements are made for permanent access as shall be to the satisfaction of the Local Government.

*AMD 3 GG 06/08/2024*

#### **4.15 TOURIST DEVELOPMENT**

In considering an application for tourist development (including Caravan Park, Farm Stay, Motel, Tourist Accommodation etc) the Local Government shall have regard to:-

*AMD 3 GG 06/08/2024*

- (a) the objectives of the zone;
- (b) the likely impact upon surrounding development;

- (c) the scale and intensity of the development;
- (d) appropriate setbacks to existing or proposed agricultural uses;
- (e) the effect that existing or proposed agricultural uses could have on the proposal;
- (f) provision of services for the development including water supply, on site effluent disposal, solid waste disposal and electricity;
- (g) access to and from the site;
- (h) impact of the development upon landscape values;
- (i) protection of remnant vegetation; and
- (j) fire management.

**TABLE 2: SITE AND DEVELOPMENT REQUIREMENTS TABLE \*\***

| Control Use                                       | Minimum Boundary Setback (metres) |              |              | Maximum Plot Ratio               | Minimum landscape Area % | Minimum Number of Car Parking Bays   |
|---|-----------------------------------|--------------|--------------|----------------------------------|--------------------------|--|
|   | Front                             | Rear Average | Sides        |                                  |                          |  |
| Club  | *                                 | *            | *            | 0.5                              | **                       | 1 for every 45 sqm of gross floor area   |
| Consulting Room                                   | *                                 | *            | *            | 0.4 in Res Zone<br>0.5 elsewhere | 30 in Res Zone           | 1 for every 30 sqm of gross floor area plus 1 for each person employed   |
| Day Care Centre                                   | 7.5                               | 7.5          | *            | *                                | *                        | 1 for every employee.  |
| Educational Establishment                         | 9.0                               | 7.5          | 5.0          | *                                | 30                       | 1 per full time employee, plus bays for students as determined by the Local Government<br><i>AMD 3 GG 06/08/2024</i> |
| Fast Food Outlet/Lunch Bar                        | *                                 | *            | *            | *                                | *                        | *  |
| Funeral Parlour                                   | *                                 | *            | *            | *                                | 10                       | As determined by the Local Government (minimum 6).<br><i>AMD 3 GG 06/08/2024</i>                                     |
| Hall  | *                                 | *            | *            | *                                | 10                       | 1 to every 4 persons whom the building is designed to accommodate.   |
| Hospital  | 9.0                               | 7.5          | 5.0          | 0.5                              | 20                       | 1 per 4 beds and 1 per employee.   |
| Hostel  | 7.5                               | 7.5          | *            | *                                | 30                       | 1 per dwelling   |
| Hotel / Tavern                                    | *                                 | *            | *            | *                                | 10                       | 1 for every bedroom plus 1 per 4 sqm bar and lounge area   |
| Industry Service                                  | 7.5                               | 7.5          | *            | *                                | 10                       | 1 per 2 employees  |
| Industry Light                                    | 7.5                               | 7.5          | *            | *                                | 10                       | 1 per 2 employees.   |
| Industry General                                  | 7.5                               | 7.5          | *            | *                                | 15                       | 1 per 2 employees.   |
| Motel   | 9.0                               | 7.5          | 3 per storey | 1.0                              | 30                       | 1 per unit, plus 3 spaces per 25sqm of service   |
| Office  | *                                 | *            | *            | *                                | *                        | 1 for every 30sqm plot ratio area  |
| Professional Office                               | *                                 | *            | *            | *                                | *                        | 1 for every 30sqm plot ratio area.   |
| Reception Centre                                  | *                                 | *            | *            | 0.5                              | 30                       | 1 for every 4 persons whom the building is designed to accommodate.  |
| Restaurant/Café<br><i>AMD 3 GG 6/08/2024</i>      | *                                 | *            | *            | *                                | *                        | 1 for every 10sqm of gross floor area or 1 for every 4 seats provided, whichever is the greater.                     |
| Service Station                                   | 7.5                               | 7.5          | *            | *                                | 5                        | 1 for every working bay, plus 1 for each person employed on site.  |
| Shop  | *                                 | *            | *            | *                                | *                        | 1 for every 15sqm of gross floor area.   |
| Bulky Goods Showroom<br><i>AMD 3 GG 6/08/2024</i> | *                                 | *            | *            | *                                | 10                       | 1 for every 100sqm of gross floor area.  |
| Vehicle Sales                                     | *                                 | *            | *            | *                                | 5                        | 1 for every 250sqm of sales area, plus 1 for every person employed on site.  |
| Veterinary Centre                                 | *                                 | *            | *            | *                                | 30                       | 1 for every 10msq gross floor area, plus 1 for each person employed.   |

**NOTES**

(i) \* means 'to be determined by the Local Government in each particular case  
*AMD 3 GG 06/08/2024*

(ii) Landscaping to be generally at the street frontage

\*\* This table is intended as a guideline and may be varied at the discretion of the Local Government

## **PART 5 - SPECIAL CONTROL AREAS**

### **5.1. OPERATION OF SPECIAL CONTROL AREAS**

There are no special control areas which apply to the Scheme.

# **SCHEDULES**

*AMD 3 GG 06/08/2024*

|            |  |
|------------|--|
| Schedule 1 | Dictionary of defined words and expressions      |
|            | Terms used                                       |
|            | Land use definitions                             |
| Schedule 2 | Additional uses                                  |
| Schedule 3 | Restricted uses                                  |
| Schedule 4 | Special use zones                                |
| Schedule 5 | Exempted advertisements                          |
| Schedule 6 | Environmental Conditions                         |
| Schedule A | Supplemental provisions to the deemed provisions |

## SCHEDULE 1 - DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

[cl. 1.7]

### 1. **Terms used**

AMD 3 GG 6/08/2024

(1) If a word or expression used in this Scheme is listed in this clause, its meaning is as follows –

“**building envelope**” means the area of land within which all buildings and effluent disposal facilities on lot must be contained;

“**cabin**” means a dwelling forming part of a tourist development or caravan park that is –

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guest;

“**chalet**” means a dwelling forming part of a tourist development or caravan park that is –

- (a) a self contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short term accommodation for guests;

“**commercial vehicle**” means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including –

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

“**floor area**” has meaning given in the Building Code;

“**minerals**” has the meaning as in the *Mining Act 1978*, section 8(1);

“**plot ratio**”, means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

“**precinct**” means a definable area where particular planning policies, guidelines or standards apply;

“**predominant use**” means the primary use of premises to which all other uses carried out on the premises are incidental;

“**retail**” means the sale or hire of goods or services to the public;

“**Scheme commencement day**” means the day on which this Scheme comes into effect under section 87(4) of the Act;

“**short-term accommodation**” means temporary accommodation provided either continuously or from time to time with no guest accommodation for periods totalling more than 3 months in any 12 month period;

“**wholesale**” means the sale of goods or materials to be sold by others;

- (2) A word or expression that is not defined in this Scheme –
- (a) has the meaning it has in the *Planning and Development Act 2005*; or
  - (b) if it is not defined in the Act – has the same meaning as it has in the R-Codes.

## 2. Land use terms used

If this Scheme — refers to a category of land use that is listed in this provision, the meaning of that land use is as follows –

**“aged & dependent persons dwelling”** means a dwelling specifically designed and/or intended for an Aged or Dependent Person as defined within the R-Codes; *AMD 3 GG 6/08/2024*

**“agriculture - extensive”** means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture – intensive or animal husbandry – intensive; *AMD 3 GG 6/08/2024*

**“agriculture - intensive”** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following — *AMD 3 GG 6/08/2024*

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture;

**“animal establishment”** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre;

**“animal husbandry - intensive”** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens; *AMD 3 GG 6/08/2024*

**“bed and breakfast”** means a dwelling – *AMD 3 GG 6/08/2024*

- (a) used by a resident of the dwelling, to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family: and
- (b) containing not more than 2 guest bedrooms;

**“betting agency”** means an office or totalisator agency established under the *Racing and Wagering Western Australian Act 2003*; *AMD 3 GG 6/08/2024*

**“bulky goods showroom”** means premises –

AMD 3 GG 6/08/2024

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes –
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;
  - (iv) animal supplies including equestrian and pet goods;
  - (v) floor and window coverings;
  - (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;
  - (vii) household appliances, electrical goods and home entertainment goods;
  - (viii) party supplies;
  - (ix) office equipment and supplies;
  - (x) babies and children’s goods, including play equipment and accessories;
  - (xi) sporting, cycling, leisure, fitness goods and accessories;
  - (xiii) swimming pools;

or

- (b) used to sell by retail goods and accessories by retail if –
  - (i) a large area is required for the handling, display or storage of the goods; or
  - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

**“caravan park”** means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1); AMD 3 GG 6/08/2024

**“caretaker’s dwelling”** means a dwelling on the same site as a building, operation, or plant used for industry, and occupied by a supervisor of that building, operation or plant; AMD 3 GG 6/08/2024

**“carpark”** means premises used primarily for parking vehicles whether open to the public or not but does not include – AMD 3 GG 6/08/2024

- (a) any part of a public road used for parking or for a taxi rank, or
- (b) any premises in which cars are displayed for sale;

**“cemeteries/crematoria”** means a building, place or premises as defined under either the *Cemeteries Act 1986* or the *Cremation Act 1929*.

**“child care premises”** means a premises where: -  
AMD 3 GG 6/08/2024

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided of;
- (b) a child care service as defined in the *Child Care Services Act 2007* Section 4 is provided.



**“civic use”** means premises used by a government department, an instrumentality of the State, or the local government, for administrative, recreational or other purposes;

AMD 3 GG 6/08/2024

**“club premises”** means premises used by a legally constituted club or association or other body of persons united by a common interest;

**“community purpose”** means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

AMD 3 GG 6/08/2024

**“consulting rooms”** means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

AMD 3 GG 6/08/2024

**“corrective institution”** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

**“dog kennels”** means any land or buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Local Government, and may include the sale of dogs.

AMD 3 GG 06/08/2024

**“dry cleaning premises”** means any land or buildings used for the cleaning of garments and other fabrics by chemical processes.

**“educational establishment”** means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;

AMD 3 GG 6/08/2024

**“exhibition centre”** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, including a museum;

AMD 3 GG 6/08/2024

**“family day care”** means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

AMD 3 GG 6/08/2024

**“fast food outlet/lunch bar”** means premises including a premises with a facility for drive-through service, used for the preparation, sale and servicing of food to customers in a form ready to be eaten –

AMD 3 GG 6/08/2024

- (a) without further preparation; and
- (b) primarily off the premises.

**“fuel depot”** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include premises used –

AMD 3 GG 6/08/2024

- (a) a service station, or
- (b) for the sale of fuel by retail into a vehicle for final use of such fuel from the premises;

**“funeral parlour”** means premises used –

AMD 3 GG 6/08/2024

- (a) to prepare and store bodies for burial or cremation;
- (b) to conduct funeral services.

**“home business”** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession the carrying out of the business, service or profession —

AMD 3 GG 6/08/2024

- (a) does not involve employing more than 2 people who are not members of the occupier’s household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 square metres; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and
- (f) does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**“home occupation”** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

AMD 3 GG 6/08/2024

- (a) does not involve employing any person who is not a member of the occupier’s household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 square metres; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 square metres; and
- (e) does not involve the retail sale, display or hire of goods unless the sale, display or hire is done only by means of the Internet; and;

AMD 3 GG 6/08/2024

- (f) does not – AMD 3 GG 6/08/2024
- (i) require a greater number of parking than normally required for a single dwelling; or
  - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**“home office”** means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

AMD 3 GG 6/08/2024

- (a) is solely within dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and;
- (c) does not involve the display of a signs on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

**“hotel”** means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988*, including any betting agency on those premises;

AMD 3 GG 6/08/2024

**“industry”** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

AMD 3 GG 6/08/2024

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

**“industry - extractive”** means other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –

AMD 3 GG 6/08/2024

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

**“industry - general”** means an industry other than a cottage, extractive, light, mining, rural or service industry;

**“industry hazardous”** means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light, rural or service industries.

**“industry - light”** means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;  
AMD 3 GG 6/08/2024

**“industry – noxious”** means an industry in which the process involved constitutes an offence trade within the meaning of the *Health Act 1911* (as amended), but does not include fish shops or dry cleaning establishments.

**“industry - rural”** means —

- (a) an industry handling, treating, processing or packing rural products; or
- (b) a workshop servicing plant or equipment used for rural purposes;

**“industry - service”** means —

- (a) an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or
- (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;

**“mining operations”** means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out;

AMD 3 GG 6/08/2024

**“motel”** means premises which may be licensed under the *Liquor Licensing Control Act 1988* –

AMD 3 GG 6/08/2024

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles;

**“motor vehicle repair”** means premises used for or in connection with —

AMD 3 GG 6/08/2024

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping; or
- (b) repairs to tyres, other than recapping or re-treading of tyres;

**“motor vehicle, boat or caravan sales”** means premises used to sell or hire motor vehicles, boats or caravans;

AMD 3 GG 6/08/2024

**“motor vehicle wrecking”** means any land or buildings used for storage, breaking up or dismantling of motor vehicles and includes the sale of secondhand motor vehicle accessories and spare parts.

**“night club”** means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*;  
AMD 3 GG 6/08/2024

**“office”** means premises used for administration, clerical, technical, professional or similar business activities;  
AMD 3 GG 6/08/2024

**“place of worship”** means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;

**“plantation”** has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia (Second Edition 2014)* published by the Forest Industries Federation (WA) Inc;  
AMD 3 GG 6/08/2024

**“public utility”** means any work or undertaking constructed or maintained by a public authority or the local government as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.  
AMD 3 GG 06/08/2024

**“public amusement”** means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool, or a gymnasium or for games.

**“reception centre”** means premises used for hosted functions on formal or ceremonial occasions;  
AMD 3 GG 6/08/2024

**“recreation - private”** means premises that are –  
AMD 3 GG 6/08/2024

- (a) used for indoor or outdoor leisure, recreation or sport, and
- (b) not usually open to the public without charge;

**“restaurant/cafe”** means premises primarily used for the preparation, sale and servicing of food and drinks for consumption on the premises by customers for whom seating is provided including premises that are licensed under the *Liquor Control Act 1988*;  
AMD 3 GG 6/08/2024

**“restricted premises”** means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth);  
AMD 3 GG 6/08/2024
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;
- (c) smoking-related implements;  
AMD 3 GG 6/08/2024

**“rural home business”** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation –

*AMD 3 GG 6/08/2024*

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200 square metres; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes weight;

**“rural pursuit/hobby farm”** means any premises used for agriculture-extensive or agriculture-intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household –

*AMD 3 GG 6/08/2024*

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises

**“service station”** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —

*AMD 3 GG 6/08/2024*

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,

**“shop”** means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail to hire goods, or to provide services of a personal nature (including a hairdressing or beauty therapist services);

*AMD 3 GG 6/08/2024*

**“sportsground”** means land used for any sport but does not include land within the curtilage of a dwelling, if not used commercially.

**“tavern”** means premises the subject of tavern licence granted under the *Liquor Control Act 1988*;

*AMD 3 GG 6/08/2024*

**“telecommunications infrastructure”** means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network; AMD  
3 GG 6/08/2024

**“tourist accommodation”** means development and associated tourism uses such as retailing and services, where such uses are an integral part of the development and are of a scale appropriate to the needs of the development.

**“transport depot”** means used primarily for the parking or garaging of 3 or more commercial vehicles including – AMD  
3 GG 6/08/2024

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another;

**“tree farm”** means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5; AMD 3 GG 6/08/2024

**“veterinary centre”** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders; AMD 3 GG 6/08/2024

**“warehouse/storage”** means premises including indoor or outdoor facilities used for – AMD 3 GG 6/08/2024

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;

**“winery”** means premises used for the production of viticultural produce and sale of the produce; AMD 3 GG 6/08/2024

**“workforce accommodation”** means premises, which may include modular or relocatable buildings, used – AMD 3 GG 6/08/2024

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreational facilities for the occupants and authorised visitors;

**“zoological gardens”** means any land or buildings used for the keeping, breeding or display of animals and the term includes zoo but does not include a dog kennels or a cattery, animal husbandry or animal keeping.

## SCHEDULE 2 - ADDITIONAL USES

[cl. 3.5]

| No.  | Description of land  | Additional Use  | Conditions  |
|------|--|---|---|
| A 1. | Lots 55 and 56 Robinson Road, Woodanilling   | Service Station<br><br>Restaurant/Cafe<br><i>AMD 3 GG 6/08/2024</i><br><br>Shop | The development of any of the uses listed requires the prior approval of Local Government and will be subject to such conditions as Local Government stipulates.<br><i>AMD 3 GG 06/08/2024</i><br><br>The development of a shop shall be ancillary to the existing use of the site as a caravan park or as a Service Station, unless Local Government is satisfied that it is for tourist purpose i.e. a gallery.<br><i>AMD 3 GG 06/08/2024</i>   |
| A 2. | That portion of the Residential Zone situated south of Robinson Road as shown on the Scheme Map.<br><br><i>AMD 1 GG 22/06/12</i> | Rural Home Business   | <ol style="list-style-type: none"> <li>1. No Rural Home Business may occur without the prior approval of Local Government.<br/><i>AMD 3 GG 06/08/2024</i></li> <li>2. All applications for a Rural Home Business shall be advertised in accordance with Clause 9.4.3.</li> <li>3. In considering an application for Rural Home Business the Local Government shall, in addition to the matters contained in Clause 10.2, have specific regard to:<br/><i>AMD 3 GG 06/08/2024</i> <ol style="list-style-type: none"> <li>a. the retention of any remnant vegetation on the site and the likely impact of the use and development upon this;</li> <li>b. the location of any adjoining development and the likely impacts upon this;</li> <li>c. the need for additional fire management measures.</li> </ol> </li> <li>4. Local Government may impose conditions as it deems appropriate to protect the residential character of the area including conditions relating but not limited to:<br/><i>AMD 3 GG 06/08/2024</i> <ol style="list-style-type: none"> <li>a. Landscaping and screen plantings;</li> <li>b. Screen fencing;</li> <li>c. Painting of buildings and/or the use of non reflective material;</li> <li>d. Lighting.</li> </ol> </li> <li>5. Notwithstanding anything else in the Scheme, any Rural Home</li> </ol> |



|  |  |  |  |
|--|--|--|--|
|  |  |  | <p>Business must comply with the following conditions:</p> <ul style="list-style-type: none"> <li>a. May only be developed on land where there is an existing dwelling.</li> <li>b. Shall have a maximum total activity area (including building, storage and vehicle parking) of 200m<sup>2</sup>.</li> <li>c. Does not employ more than 2 people not members of the occupier's household.</li> <li>d. Shall only operate between the hours of 0700 to 1900 Monday to Friday, not including any public holidays.</li> <li>e. Shall maintain the site in a tidy condition so as not to prejudicially affect the amenity of the area.</li> <li>f. The subject land shall have a minimum lot area of 4000m<sup>2</sup>.</li> </ul> |
|--|--|--|--|

### SCHEDULE 3 - RESTRICTED USES

[cl. 3.6]

| No. | Description of land | Restricted use | Conditions |
|-----|---------------------|----------------|------------|
|     |                     |                |            |

## SCHEDULE 4 - SPECIAL USE ZONES

[cl. 4.7]

| No. | Description of land | Special use | Conditions |
|-----|---------------------|-------------|------------|
|     |                     |             |            |

## SCHEDULE 5 - EXEMPTED ADVERTISEMENTS

| LAND USE AND/OR DEVELOPMENT   | EXEMPTED SIGN <sup>1</sup>   | MAXIMUM SIZE   |
|---|--|--|
| Dwellings   | One professional name-plate as appropriate.  | 0.2m <sup>2</sup>  |
| Home Occupation   | One advertisement describing the nature of the home occupation.  | 0.2m <sup>2</sup>  |
| Places of Worship, Meeting Halls and Places of Public Assembly.   | One advertisement detailing the function and/or the activities of the institution concerned.   | 0.2m <sup>2</sup>  |
| Cinemas, Theatres and Drive-In Theatres   | Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.  | Each advertisement sign not to exceed 5m <sup>2</sup>  |
| Shops, Bulky goods showroom and other uses appropriate to a Shopping Area.                                    | All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.   | N/A  |
| Industrial and Warehouse Premises   | A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building.  | Total area of any such advertisements, shall not exceed 15m.   |
|   | A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.  | Maximum permissible total area shall not exceed 10m <sup>2</sup> and individual advertisement signs shall not exceed 6m <sup>2</sup> . |
| Bulky goods showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes. | All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.   | N/A  |
| Public Places and Reserves  | a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or Local Government of a local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and<br><i>AMD 3 GG 06/08/2024</i>  | N/A  |
|   | b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a government department, public authority or the Local Government of a local government, and<br><i>AMD 3 GG 06/08/2024</i> | N/A  |
|   | c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.  | N/A  |
| Railway Property and Reserves   | Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.   | No sign shall exceed 2m <sup>2</sup> in area.  |
| Advertisements within buildings   | All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.  | N/A  |

|   |   |  |
|---|---|--|
| All classes of buildings other than single family dwellings.  | One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.<br><br>1 Includes the change of posters on poster signs to non-illuminated signs unless otherwise stated. | 0.2m <sup>2</sup>  |
| <b>TEMPORARY SIGNS</b>  | <b>EXEMPTED SIGN - TYPE AND NUMBER<br/>(All non-illuminated unless otherwise stated)</b>  | <b>MAXIMUM AREA</b>                                      |
| Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows:                    |   |  |
| a) Dwellings.   | One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.  | 2m <sup>2</sup>  |
| b) Multiple Dwellings, Shops, Commercial and Industrial projects.   | One sign as for (i) above<br>One sign as for (i) above  | 5m <sup>2</sup><br>10m <sup>2</sup>                      |
| c) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height. | One additional sign showing the name of the project builder.  | 5m <sup>2</sup>  |
| Sales of Goods or Livestock   | One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.   | 2m <sup>2</sup>  |
|   | Property Transactions.<br><br>Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:  |  |
|   | a) Dwellings  | Each sign shall not exceed an area of 2m <sup>2</sup> .  |
|   | b) Multiple Dwellings, Shops, Commercial and Industrial Properties.   | Each sign shall not exceed an area of 5m <sup>2</sup> .  |
|   | c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.   | Each sign shall not exceed an area of 10m <sup>2</sup> . |
|   | i) One sign for each dwelling on display  | 2m <sup>2</sup>  |
|   | ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.  | 5m <sup>2</sup>  |
|   | 2 Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated.  |  |

## SCHEDULE 6 - ENVIRONMENTAL CONDITIONS

[cl. 4.6]

| Scheme or Amendment No | Gazettal Date | Environmental Conditions |
|------------------------|---------------|--------------------------|
|                        |               |                          |

## **SCHEDULE A – SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS**

AMD 3 GG 6/08/2024

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- Clause 61(1)(k) the carrying out of any works on Reserved land owned or vested in a public authority if the land is used -
- (i) For the purpose for which is reserved under the Scheme;
  - (ii) For any purpose for which it was lawfully used before the coming into force of the Scheme;
  - (iii) For any purpose for which the land may be lawfully used by the public authority including:
    - Works for the purpose of or in connection with the supply of water, electricity, gas, or the drainage treatment of waste, water or sewerage; and
    - Works on land reserved for Railway Purposes connected with a railway.
- Clause 61(1)(l) the carrying out of works urgently necessary to ensure public safety, for the safety or security of plant or equipment or for the maintenance of essential services.
- Clause 61(1)(m) the carrying out of any other works as specified in Local Planning Policy 4 “Minor and Ancillary Development” pursuant to clauses 61(1)(i) and 61(2)(e).
- Clause 61(1)(n) the erection or installation of a sign or advertisement of a class specified in Schedule 5 of this Scheme that applies in respect of the sign unless the sign is to be erected or installed -
- (i) on a place included on a heritage list prepared in accordance with this Scheme; or
  - (ii) on land located within an area designated under this Scheme as a heritage area.
- Clause 61(1)(o) the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the Regional Rural zone where the R-Codes do not apply, and where the development standards set out in the scheme (including boundary setbacks) are satisfied, unless the development is located in a place that is:
- (i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
  - (ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
  - (iii) included on a heritage list prepared in accordance with this Scheme; or
  - (iv) within an area designated under the Scheme as a heritage area; or
  - (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;
  - (vi) a relocated dwelling; or
  - (vii) on a lot abutting an unconstructed road or with no gazetted road access.

