



LOCAL PLANNING SCHEME NO. 24

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Local Planning Scheme Gazettal Date _____

CITY OF GOSNELLS LOCAL PLANNING SCHEME NO. 24 AMENDMENTS

Amendment No.	Gazettal Date	Updated		Details
		When	By	

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SCHEME DETAILS

CITY OF GOSNELLS

LOCAL PLANNING SCHEME NO. 24

The City of Gosnells under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

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Part 1 - Preliminary

1. Citation

This local planning scheme is the City of Gosnells Scheme No. 24.

2. Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day on which it is published in the Gazette.

3. Scheme Revoked

The following local planning scheme is revoked -

City of Gosnells, Town Planning Scheme No. 6, Gazettal date 15 February 2002 as amended.

4. Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note: The *Interpretation Act 1984* section 32 makes provision in relation to whether headings form part of the written law.

5. Responsibility for Scheme

The City of Gosnells is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

6. Scheme Area

This Scheme applies to the area shown on the Scheme Map.

Note: The Scheme area (or part) is also subject to the Metropolitan Region Scheme (see clause 12) and other local planning schemes (see clause 11).

7. Contents of Scheme

- (1) In addition to the provisions set out in this document (the **scheme text**), this Scheme includes the following -
 - (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
 - (b) the Scheme Map;
 - (c) The supplementary provisions to the deemed provisions contained in Schedule A of the Scheme.
 - (2) This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.
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8. Purposes of Scheme

The purposes of this Scheme are to -

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in this Scheme; and
- (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

9. Aims of Scheme

The aims of this Scheme are to -

- (a) provide for a range of housing in neighbourhoods with a community identity and high levels of amenity.
 - (b) provide for convenient, attractive and viable commercial centres, which serve the needs of the community and are accessible to pedestrians, cyclists and public transport users as well as motorists.
 - (c) encourage the development of businesses which will strengthen the economic base of the district and provide convenient and efficiently located employment to the community.
 - (d) ensure the orderly and proper use and development of land within the District.
 - (e) protect and enhance the quality of the urban and rural living environments of the District, and to provide for such expansion as is consistent with the maintenance of the services and amenities of the District required by the community.
 - (f) promote the health, safety, convenience and the economic and general welfare of the community.
 - (g) ensure the use and development of land does not result in significant adverse impacts on the physical and social environment.
-

- (h) assist in the protection of regional forest, water catchment, recreational and other natural resources, and to promote the efficient use of energy and the protection of air quality.
- (i) protect objects and places of outstanding natural (e.g. landform, water courses) historic, architectural and cultural significance.
- (j) assist in the effective implementation of regional plans and policies including the State Planning Strategy.

10. Relationship with Local Laws

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

11. Relationship with other Local Planning Schemes

The following local planning schemes of the City of Gosnells also apply in the Scheme area -

Guided Scheme No. 9A	Gazettal date 27 March 1986
Guided Scheme No. 15	Gazettal date 24 August 1990
Guided Scheme No. 17	Gazettal date 24 June 1988

12. Relationship with Region Planning Scheme

The Metropolitan Region Scheme made (or continued) under Part 4 of the Act applies in respect of part or all of the Scheme area.

Note: The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission.

Part 2 - Reserves

13. Regional Reserves

- (1) Regional reserves are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The lands marked as regional reserves are lands reserved for a public purpose under the Metropolitan Region Scheme.

Note: The process of reserving land under a regional planning scheme is separate from the process of reserving land under the *Land Administration Act 1997* section 41.

14. Local Reserves

- (1) In this clause -

Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

- (2) Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.
- (3) The objectives of each local reserve are as follows -

Table 1 - Reserve Objectives

Reserve Name	Objectives
Public Open Space	<ul style="list-style-type: none"> • To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152. • To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Civic and Community	<ul style="list-style-type: none"> • To provide for a range of community facilities which are compatible with surrounding development. • To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Public Purposes	<ul style="list-style-type: none"> • To provide for a range of essential physical and community infrastructure.
Education	<ul style="list-style-type: none"> • Public Purposes which specifically provide for a range of essential education facilities.
Car Park	<ul style="list-style-type: none"> • To set aside land required for a car park.
Cemetery	<ul style="list-style-type: none"> • To set aside land required for a cemetery.
Emergency Services	<ul style="list-style-type: none"> • To set aside land required for emergency services.
Infrastructure Services	<ul style="list-style-type: none"> • Public Purposes which specifically provide for a range of essential infrastructure services.

Reserve Name	Objectives
Drainage / Waterway	<ul style="list-style-type: none">To set aside land required for significant waterways and drainage.
Primary Distributor Road	<ul style="list-style-type: none">To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
District Distributor Road	<ul style="list-style-type: none">To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
Local Distributor Road	<ul style="list-style-type: none">To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	<ul style="list-style-type: none">To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.

15. Additional Uses for Local Reserves

There are no additional uses for land in local reserves that apply to this Scheme.

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Part 3 - Zones and Use of Land

16. Zones

- (1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.
- (2) The objectives of each zone are as follows -

Table 2 - Zone Objectives

Zone Name	Objectives
Residential	<ul style="list-style-type: none"> • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Urban Development	<ul style="list-style-type: none"> • To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. • To provide for a range of residential densities to encourage a variety of residential accommodation. • To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development. • To provide an intermediate transitional zone following the lifting of an urban deferred zoning within a region planning scheme. • To identify areas where a structure plan, activity centre plan or local development plan are required.
Regional Centre	<ul style="list-style-type: none"> • Provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment. • Ensure that there is provision to transition between the uses in the regional centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimised. • Provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre. • Encourage high quality, pedestrian-friendly, street-orientated development that responds to and enhances the key elements of the Regional Centre, to develop areas for public interaction and support the provision of public transport. • Ensure the provision of residential opportunities within the Regional Centre including high density housing and tourist accommodation that supports the role of the regional centre and meets the needs to the community.

Zone Name	Objectives
District Centre	<ul style="list-style-type: none"> • Provide a community focal point for people, services, employment and leisure that are highly accessible and do not adversely impact on adjoining residential areas. • Provide for district centres to focus on weekly needs and services for a wider district catchment. • Provide a broad range of employment opportunities to encourage diversity within the Centre. • Ensure a mix of commercial and residential development, which provides for activity and accessibility at the street level and supports the provision of public transport and pedestrian links. • Provide for a wide range of different types of residential accommodation, including high density residential, to meet the diverse needs of the community.
Local Centre	<ul style="list-style-type: none"> • Provide services for the immediate neighbourhoods that are easily accessible, which do not adversely impact on adjoining residential areas. • Provide for neighbourhood and local centres to focus on the main daily household shopping and community needs. • Encourage high quality, pedestrian-friendly, street-orientated development. • Provide a focus for medium density housing. • Ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.
Mixed Use	<ul style="list-style-type: none"> • To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels. • To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
Service Commercial	<ul style="list-style-type: none"> • To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. • To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
Light Industry	<ul style="list-style-type: none"> • To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones. • To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

Zone Name	Objectives
Industry	<ul style="list-style-type: none"> • To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses. • To accommodate industry that would not otherwise comply with the performance standards of light industry. • Seek to manage impacts such as noise, dust and odour within the zone.
Industrial Development	<ul style="list-style-type: none"> • To designate land for future industrial development. • To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.
Rural	<ul style="list-style-type: none"> • To provide for the maintenance or enhancement of specific local rural character. • To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage. • To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone. • To provide for a range of non-rural land uses where they have demonstrated community benefit and are compatible with surrounding rural uses and where sufficient infrastructure to support the land use is available. • Providing a flexible approach to land use planning in Rural Planning Precinct No. 4 having regard to the historical development of rural-industrial type land uses.
Rural Residential	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 1 hectares to 4 hectares. • To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Private Community Purpose	<ul style="list-style-type: none"> • To provide sites for privately owned and operated recreation, institutions and places of worship. • To integrate private recreation areas with public recreation areas wherever possible. • To separate potentially noisy engine sports from incompatible uses. • To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development. • To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.

Zone Name	Objectives
Special Use	<ul style="list-style-type: none">• To facilitate special categories of land uses which do not sit comfortably within any other zone.• To enable the Council to impose specific conditions associated with the special use.

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17. Zoning Table

The zoning table for this Scheme is as follows -

Table 3 - Zoning Table

Use and Development Class	Zones												
	Residential	Urban Development	Regional Centre	District Centre	Local Centre	Mixed Use	Service Commercial	Light Industry	Industry	Industrial Development	Rural	Rural Residential	Private Community Purpose
agriculture - extensive	X	Refer to Clause 18 (7)	X	X	X	X	X	X	X	Refer to Clause 18 (7)	D	D	X
agriculture - intensive	X		X	X	X	X	X	X	X		D	A	X
amusement parlour	X		D	A	A	A	D	X	X		X	X	X
ancillary dwelling	P		P	P	P	P	X	X	X		D	P	X
animal establishment	X		X	X	X	X	X	X	X		A	A	X
bed and breakfast	A		D	D	D	D	X	X	X		A	A	X
betting agency	X		D	D	A	A	D	X	X		X	X	X
brewery	X		X	X	X	X	X	A	D		A	X	X
bulky goods showroom	X		P	P	X	D	P	P	P		X	X	X
caravan park	X		X	X	X	X	X	X	X		A	X	X
caretaker's dwelling	X		D	D	D	D	D	D	D		D	A	D
car park	A		D	D	D	D	D	D	D		X	X	D
child care premises	A		D	P	D	D	D	X	X		X	A	A
cinema/theatre	X		D	D	A	A	D	X	X		X	X	X
civic use	A		D	D	D	D	D	D	D		A	A	D
club premises	X		D	D	D	D	D	D	D		A	X	A
commercial kitchen	X		D	D	D	D	D	D	D		X	X	X
commercial vehicle parking	D		D	D	D	D	D	D	D		D	D	D
community purpose	A		P	D	D	D	D	D	X		A	X	D
consulting rooms	A		P	P	D	D	D	D	X		X	X	X
convenience store	X		D	D	D	D	D	D	D		X	X	X
corrective institution	X		X	X	X	X	X	X	X		A	X	X
educational establishment	A		D	D	D	D	D	X	X		A	X	A
exhibition centre	X		D	D	D	D	D	X	X		A	X	A
family day care	D		D	D	D	D	X	X	X		D	D	X
fast food outlet / lunch bar	X		D	D	D	A	X	X	X		X	X	X
fuel depot	X		X	X	X	X	X	D	D		X	X	X
funeral parlour	X		D	X	X	A	D	D	D		X	X	X
garden centre	X		X	X	X	X	D	D	D		D	X	X
grouped dwelling	P		D	D	D	D	X	X	X		X	X	X
holiday accommodation	A		D	D	D	D	X	X	X		X	X	X
holiday house	A		X	X	X	X	X	X	X		D	A	X
home business	D	D	D	D	D	X	X	X	D	D	X		
home occupation	D	D	D	D	D	X	X	X	D	D	X		
home office	P	P	P	P	P	X	X	X	P	P	X		
home store	A	D	D	D	D	X	X	X	D	A	X		

Use and Development Class	Zones													
	Residential	Urban Development	Regional Centre	District Centre	Local Centre	Mixed Use	Service Commercial	Light Industry	Industry	Industrial Development	Rural	Rural Residential	Private Community Purpose	
hospital	X	Refer to Clause 18 (7)	D	A	X	X	X	X	X	Refer to Clause 18 (7)	X	X	A	
hotel	X		D	A	A	A	X	X	X		X	X	X	X
industry - extractive	X		X	X	X	X	X	X	A		A	X	X	X
industry	X		X	X	X	X	X	X	P		P	X	X	X
industry - light	X		X	X	X	X	X	P	P		P	X	X	X
industry - primary production	X		X	X	X	X	X	X	D		D	A	A	X
liquor store - large	X		A	A	A	A	A	X	X		X	X	X	X
liquor store - small	X		D	D	D	A	X	X	X		X	X	X	X
market	X		D	D	D	D	D	D	X		X	A	A	D
medical centre	A		P	P	P	D	D	X	X		X	X	X	A
motel	X		D	D	X	A	D	X	X		X	X	X	X
motor vehicle, boat or caravan sales	X		D	X	X	X	D	D	D		D	X	X	X
motor vehicle repair	X		D	D	X	X	D	D	D		D	X	X	X
motor vehicle wash	X		D	D	A	X	D	D	D		D	X	X	X
multiple dwelling	P		D	D	D	P	X	X	X		X	X	X	X
nightclub	X		A	X	X	A	X	X	X		X	X	X	X
office	X		P	P	P	P	D	I	I		I	X	X	I
park home park	X		X	X	X	X	X	X	X		X	A	X	X
place of worship	A		A	A	A	A	A	A	X		X	D	X	A
reception centre	X		D	D	A	D	D	D	X		X	A	X	A
recreation - private	X		D	D	D	D	D	D	X		X	A	X	A
residential aged care facility	A		D	D	D	D	X	X	X		X	X	X	A
residential building	A		D	D	A	A	X	X	X		X	A	A	X
resource recovery centre	X		X	X	X	X	X	X	A		A	X	X	X
restaurant/café	X		P	P	P	D	D	X	X		X	A	X	D
restricted premises	X		D	D	D	X	D	X	X		X	X	X	X
rural home business	X		X	X	X	X	X	X	X		X	D	A	X
rural pursuit/hobby farm	X		X	X	X	X	X	X	X		X	D	P	X
serviced apartment	X		D	D	D	D	X	X	X		X	X	X	X
service station	X		D	D	A	X	D	D	D		D	X	X	X
shop	X		P	P	P	P	I	I	X		X	X	X	X
single house	P		X	X	X	X	X	X	X		X	P	P	X
small bar	X		D	A	A	A	X	X	X		X	X	X	X
tavern	X		A	A	A	A	X	X	X		X	X	X	X
telecommunications infrastructure	A		D	D	D	D	D	D	D		D	A	A	A
tourist development	D		D	D	X	D	X	X	X		X	A	A	X
trade display	X		D	X	X	X	D	D	D		D	X	X	X
trade supplies	X		D	X	X	X	D	D	D		D	X	X	X
transport depot	X		X	X	X	X	X	D	D		D	X	X	X
tree farm	X		X	X	X	X	X	X	X		X	D	A	X
veterinary centre	X	P	P	D	D	D	D	D	D	A	A	X		
warehouse/storage	X	X	X	X	X	D	P	P	P	X	X	X		
waste disposal facility	X	X	X	X	X	X	X	A	A	X	X	X		
waste storage facility	X	X	X	X	X	X	X	A	A	X	X	X		
windfarm	X	X	X	X	X	X	D	D	D	A	A	X		
winery	X	X	X	X	X	X	X	X	X	A	X	X		

18. Interpreting Zoning Table

- (1) The permissibility of uses of land in the various zones in the Scheme area 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.
 - (2) The symbols used in the zoning table have the following meanings –
 - P means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme;
 - I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme;
 - D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
 - A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;
 - X means that the use is not permitted by this Scheme.

Note:

 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.
 2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.
 - (3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
 - (4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
 - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
-

- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- (5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone provided all development standards are met but may require works that are to be undertaken in connection with that use to have development approval.
- (6) If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless –
- (a) the development approval application relates to land that is being used for a non-conforming use; and
 - (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
- (7) If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land –
- (a) a structure plan;
 - (b) an activity centre plan;
 - (c) a local development plan.

19. Additional Uses

- (1) Table 4 sets out –
- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that additional use.
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Table 4 - Specified additional uses for zoned land in Scheme area

No.	Description of Land	Additional Use	Conditions
1.	Kelvin Road, Orange Grove in accordance with the Scheme map.	Industry - Light Waste Storage Facility	Nil.
2.	Lot 500 Campbell Road, Canning Vale	Bulky Goods Showroom	Nil.

- (2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used for the additional classes of use set out in respect of that land subject to the conditions that apply to that use.

20. Restricted Uses

- (1) Table 5 sets out –
- (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that restricted use.

Table 5 - Restricted uses for land in Scheme area

No.	Description of Land	Restricted Area	Conditions
1.	Lots 89 - 97 (inclusive) Ferres Drive, Martin	Uses permissible in the Service Commercial zone, but excluding the following uses: Caretaker's Dwelling Child Care Premises Cinema/Theatre Community Purpose Educational Establishment Home Store Hospital Hotel Market Motel Serviced Apartment Tavern	(1) The following land use restrictions apply: (a) A limit of two Fast Food Outlets / Lunch Bars attached to a Convenience Store; (b) Office - maximum 1,000m ² NLA; (c) Shop/Retail - maximum of 1,500m ² NLA excluding any liquor store floor area. (2) A Local Development Plan shall be prepared and approved by the Council prior to approval of the development or subdivision of the site.
2.	Martin in accordance with the Scheme Map	Uses permissible in the Rural and Rural Residential zone, but excluding the following uses: Caravan Park Club Premises Community Purpose Educational Establishment Park Home Park Reception Centre Recreation - Private	Nil.

- (2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used only for the restricted classes of use set out in respect of that land subject to the conditions that apply to that use.

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

21. Special use zones

- (1) Table 6 sets out -
- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
 - (b) the classes of special use that are permissible in that zone; and
 - (c) the conditions that apply in respect of the special uses.

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Table 6 - Special use zones in Scheme area

No.	Description of land	Special use	Conditions
1.	<p>Special Use 1 – Composite Zone</p> <p>In accordance with the Scheme Map</p>	<p>Composite Light Industry and Residential Area</p> <p>Uses permissible in the Special Use zone:</p> <p>Ancillary dwelling Caretaker's dwelling Car park Civic use Club premises Commercial kitchen Commercial vehicle parking Community purpose Consulting rooms Convenience store Fast food outlet / lunch bar Funeral parlour Home business Home occupation Home office Home store Industry – light Motor vehicle, boat or caravan sales Motor vehicle repair Motor vehicle wash Office Reception centre Service station Single house Telecommunications infrastructure Trade display Trade supplies Transport depot Veterinary centre Warehouse/storage</p>	<p>(1) On any lot situated within the Special Use Zone, no person shall:</p> <p>(a) develop, establish, continue or allow to be developed or established an industry or business use unless a dwelling is erected first and forms an integral part of the development;</p> <p>(b) develop, establish, continue or allow to be developed or established an industry or business use within the first 35 metres and extending the full width of the lot from the residential frontage, such part of the land as this is required to be set aside exclusively for residential purposes and access unless the lot is a corner lot or is irregular in shape in which case Council shall determine the area to be used for industry or business;</p> <p>(c) allow a dwelling to be occupied by any person other than the owner or manager or an employee of the industrial or business use;</p> <p>(d) use or permit to be used an area in excess of 2,500m² for industrial or business use, including open storage buildings, yards, vehicle movement areas, unless otherwise approved by Council;</p> <p>(e) establish or permit to be established more than one industry or business use to operate from each lot;</p> <p>(f) develop or allow the development of a residence without providing vehicle access with a minimum width of 5 metres to the area approved for industrial or business use;</p>

No.	Description of land	Special use	Conditions
			<p>(g) allow the direct discharge of run off, of surface water or the direct discharge of wastes into water courses or associated drainage reserves unless such discharge is passed through a settling and screening system to the satisfaction of Council.</p> <p>(2) Unless otherwise determined by the Council, the development or use of land or buildings shall not be commenced without planning approval of the Council and the Council may impose conditions including but not restricted to:</p> <p>(a) where applicable the reservation of land along water courses for drainage and open space purposes;</p> <p>(b) the siting of the dwelling to provide a residential aspect to the frontage;</p> <p>(c) the siting and fencing of the industrial development to screen it from view from residential zoned land and abutting public places, roads and properties</p> <p>(d) the prohibition of advertising signs within landscaped areas.</p> <p>(3) Setbacks</p> <p>(a) The required boundary setback in respect of any residential development shall accord with the requirements of the Residential Design Codes for development at the R17.5 density code.</p> <p>(b) Subject to the requirements of Condition (1)(b), the setback to any building used for industrial or business purposes shall be in accordance with the requirements of Table No. 7.</p>

No.	Description of land	Special use	Conditions
			<p>(4) Industrial Development Adjoining Residential zones.</p> <p>On any land which is used for industrial purposes and which adjoins land zoned for residential purposes the industrial development shall be screened from the abutting residential land by a masonry or similarly constructed wall or fence not less than 2 metres in height and by trees and shrubs to the satisfaction of the Council.</p> <p>(5) Development in Unsewered Areas</p> <p>Where connection to a comprehensive reticulated sewerage system is not available, no development with an on-site effluent disposal in excess of that of a single house or single residential equivalent, shall be approved unless the proposed development is in accordance with the provisions of the Government Sewerage Policy</p>
2.	<p>Special Use 2 – Kennels</p> <p>In accordance with the Scheme Map</p>	<p>Kennel Area</p> <p>Uses permissible in the Special Use zone</p> <p>Agriculture - extensive</p> <p>Ancillary dwelling</p> <p>Animal establishment</p> <p>Bed and breakfast</p> <p>Child care premises</p> <p>Club premises</p> <p>Commercial vehicle parking</p> <p>Family day care</p> <p>Holiday House</p> <p>Home business</p> <p>Home occupation</p> <p>Home office</p> <p>Home store</p> <p>Office</p> <p>Recreation Private</p> <p>Rural home business</p> <p>Rural pursuit/hobby farm</p> <p>Single house</p> <p>Veterinary centre</p> <p>Warehouse/storage</p>	<p>(1) Notwithstanding the requirements of Table 7, when considering an application for subdivision within the Special Use zone, the minimum lot size shall be 4,000m² with a minimum effective lot frontage of 30 metres.</p> <p>(2) When considering an application for planning approval in the Special Use zone, Council shall have regard to, and may impose conditions, relating to the following:</p> <p>(a) the retention of native trees and shrubs.</p> <p>(b) with respect to corner lots, the primary and secondary streets shall be determined by Council.</p> <p>(c) to ensure the visual amenity of the area, kennels shall be screened from view of the road.</p> <p>(3) Setback of dwellings</p> <p>(a) Primary street setback - 10 metres</p> <p>(b) Side setback - 5 metres</p> <p>(c) Rear Setback - 20 metres</p>

No.	Description of land	Special use	Conditions
3.	Special Use 3 – Quarry Lot 3 Cockram Road, Martin	Extractive Industry Uses permissible in the Special Use zone: Car park Civic use Commercial vehicle parking Industry – extractive Industry – general Industry - light Industry - primary production Motor vehicle repair Motor vehicle wash Office Telecommunications infrastructure Transport depot	(1) Minimum setbacks for extractive industry: (a) Front – 50 metres (b) Rear/ Side – 50 metres (2) Minimum landscaping: (a) 20 metres abutting all boundaries
4.	Special Use 4 – Quarry Lots 101, 457 and 463 – 467 (inclusive) Stephen Street, Orange Grove	Extractive Industry Uses permissible in the Special Use zone: Car park Civic use Commercial vehicle parking Industry – extractive Industry – general Industry - light Industry - primary production Motor vehicle repair Motor vehicle wash Office Telecommunications infrastructure Transport depot	(1) Minimum setbacks for extractive industry: (a) Front – 50 metres (b) Rear/ Side – 50 metres (2) Minimum landscaping: (a) 20 metres abutting all boundaries

- (2) A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

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

22. Non-Conforming Uses

- (1) Unless specifically provided, this Scheme does not prevent –
 - (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
 - (b) the carrying out of development on land if –
 - (i) before the commencement of this Scheme, the development was lawfully approved; and
 - (ii) the approval has not expired or been cancelled.
- (2) Subclause (1) does not apply if –
 - (a) the non-conforming use of the land is discontinued; and
 - (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
- (3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government –
 - (a) purchases the land; or
 - (b) pays compensation to the owner of the land in relation to the non-conforming use.

23. Changes to Non-Conforming Uses

- (1) A person must not, without development approval –
 - (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
 - (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
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- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use –
 - (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended purpose of the zone in which the land is situated.

24. Register of Non-Conforming Uses

- (1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
 - (2) A register prepared by the local government must set out the following —
 - (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use;
 - (d) the date on which any discontinuance of the non-conforming use is noted.
 - (3) If the local government prepares a register under subclause (1) the local government —
 - (a) must ensure that the register is kept up-to-date; and
 - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - (c) may publish a copy of the register on the website of the local government.
 - (4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.
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Part 4 - General Development Requirements

25. R-Codes

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government —
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

26. Modification of R-Codes

- (1) Where on the Scheme Map, an area is identified as having two density codes in the form of a split R-Code, when considering an application for development approval, or when making a recommendation to the Commission in respect of subdivision, the local government is to apply to the lower of the two R-Codes unless —
 - (a) The site achieves a minimum lot size of 1,000m² in the case of areas identified as having the density codes of R40/R60.
 - (b) The site achieves a minimum lot size of 1,500m² in the case of areas identified as having the density codes of R60/R80 and R80/R100.
 - (c) The site achieves a minimum lot size of 3,000m² in the case of areas identified as having the density codes of R100/R160.
 - (2) Where on the Scheme Map, an area is identified with density codes of R80 to R160 (inclusive), any development and/or subdivision is to achieve a minimum density of R60.
 - (3) For land within the Residential zone, zoned R25 or below, the local government may support development and/or subdivision to a maximum density of R30 when the lot is located on a corner and complies with the provisions of the R30 density coding, and any related Local Planning Policy.
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27. State Planning Policy 3.6 to be read as part of Scheme

- (1) State Planning Policy 3.6 - Development Contributions for Infrastructure, modified as set out in clause 28, is to be read as part of this Scheme.
- (2) The local government —
 - (a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

28. Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

29. Other State Planning Policies to be read as part of Scheme

There are no other State planning policies that are to be read as part of the Scheme.

30. Modification of State planning policies

There are no modifications to a State Planning Policy that, under clause 29 is to be read as part of the Scheme.

31. Environmental Conditions

There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.

32. Additional Site and Development Requirements

- (1) Table 7 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

Table 7 - Site specific development standards and requirements

No.	Description of Land	Requirement
1.	Non-Residential Development in the Residential Zone	Non-residential development in the Residential zone shall conform to the plot ratio, setback, open space, building height, privacy and solar access (where appropriate) provisions of the R-Codes applicable to the density code afforded to the lot.
2.	A Home Based Activity undertaken on land, including but not limited to the following uses: Bed and Breakfast Commercial Vehicle Parking Family Day Care Home Business Home Occupation Home Store Rural Home Business	Where the local government grants development approval to carry on a Home Based Activity, the following provision shall apply: (1) The approval shall be personal to the applicant and shall not be transferred or assigned to any other person.
3.	Mixed Use Zone	Unless otherwise provided for by an Activity Centre Plan, Local Development Plan or Local Planning Policy, non-residential development in the Mixed Use zones shall accord with the following: (1) Front setbacks are to be determined by the local government, generally based on 'main-street' design principles, where appropriate. (2) Non-residential development shall conform to the plot ratio, setback, open space, building height, privacy and solar access provisions of the R-Codes applicable to the density code afforded to the lot (where appropriate). (3) Where a development is proposed to be located on a lot having a common boundary with a Residential zoned lot or residential use class, the setbacks shall not be less than those prescribed in the R-Codes for the particular density code of the adjoining residential lot. (4) Landscaping – (a) Canopy shade trees shall be provided at the rate of 1 tree for every 4 open air parking bays. Shade structures over car parking bays shall not suffice. (b) A minimum 2 metres of landscaping shall be provided to all streets excluding any areas occupied by buildings or approved crossovers. (c) Safe and convenient pedestrian access shall be provided adjacent to any public entrances to buildings and from customer parking areas.

No.	Description of Land	Requirement
4.	Regional Centre zone	<p>Unless otherwise provided for by an Activity Centre Plan, Local Development Plan or Local Planning Policy, development in the Regional Centre zone shall accord with the following:</p> <ol style="list-style-type: none"> (1) Building height - Building heights for non-residential development are as follows: <ul style="list-style-type: none"> Top of external wall - 15 metres Top of external wall (concealed roof) - 16 metres Top of pitched roof - 18 metres (2) Plot ratio - no limit. (3) Open space - a minimum of 20 per cent of the development site, shall be set aside for open space, excluding car parking and manoeuvring areas. (4) Where a mixed residential/ commercial or residential development is proposed in a Regional Centre zone the applicable R-Code as shown on the Scheme map shall apply.
5.	District Centre zone	<p>Unless otherwise provided for by an Activity Centre Plan, Local Development Plan or Local Planning Policy, development in the District Centre zone shall accord with the following:</p> <ol style="list-style-type: none"> (1) Building height - Building heights for non-residential development are as follows: <ul style="list-style-type: none"> Top of external wall - 12 metres Top of external wall (concealed roof) - 13 metres Top of pitched roof - 15 metres (2) Plot ratio - maximum of 1.0 (excluding any residential development) (3) Open space - a minimum of 10 per cent of the development site shall be set aside for open space, excluding car parking and manoeuvring areas. (4) Where a mixed residential/ commercial or residential development is proposed in a District Centre zone the applicable R-Code as shown on the Scheme map shall apply.
6	Local Centre zone	<p>Unless otherwise provided for by a Local Development Plan or Local Planning Policy, development in the Local Centre zone shall accord with the following:</p> <ol style="list-style-type: none"> (1) Building height - Building height standards for non-residential development are as follows: <ol style="list-style-type: none"> (a) Neighbourhood Centres - Buildings are limited to three-storeys, or as per the following maximum building heights – <ul style="list-style-type: none"> Top of external wall - 9 metres Top of external wall (concealed roof) - 10 metres Top of pitched roof - 12 metres (b) Buildings are limited to two-storeys, or as per the following maximum building heights – <ul style="list-style-type: none"> Top of external wall - 6 metres Top of external wall (concealed roof) - 7 metres Top of pitched roof - 9 metres

No.	Description of Land	Requirement
		<p>(2) Plot ratio - maximum of 1.0 (excluding any residential development).</p> <p>(3) Where a mixed residential/ commercial or residential development is proposed in a Local Centre zoned area the applicable R-Code as shown on the Scheme map shall apply.</p>
7.	Service Commercial, Light Industry, Industry Zones	<p>(1) Setbacks –</p> <p>(a) Primary street - 15 metres</p> <p>(b) Secondary street - 4.5 metres</p> <p>(c) Side and rear - nil, except where adjoining land in a Residential or Mixed Use zone where the setback is to accord to the standards applicable to such adjacent land under the relevant R-Coding, including relevant overshadowing limits.</p> <p>(2) Building height - 13.5 metres overall, except where the site adjoins, or is immediately adjacent to land in the Residential zone where the building height is limited to a maximum of 10.5 metres and further where necessary to comply with the overshadowing limits applicable to such adjacent land under the relevant R-Coding.</p> <p>(3) A minimum 3 metres of landscaping shall be provided to all streets, excluding any areas for approved crossovers.</p> <p>(4) Each façade of a building shall be constructed of a combination of steel, masonry, concrete or glass or similar materials as approved by the local government.</p> <p>(5) Any open storage yard shall be screened from view from any public road by a closed fence or wall of not less than 1.8 metres in height.</p> <p>(6) Provision shall be made for a centrally located refuse storage area that is:</p> <p>(a) located in such a position that waste vehicles have direct access to it by a paved internal service road;</p> <p>(b) be enclosed in a reinforced masonry or concrete wall not less than 1.8 metres in height with a lockable gate system; and</p> <p>(c) sufficient in area to accommodate the required number of bins to service the development and use of the site.</p> <p>(7) All internal service roads shall be designed and constructed so that motor vehicles may return to a street without reversing.</p> <p>(8) On any land which is zoned for industrial purposes and which adjoins land zone for residential purposes, the industrial development shall be screened from the abutting residential land by a masonry or similarly constructed wall or fence not less than 2 metres in height and by trees and shrubs to the satisfaction of the Council.</p>

No.	Description of Land	Requirement
		<p>(9) Use of Front Setbacks</p> <p>The front setback area, including secondary street setback, shall not be used for any purpose other than one or more of the following:</p> <ul style="list-style-type: none"> (a) a means of access; (b) the daily parking of vehicles used by employees and customers or clients; (c) the loading and unloading of vehicles; (d) trade display, subject to planning approval; and (e) Landscaping. <p>No such area shall be used for the storage of motor vehicles, machinery, equipment or materials which are being wrecked or repaired, or for the stacking or storage of fuel, raw materials, products or by-products or wastes of manufacture, other than as provided for under sub-paragraph (d) above.</p> <p>(10) Industrial Units</p> <p>The construction, occupation and use of industrial units shall comply with the requirements and standards set out in Clause 32(2) and the following requirements unless otherwise determined by Council:</p> <ul style="list-style-type: none"> (a) no industrial unit shall have a floor area of less than 90m² nor shall it be so constructed that either its width or length is less than 6 metres; (b) subject to sub-paragraph (e) of this sub-clause, there shall be an open yard appurtenant to each industrial unit, being not smaller than one third of the gross leasable area of the industrial unit, and such open yard shall be used for storage and services purposes; (c) each open storage yard shall be screened from view from any public road by a closed fence or wall of not less than 1.8 metres in height; (d) provision shall be made for a refuse storage area in the open storage yard of each industrial unit which shall not be less than 9m² in area; (e) the Council may waive the requirements for an open storage area as set out in paragraph (b) above, provided a centrally located refuse storage area is erected in such a position that vehicles have direct access to it by a paved internal service road and such a centralised refuse storage area shall: <ul style="list-style-type: none"> (i) contain an area of 6m² for each industrial unit or 24m² in total, whichever is the greater; (ii) be enclosed in a reinforced masonry or concrete wall not less than 1.8 metres in height with a lockable gate system; (iii) contain a concrete floor fitted with drainage; (f) all vehicle and service access roads shall be paved and maintained in a good condition.

No.	Description of Land	Requirement
8.	Rural and Rural Residential Zones	<p>(1) Subdivision –</p> <p>(a) A minimum lot size of 1 hectare applies, except in Rural Planning Precinct No. 1 where the minimum lot size is 4 hectares.</p> <p>(b) Council will recommend to the Western Australian Planning Commission that a condition be required on any subdivision approval that a notification be placed on the certificates of title of lots located within 1 km of the Boral and Holcim quarry operational areas advising of the potential effects of noise, dust, vibration and other impacts from quarry operational areas.</p> <p>(2) Applications proposing sensitive land uses within 1km of the existing and proposed Boral and Holcim quarry operational areas will generally not be supported unless it can be demonstrated that appropriate measures can be undertaken to ameliorate the adverse impacts of the quarry operations.</p> <p>(3) Setbacks –</p> <p>(a) Lots 4,000m² or less in area –</p> <p>(i) Primary street setback - 10 metres</p> <p>(ii) Secondary street setback - 4.5 metres</p> <p>(iii) Side and rear boundary setbacks - 3 metres</p> <p>(b) Lots greater than 4,000m² in area –</p> <p>(i) Primary street setback - 15 metres</p> <p>(ii) Secondary street setback - 15 metres</p> <p>(iii) Side and rear boundary setbacks - 3 metres</p>
9.	Private Community Purposes zone	In addition to any general provisions of the scheme, development of land within the Private Community Purposes zone is to accord with an approved Local Development Plan.
10.	All Zones - Parking	<p>(1) Car and bicycle bays parking shall be provided in accordance with an adopted local planning policy made under this scheme for this purpose and shall be rounded to the nearest whole number.</p> <p>(2) The local government may accept a cash payment in lieu of the provision of any required land for car parking subject to being satisfied that there is adequate provision for car parking or a reasonable expectation in the immediate future that there will be adequate provision for public car parking in the proximity of the proposed development.</p> <p>(3) Subject to sub-clause (2), the cash payment shall be calculated having regard to the estimated cost of constructions of the parking area or areas suitable for the proposed development and includes the value, as estimated by the local government, of that area of land which would have had to be provided to meet the car parking requirements specified by an adopted local planning policy.</p> <p>(4) Subject to sub-clause (2) and (3), the cash payment is to be paid into a fund set aside by the local government for purposes of providing public car parking areas, in the locality of the land the subject of the development proposal.</p>

- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

33. Additional Site and Development Requirements for areas covered by Structure Plan, Activity Centre Plan or Local Development Plan

There are no additional requirements that apply to this Scheme.

34. Variations to Site and Development Requirements

- (1) In this clause –

additional site and development requirements means requirements set out in clauses 31 and 32.

- (2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (4) If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must –
- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
 - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The local government may only approve an application for development approval under this clause if the local government is satisfied that –
- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
 - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.
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35. Restrictive Covenants

- (1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- (2) If subclause (1) operates to extinguish or vary a restrictive covenant
 - (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
 - (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

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Part 5 - Special Control Areas

36. Special Control Areas

- (1) Special Control Areas are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The purpose, objectives and additional provisions that apply to each Special Control Area is set out in the Table.

Table 8 - Special Control Areas in Scheme area

Name of Area	Purpose	Objectives	Additional Provisions
SCA1 - Perth Airport Buffer	SCA1 is the basis for the implementation of State Planning Policy 5.1 - Land Use Planning in the Vicinity of Perth Airport.	<ol style="list-style-type: none"> (i) To protect Perth Airport from unreasonable encroachment by incompatible (noise-sensitive) development, to provide for its ongoing development and operation; and (ii) To minimise the impact of airport operations on existing and future communities with reference to aircraft noise. 	<ol style="list-style-type: none"> (1) The development or use of premises involving building types identified as either 'conditionally acceptable' or 'unacceptable' for the relevant noise expose zone, as outlined in State Planning Policy 5.1, requires the prior development approval of the local government. (2) The local government will recommend to the Western Australian Planning Commission a condition of subdivision approval, or impose conditions on any development approval for a notification on the certificate of title of lots advising of the potential of noise nuisance.
SCA2 - Development Contribution Areas	The purpose of a development contribution area is as established in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	The objectives for preparing a development contribution plan for a development contribution area are as outlined in State Planning Policy 3.6.	Development contribution areas shown on the Scheme Map as DCA with a number and included in Schedule 1.
SCA3 - Maddington Kenwick Strategic Employment Area - Precinct 3A	To guide future planning of SCA3 so as to identify, protect and manage the significant environmental values.	<p>To provide for the retention of significant environmental values including:</p> <ol style="list-style-type: none"> (i) Wetland UFI 7635 and its buffer; (ii) Threatened Ecological Communities; (iii) Declared Rare and Priority Flora; and (iv) Areas of vegetation occurring naturally outside of its normal range and/or as significant fauna habitat. 	(1) Prior to subdivision or development being undertaken within the Maddington Kenwick Strategic Employment Area Precinct 3A Special Control Area a structure plan, or plans, will be required to be prepared and approved over all or part of the Special Control Area for the purpose of Schedule 2 Part 4 clause 15(a) (ii) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

Name of Area	Purpose	Objectives	Additional Provisions
			<p>(2) To ensure the identification and protection of significant environmental values within and adjacent to the amendment area, the following information is required to accompany Structure Plan(s) (or subdivision/ development applications where a Structure Plan is not required) where planning has the potential to impact significant environmental values.</p> <p>(a) Investigations to determine the water balance and buffer requirements for occurrences of the Threatened Ecological Community and wetland identified as UFI 7635 in the Geomorphic Wetlands Swan Coastal Plain dataset occurring adjacent to the Amendment area, prepared on advice by the Department of Biodiversity, Conservation and Attractions to the satisfaction of the Environmental Protection Authority.</p> <p>(b) A boundary definition study for wetland UFI 7635 prepared on advice from and to the satisfaction of the Department of Biodiversity, Conservation and Attractions.</p> <p>(c) Local Water Management Strategy(s) informed by the outcomes of the water balance and buffer investigations (where there are potential impacts to significant environmental values) prepared on advice of the Department of Biodiversity, Conservation and Attractions and responsible authority, to the satisfaction of the Department of Water and Environment Regulation.</p>

Name of Area	Purpose	Objectives	Additional Provisions
			<p>(d) Investigations to examine the occurrences of <i>Eucalyptus gomphocephala</i> (Tuart) potentially occurring on Muchea Limestone near Coldwell Road to enable assessment of their significance, prepared on advice from and to the satisfaction of the Environmental Protection Authority.</p> <p>(3) To ensure management of the significant environmental values within and adjacent to the Special Control Area, the following information is required to accompany subdivision and development applications:</p> <p>(a) Detailed Vegetation, Wetland and/or Buffer Management Plans for wetland UFI 7635 and occurrences of Threatened Ecological Communities, Declared Rare and Priority Flora and retained areas of significant vegetation including Declared Rare and Priority Flora (where applicable), on advice from Department of Biodiversity, Conservation and Attractions and to the satisfaction of the responsible authority.</p>
<p>SCA4 - Beckenham Station Precinct</p>	<p>(a) To require an Activity Centre Plan to guide the redevelopment of SCA4 from an industrial area to a mixed commercial/residential precinct in accordance with transit-oriented development principles.</p> <p>(b) To provide site specific subdivision and development standards and requirements.</p>	<p>To facilitate the redevelopment of land adjacent to Beckenham Station in accordance with transit-oriented development principles.</p>	<p>(1) An Activity Centre Plan shall be submitted and approved for SCA4, prior to recommending subdivision approval or issuing development approval for substantial redevelopment of land within SCA4.</p> <p>(2) The Activity Centre Plan should generally provide for commercial and non-residential land uses at ground floor level along Sevenoaks Street.</p> <p>(3) A minimum height of 2 storeys is required for all buildings in SCA4, excluding minor structures and incidental development.</p> <p>(4) A Retail Sustainability Assessment is required where any development will result in the total shop/retail floor space for SCA4 being greater than 6,000m² NLA or non-retail floor space being greater than 1,400m².</p>

Name of Area	Purpose	Objectives	Additional Provisions
			<p>(5) Environmental investigations are to be undertaken prior to the issue of development approval for substantial redevelopment of the SCA4 area.</p> <p>(6) Where a development application involves noise sensitive land uses (such as residential uses) that are to be located adjacent to or within close proximity of an existing noise generating activity (such as an existing industrial use or a train line), it shall be accompanied by an Acoustic Report prepared by a suitably qualified Acoustic Consultant, which addresses how noise impacts will be mitigated to achieve an acceptable level of amenity, as outlined by any relevant noise regulation or policy.</p> <p>(7) A drainage strategy, including geotechnical information, shall accompany an Activity Centre Plan and/or any major subdivision or development application.</p>
SCA5 - Martin Watercourse Catchment	To limit development within the immediate catchment of a watercourse.	To protect the watercourse and its catchment from impacts associated with inappropriate development that could cause soil erosion and land degradation.	(1) The development of dwellings, on-site effluent disposal and outbuildings larger than 54m ² is not permitted within the special control area boundary as shown on the scheme map.
SCA6 - Quarry Buffers	To identify a one kilometre buffer (area of influence) around the edge of the two quarries in Orange Grove and Martin and to provide site specific development and subdivision standards	To protect the quarries from unreasonable encroachment by incompatible (noise – sensitive) development, so as to provide for their ongoing development and operation.	<p>(1) The development or use of premises for the purposes of a Single House requires development approval of the local government.</p> <p>(2) Subdivision of land located within SCA6 – Quarry Buffers zoned 'Rural' and 'Rural Residential' will generally be supported in accordance with Clause 32.</p> <p>(3) The local government may recommend to the Western Australian Planning Commission a condition of subdivision approval, or impose conditions on any development approval for a memorial to be placed on the title advising of a hazard and that the lot may be affected by dust, noise and vibration impacts from the nearby quarry operations.</p>

Part 6 - Terms Referred to in Scheme

Division 1 - General definitions used in Scheme

37. Terms used

- (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 a lot must be contained.

building height in relation to a building –

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes.

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 guests.

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.

commencement day means the day this Scheme comes into effect under section 87(4) of the Act.

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.

frontage in relation to a building –

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more roads reserves, the one to which the building or proposed building faces.

home based activity	means the use of land for a commercial benefit or gain in association with a residential dwelling, and includes the uses bed and breakfast, family day care, home business, home occupation, home store, rural home business or commercial vehicle parking. The term does not apply to a hobby, being a regular activity or interest undertaken by a resident of a property, on that property, typically during the resident's leisure time, which is of an appropriate scale to the residential use of the property, and is incidental to that use, and does not constitute a commercial venture.
incidental use	means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use
net lettable area or nla	means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas – <ul style="list-style-type: none">(a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;(b) lobbies between lifts facing other lifts serving the same floor;(c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;(d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.
non-conforming use	has the meaning given in the <i>Planning and Development Act 2005</i> section 172.
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.
rural planning precinct	refers to the Rural Planning Precincts identified in the Foothills Rural Strategy.
short-term accommodation	means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.
wall height	in relation to a wall of a building – <ul style="list-style-type: none">(a) if the building is used for residential purposes, has the meaning given in the R-Codes; or(b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet.
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 that Act - has the same meaning as it has in the R-Codes.

Division 2 - Land Use Terms used in Scheme

38 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 –

- 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.
- agriculture - intensive** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following –
- (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.
- amusement parlour** means premises –
- (a) that are open to the public; and
 - (b) that are used predominantly for amusement by means of amusement machines including computers; and
 - (c) where there are 2 or more amusement machines.
- animal establishment** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include veterinary centre.
- bed and breakfast** means a dwelling –
- (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 Australia Act 2003*.
- brewery** means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*.
- bulky goods showroom** means premises –
- (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;
 - (xii) swimming pools;
- (b) used to sell 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).
- caretaker's dwelling** means a dwelling on the same site as a building, operation or plant, and occupied by a supervisor of that building, operation or plant.
- car park** means premises used primarily for parking vehicles whether open to the public or not but does not include:
- (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.
- child care premises** means premises where –
- (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; or
 - (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.
- cinema/theatre** means premises where the public may view a motion picture or theatrical production.
- civic use** means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.
- club premises** means premises used by a legally constituted club or association or other body of persons united by a common interest.
- commercial kitchen** means premises used for the preparation of food, but does not involve the retail sale and serving of food on-site, and does not include a fast food outlet / lunch bar or restaurant/café.
-

commercial vehicle parking	means premises used for parking of one or 2 commercial vehicles but does not include – (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
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.
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.
convenience store	means premises – (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300m ² net lettable area.
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.
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.
exhibition centre	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.
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.
fast food outlet / lunch bar	means premises, including premises with a facility for drive- through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten – (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 – (a) as a service station; or (b) for the sale of fuel by retail into a vehicle for use by the vehicle.
funeral parlour	means premises used (a) to prepare and store bodies for burial or cremation; (b) to conduct funeral services.
garden centre	means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.
holiday accommodation	means two or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.

Holiday house

means a single dwelling on one lot used to provide short term accommodation but does not include a bed and breakfast.

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 if the carrying out of the business, service or profession –

- (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 50m²; 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 4.5 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 -

- (a) does not involve employing a 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 20m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; and
- (e) 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
- (f) does not -
 - (i) require a greater number of parking spaces 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 presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) 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 –
- (a) is solely within the dwelling; and
 - (b) does not entail clients or customers travelling to and from the dwelling; and
 - (c) does not involve the display of a sign on the premises; and
 - (d) does not require any change to the external appearance of the dwelling.
- home store** means a shop attached to a dwelling that –
- (a) has a net lettable area not exceeding 100m²; and
 - (b) is operated by a person residing in the dwelling.
- hospital** means premises that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4).
- 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 the premises.
- 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 –
- (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 premises, 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 –
- (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 - 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.
- industry - primary production** means premises used –
- (a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or
 - (b) for a workshop servicing plant or equipment used in primary production businesses.
- liquor store - large** means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 400m².
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liquor store - small	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of not more than 400m ² .
market	means premises used for the display and sale of goods from stalls by independent vendors.
medical centre	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
mining operations	means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1), is carried out.
motel	means premises, which may be licensed under the <i>Liquor Control Act 1988</i> - (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, boat or caravan sales	means premises used to sell or hire motor vehicles, boats or caravans.
motor vehicle repair	means premises used for or in connection with - (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or (b) repairs to tyres other than recapping or retreading of tyres.
motor vehicle wash	means premises primarily used to wash motor vehicles.
nightclub	means premises the subject of a nightclub licence granted under the <i>Liquor Control Act 1988</i> .
office	means premises used for administration, clerical, technical, professional or similar business activities.
park home park	means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> Schedule 8.
place of worship	means premises use for religious activities such as a chapel, church, mosque, synagogue or temple.
reception centre	means premises used for hosted functions on formal or ceremonial occasions.
recreation private	means premises that are - (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
residential aged care facility	means providing personal and/or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.
resource recovery centre	means premises other than a waste disposal facility used for the recovery of resources from waste.

- restaurant/café** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.
- 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); or
 - (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; or
 - (c) smoking-related implements.
- 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 if the carrying out of the business, service or occupation -
- (a) does not involve employing more than two 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 200m²; 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 more than 30 tonnes gross weight.
- rural pursuit/hobby farm** means any premises, other than 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 -
- (a) the rearing, agistment, stabling or training of animals;
 - (b) the keeping of bees;
 - (c) the sale of produce grown solely on the premises.
- serviced apartment** means a group of units or apartments providing -
- (a) self-contained short-stay accommodation for guests; and
 - (b) any associated reception or recreational facilities.
- service station** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for -
- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
 - (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 hairdressing or beauty therapy services.
small bar	means premises the subject of a small bar licence granted under the <i>Liquor Control Act 1988</i> .
tavern	means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i> .
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.
tourist development	means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide - <ul style="list-style-type: none">(a) short-term accommodation for guests; and(b) onsite facilities for the use of guests; and(c) facilities for the management of the development.
trade display	means premises used for the display of trade goods and equipment for the purpose of advertisement.
trade supplies	means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the following purposes including goods which may be assembled or manufactured off the premises - <ul style="list-style-type: none">(a) automotive repairs and servicing;(b) building including repair and maintenance;(c) industry;(d) landscape gardening;(e) provision of medical services;(f) primary production;(g) use by government departments or agencies, including local government.
transport depot	means premises used primarily for the parking or garaging of 3 or more commercial vehicles including - <ul style="list-style-type: none">(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 <i>Carbon Rights Act 2003</i> section 5.
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.

- warehouse/storage** means premises including indoor or outdoor facilities used for
- (a) the storage of goods, equipment, plant or materials; or
 - (b) the display or the sale by wholesale of goods.
- waste disposal facility** means premises used -
- (a) for the disposal of waste by landfill; or
 - (b) the incineration of hazardous, clinical or biomedical waste.
- waste storage facility** means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale.
- wind farm** means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.
- winery** means premises used for the production of viticultural produce and associated sale of the produce.

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Schedule A - Supplemental Provisions to the Deemed Provisions

Clause 61(1)(k) Outbuildings on rural zoned land that comply with the Scheme setback requirements and the following standards:

Minimum Site Area	Maximum collective area	Maximum wall height (m)	Maximum building height (m)
Not exceeding 1.0ha	90	3	4.2
Between 1 and 2.0ha	120	3.6	4.8
Over 2 ha	150	3.6	4.8

Clause 61(1)(l) Small scale receiving and transmission equipment including antennae, aerials and receiving dishes that are no greater than the dimensions specified below:

- (i) TV antennae, radio aerials and microwave satellite dishes not exceeding a height of 8.0 metres above natural ground level or a maximum diameter of 2.0 metres.
- (ii) Satellite Receiving Dish (solid dish or close weave mesh construction) not exceeding a height of 8.0 metres above natural ground level or a maximum diameter of 1.0 metre.

Clause 61(1)(m) the erection or extension of a single house on a lot if a single house is a permitted ("P") use in the zone where the R-Codes do not apply, in which that lot is located and where the development standards set out in the scheme for that particular zone (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.

- Clause 61(1)(n)** the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") in the zone where the R-Codes do not apply and where the development standards set out in the scheme for that particular zone (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.
- Clause 61(1)(o)** The erection of a boundary fence in a zone where the R-Codes do not apply.

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Schedule B - Special Control Area No. 2 - Development Contribution Areas (SCA2)

A - Specific provisions relating to the Canning Vale Development Contribution Area

Reference No.	DCP 1
Area Name	DCA 1 (Canning Vale DCA)
Relationship to other planning instruments	Nil.
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Drainage Construction 2. Shared Paths 3. Road Construction 4. Road Resumption 5. Traffic Management 6. Service Relocation 7. Power Line Upgrading 8. Conservation Category Wetland Development 9. General Administration and Studies 10. Public Open Space
Method for calculating contributions	<p><i>All landowners within the DCA 1 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</i></p> <p><i>The general formula for the requisite contribution is as follows:</i></p> <p><i>Area of total DCA (A) is as per State Planning Policy 3.6.</i> <i>Total DCA cost (B) = cost of infrastructure items + cost of administrative items</i></p> <p><i>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</i></p> <p><i>Area of subject site (D) is as per State Planning Policy 3.6.</i></p> <p><i>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</i></p>
Period of operation	Five years from 1 November 2018 to 31 January 2026
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

B - Specific provisions relating to the Southern River Precinct 2 Development Contribution Area

Reference No.	DCP 2
Area Name	DCA 2 (Southern River Precinct 2 Structure Plan DCA)
Relationship to other planning instruments	This Development Contribution Plan operates in association with the Southern River Precinct 2 Structure Plan
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Drainage Construction 2. Arterial Road Construction 3. Land Acquisition for Arterial Roads 4. Traffic Management 5. Land Acquisition for Conservation Category Wetlands 6. Conservation Category Wetland Development 7. General Administration and Studies 8. Public Open Space
Method for calculating contributions	<p><i>All landowners within the DCA 2 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</i></p> <p><i>The general formula for the requisite contribution is as follows:</i></p> <p><i>Area of total DCA (A) is as per State Planning Policy 3.6.</i> <i>Total DCA cost (B) = cost of infrastructure items + cost of administrative items</i></p> <p><i>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</i></p> <p><i>Area of subject site (D) is as per State Planning Policy 3.6.</i></p> <p><i>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</i></p>
Period of operation	Five years from 1 November 2018 to 31 January 2026.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

C - Specific provisions relating to the West Canning Vale Development Contribution Area

Reference No.	DCP 3
Area Name	DCA 3 (West Canning Vale DCA)
Relationship to other planning instruments	Nil.
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Drainage Construction 2. Land to be acquired for drainage 3. Shared Paths 4. Road Construction 5. Resumption for Road Widening 6. Resumption for Conservation Category Wetlands 7. Traffic Management 8. Service Relocation 9. Conservation Category Wetland Development 10. General Administration and Studies 11. Public Open Space
Method for calculating contributions	<p><i>All landowners within the DCA 3 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</i></p> <p><i>The general formula for the requisite contribution is as follows:</i></p> <p><i>Area of total DCA (A) is as per State Planning Policy 3.6.</i></p> <p><i>Total DCA cost (B) = cost of infrastructure items + cost of administrative items</i></p> <p><i>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</i></p> <p><i>Area of subject site (D) is as per State Planning Policy 3.6.</i></p> <p><i>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</i></p>
Period of operation	Five years from 1 November 2018 to 31 January 2026.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

D - Specific provisions relating to the Central Maddington Development Contribution Area

Reference No.	DCP 4
Area Name	DCA 4 (Central Maddington DCA)
Relationship to other planning instruments	This Development Contribution Plan operates in association with the Central Maddington Structure Plan
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Drainage Construction 2. Shared Paths 3. Road Construction 4. Land Acquisition of Roads 5. Traffic Management 6. Street Lighting 7. Underground Power 8. Street Trees 9. Development of Public Open Space 10. General Administration and Studies 11. Preparation of the Structure Plan 12. Public Open Space
Method for calculating contributions	<p><i>All landowners within the DCA 4 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</i></p> <p><i>The general formula for the requisite contribution is as follows:</i></p> <p><i>Area of total DCA (A) is as per State Planning Policy 3.6.</i> <i>Total DCA cost (B) = cost of infrastructure items + cost of administrative items</i></p> <p><i>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</i></p> <p><i>Area of subject site (D) is as per State Planning Policy 3.6.</i></p> <p><i>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</i></p>
Period of operation	Five years from 1 November 2018 to 31 January 2026.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

E - Specific provisions relating to the Maddington Road Precinct A and a portion of Maddington Road Precinct B Development Contribution Area

Reference No.	DCP 5
Area Name	DCA 5 (Maddington Road Precinct A and a portion of Maddington Road Precinct B DCA).
Relationship to other planning instruments	This Development Contribution plan operates in association with the Maddington Road Precinct A and a portion of Maddington Road Precinct B Structure Plans.
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. General Administration (Precinct A) 2. Public Open Space Acquisition (Precinct A and Precinct B) 3. Development of Public Open Space (Precinct A and Precinct B) <ul style="list-style-type: none"> • basic level of site works , site preparation, turfing and reticulation • two-year maintenance period
Method for calculating contributions	<p>DCA 5 is divided into Maddington Road Precinct A and a portion of Maddington Road Precinct B as set out in the Development Contribution Plan Report. Valuations, cost contributions and expenditure for each precinct shall be calculated and accounted separately.</p> <p>All landowners within the DCA 5 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</p> <p><u>General Administration and Development of Public Open Space</u></p> <p>The general formula for the requisite contribution is as follows: Area of total DCA (A) is as per State Planning Policy 3.6. Total DCA cost (B) = cost of infrastructure items + cost of administrative items Contribution Rate (C) = Total DCA cost (B)/Area of total DCA (A) Area of subject site (D) is as per State Planning Policy 3.6. Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</p> <p><u>Public Open Space Acquisition</u></p> <p>The apportionment of landowner costs for public open space acquisition is defined through the POS Contribution Schedules forming part of the Development Contribution Plan Report.</p> <p>The apportionment of costs are based upon a minimum 13.88% of developable land area being ceded for public open space within Precinct A and 13.41% within Precinct B. The landowner cost contribution arrangements for public open space acquisition apply for the purpose of balancing cost contributions for undersupply and fund reimbursed for oversupply only.</p> <p>The land component of the common infrastructure works (public open space and drainage) is valued at an englobe valuation rate by an appointed valuer. The valuation is to be reviewed annually as part of the overall review of the developer contribution plan.</p>
Period of operation	Five years from 1 February 2021 to 31 January 2026.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

F - Specific provisions relating to the Southern River Precinct 1 Development Contribution Area

Reference No.	DCP 6
Area Name	DCA 6 (Southern River Precinct 1 Structure Plan DCA)
Reference number on Scheme Map(s)	DCA 6
Relationship to other planning instruments	This Development Contribution Plan operates in association with the Southern River Precinct 1 Structure Plan Area.
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Land Acquisition for Arterial Roads 2. Arterial Road Upgrade 3. Traffic Management Devices (signalisation) 4. Fauna Underpasses 5. Roundabout 6. Land Acquisition for Roundabout 7. General Administration and Studies
Method for calculating contributions	<p>The contribution rate is to be calculated as a per hectare rate on the net contribution area for Precinct 1. The combined cost of common infrastructure works is to be divided across the net contribution area. The following formula applies:</p> $\text{\$CR} = \text{\$CIW} / \text{NCA}$ <p>Where:</p> <p>\\$CR is the contribution rate per hectare;</p> <p>\\$CIW is the total cost of all common infrastructure works; and</p> <p>NCA is the net contribution area.</p> <p>Developer contribution payments for individual properties are to be calculated by multiplying the contribution rate with the net contribution area of the individual property (developable area). The following formula applies:</p> $\text{\$C} = \text{\$CR} \times \text{DA}$ <p>Where:</p> <p>\\$C is the contribution payment; and</p> <p>DA is the developable area (contribution area of individual property)</p> <p>A review of the cost of common infrastructure is to be undertaken annually at which time the contribution rate will be revised. Revised costs are to be based on a combination of CPI and other various civil and construction work indexes to allow for cost escalation.</p> <p>The land component of the common infrastructure works (arterial roads) is valued at an englobo rate by an appointed valuer. The valuation is to be reviewed annually as part of the overall review of the DCP.</p> <p>Public open space is not incorporated into this DCP as each sub precinct is to provide for its minimum requirement of open space.</p>
Period of operation	Five years from 1 February 2021 to 31 January 2026.
Priority and timing	<p>Construction of roundabout - intersection of Holmes Street and Harpenden Street - two years.</p> <p>Construction of all other infrastructure items complete.</p>
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

G - Specific provisions relating to the Homestead Road Development Contribution Area

Reference No.	DCP 7
Area Name	DCA 7 (Homestead Road DCA)
Relationship to other planning instruments	This Development Contribution Plan operates in association with the Homestead Road Structure Plan.
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Construction of Drainage Upgrade - Homestead Road 2. Construction of Roundabouts 3. Construction of Shared Use Path 4. Construction of Drainage Detention Basin 5. Development of Public Open Space 6. Preparation of Structure Plan 7. General Administration 8. Public Open Space Acquisition
Method for calculating contributions	<p>All landowners within the DCA 7 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</p> <p>The general formula for the requisite contribution is as follows:</p> <p>Area of total DCA (A) is as per State Planning Policy 3.6. Total DCA cost (B) = cost of infrastructure items + cost of administrative items</p> <p>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</p> <p>Area of subject site (D) is as per State Planning Policy 3.6.</p> <p>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</p>
Period of operation	From commencement day to 31 January 2026.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	Council will review the Development Contribution Plan Report annually and will adjust the cost estimate of infrastructure items and land valuations as required.

H - Specific provisions relating to the Kenwick – South Structure Plan Development Contribution Area

Reference No.	DCP 11
Area Name	DCA 11 (Kenwick - South Structure Plan DCA)
Relationship to other planning instruments	This Development Contribution Plan operates in association with the Kenwick - South Structure Plan, approved by the Western Australian Planning Commission pursuant to Clause 22 of the Deemed Provisions (Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2).
Infrastructure and administration items to be funded	<ol style="list-style-type: none"> 1. Construction of Internal Roads and Associated Infrastructure 2. Roundabout Construction - Stafford Road and Gayhurst Road 3. Footpath Construction - Park and Stafford Roads 4. Water Main Upgrade - Postling Street 5. Development of Public Open Space and Maintenance for two summers 6. Construction of Interim Drainage 7. Construction of Drainage Detention Basin 8. Preparation of Structure Plan 9. Detailed Design, Engineering and Construction Supervision 10. General Administration 11. Public Open Space
Method for calculating contributions	<p><i>All landowners within the DCA 11 shall make a contribution to the cost of common infrastructure and administrative items, based on net lot areas, as detailed in the Development Contribution Plan Report.</i></p> <p><i>The general formula for the requisite contribution is as follows:</i></p> <p><i>Area of total DCA (A) is as per Clause 6.4.9 of TPS 6</i></p> <p><i>Total DCA cost (B) = cost of infrastructure items + cost of administrative items</i></p> <p><i>Contribution Rate (C) = Total DCA cost (B) / Area of total DCA (A)</i></p> <p><i>Area of subject site (D) is as per Clause 6.4.9 of TPS 6</i></p> <p><i>Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)</i></p>
Period of operation	From commencement day to 23 March 2028.
Priority and timing	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure cost contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect the changes in the funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME

Adopted by resolution of the Council of the City of Gosnells at the Ordinary Meeting of Council held on the 12 September 2017.

CHIEF EXECUTIVE OFFICER

MAYOR

DRAFT

COUNCIL RESOLUTION TO SUPPORT SCHEME FOR APPROVAL

Council resolved to support approval of the draft Scheme of the City of Gosnells at the Ordinary Meeting of Council held on the 23 February 2021.

The Common Seal of the City of Gosnells was hereunto affixed by authority of a resolution of the Council in the presence of:

CHIEF EXECUTIVE OFFICER

MAYOR

WAPC Recommended for Approval

**Delegated under S.16 of the Planning
and Development Act,2005**

Date

Approval granted

MINISTER FOR PLANNING

Date
