

[GO TO CONTENTS PAGE](#)

TOWN OF KWINANA

Local Planning Scheme No. 2

Updated to include AMD 163 GG 13/02/24



Prepared by the
Department of Planning, Lands and Heritage
Original Town Planning Scheme Gazettal
20 November 1992

Disclaimer

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

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

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

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

Locked Bag 2506
Perth WA 6001

website: www.dplh.wa.gov.au
email: info@dplh.wa.gov.au

tel: 08 6551 9000
fax: 08 6551 9001

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

TOWN OF KWINANA LPS 2 - TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
28	23/09/94	30/11/94	RA	AMENDING SCHEDULE TWO - VARIOUS
9	18/11/95	09/01/95	RA	Inserting in 2 Schedule Lot 52 Braddock Rd, Wellard - Dev Condition No. 4
33	3/3/95	2/12/96	DH	Inserting in Schedule 2 - Lot 14, Cnr Braddock Road and Banksia Road, Wellard.
37	26/6/95	2/12/96	DH	Schedule 1 - adding "Portion of Pt lot 245 Wellard Road, Leda".
38	7/7/95	2/12/96	DH	Schedule 2 - adding Lot 1 Millar Road, Wellard
2	17/3/95	2/12/96	DH	Schedule 2 - adding No. 16, Lots 6 and 651 Anketell Road, Anketell & - replacing Clause 1 with Rural Zone No. 16. - replacing Clause 2, 3 & renumbering acc. - adding new Clause 14 - replacing Clause 13 with new Clause 15 - replacing Clause 14 with new Clause 16
11	8/8/95	2/12/96	DH	Adding new Clause 4.15 - Service Stations Schedule 3 - adding Lot 3 Johnson Road, Casuarina
39	16/2/96	2/12/96	DH	Schedule 2 - adding Peel Estate Lot 303 corner Braddock Road and Banksia Road, Wellard
40	9/2/96	2/12/96	DH	Schedule 2 - adding Lot 2 Banksia Road, Wellard Schedule 2 - Special Rural Zone No. 15 - Modifying Clause 3. Schedule 2 - adding Clause 16 to Special Rural Zone No. 15.
45	31/12/96	13/1/97	DH	Schedule 3 - adding Lo 574 Postans Road, Hope Valley
43	21/2/97	13/3/97	DH	Part 4, Clause 4.3 - adding "Area 22 – Bertram". Part 4 - retitling to 'Part IV - Policies, Zones & Development Areas'. Part 4 - replacing Clauses 4.1 and 4.2. Part 4 - adding new "Clause 4.15 Development Areas". Adding new Schedule IV - Residential Development Areas.
48	21/2/97	13/3/97	DH	Schedule 3 - deleting Lot 1883 Burlington Street, Naval Base, Lot 2 cnr Calista Ave & Sayer Rd, Calista, Lot 13 cnr Meares & Challenger Aves, Kwinana Town Centre.
50	18/4/97	22/4/97	DH	Schedule 2 - modifying Clause 3 of the Development Conditions. Clause 6.10.4 - adding (o) Stock.
47	18/4/97	23/4/97	DH	Appendix 1 - adding listing for Postans Cottage. Clause 3.3 - amending. Appendix 4 Interpretations - amending Aged and/or Dependent Persons Accommodation. Appendix 4 - adding new Interpretation Child Care Centre". Table 1 - adding new use "Child Care Centre". Appendix 4 - amending interpretation "Family Day Care Centre". Appendix 2 - amending Clause 2.1.1. Schedule 1 - amending clause 13. Schedule 1 - amending clause 6. Schedule 1 - replacing numbers 6.8, 6.9 and 6.10 with numbers 6.9, 6.10 & 6.11 respectively. Part 4, Clause 4.3 - adding "Tailing Ponds are not permitted" as new policy statements to Area 1, Area 2, Area 3, Area 10, Area 12 and Area 13. Part 8 - adding new Clause 8.6 - Planning Policies.
35	6/5/97	14/5/97	DH	Schedule 2 - inserting into special Rural Zone No. 15 under Lot Description "Part Lot 147 Jolley Road, Wellard" and inserting "Part Lot 147 Jolley Road, Wellard, Subdivision Guide Map 13 under Development condition 1.
49	18/7/97	30/7/97	DH	Schedule 2 - inserting into Special Rural Zone No. 15 under Lot Description "304 Banksia Road, Wellard" and inserting "Lot 304 Banksia Road, Wellard, Subdivision Guide Map 14 under Development condition 1. Schedule 2 - replacing Development Condition 7 of Special Rural Zone 15.

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
44	13/03/98	17/03/98	DH	Schedule 2 - adding into Special Rural zone No. 15 under Lot Description "Lot 322, Woolcoot Road, Wellard" and inserting "Lot 322 Woolcoot Road, Wellard; Subdivision Guide Map 12" under Development Condition 1. Schedule 2 - amending Development Condition 1 & 2 of Special Rural Zone 15.
60	26/05/98	08/06/98	DH	Schedule 2 - replacing existing Subdivision Guide Map amendment No. 39 with a new subdivision guide map with is entitled "Subdivision Guide Map - A".
61	24/07/98	03/07/98	DH	Schedule 3 - amending Lot 3 Johnson road, Casuarina to Lot 66 Johnson road, Casuarina and adding Drive-in Takeaway Food Shop and Eating House as permitted uses.
62	7/04/99	04/05/99	DH	Appendix 4 - adding interpretation "Art & Craft Centre". Schedule 3 - adding "Lots C692 and C694 Moulton Street, Calista".
57	01/06/99	10/05/99	DH	Appendix 4 - modifying interpretation "Showroom". Part 4 - adding provision "AA(1)" at Clause 4.6. Part 4 - adding 'Mixed Business 1' zone to list of zones at Clause 4.4.1. Table 1 - adding 'Mixed Business 1' zone to the head of Table and listing against use classes. Table 1 - adding notation "(1) The land use class comprises only land use activities reflected in Appendix 5 of the Scheme and activities not listed in appendix 5 are deemed to be not permitted in the corresponding zone". Adding a new Division 4 - Mixed Business zone 1 to the Scheme text and renumbering all existing Divisions 4 to 12 (inclusive). Clause 6.5.9 - amending second paragraph 6.5.9 'Upper Floors' by deleting the word "Zone" and replacing it with the words "and Mixed Business 1 Zone". (There was no provision to enable this amendment to be carried out) . Inserting a new Appendix 5 - Mixed Business Zone No. 1 - Land Use Classes and Subset Land Use Activities.
66	19/11/99	22/11/99	DH	Adding new schedule "Sixth Schedule - Additional Uses" after Schedule 5 (<i>note: No schedule 5</i>) and adding land particulars "Lot 339 Hope Valley Road Hope Valley". Part 4 - adding new clause "4.18 Additional Uses" after clause 4.17 (<i>Note no clause 4.17</i>) Appendix 1 - adding interpretation "Aggregate Crushing".
63	14/1/00	20/1/99	DH	Schedule 3 - adding "Lot 379 Sayer Road, Mandogalup" with relevant uses and conditions.
64	19/12/00	18/12/00	DH	Schedule 4 - adding to Residential development Area - No. 1, Casuarina additional clause to read "6. No dwelling or carport roof or outbuilding shall be constructed of highly reflective materials, including but not limited to, unpainted galvanised iron, or light colours such as white or silver. Construction materials should be generally limited to tiles or painted metal sheeting of non-glaring darker colours.
67	19/01/01	18/01/01	DH	Substituting Subdivision Guide Map 3 in Amendment No. 1 with a modified map to be known as Subdivision Guide Map No. 3A.
72	05/02/02	04/02/02	DH	Schedule 2 - modifying Special Rural Zone No. 15 under the column headed "Lot Description" by adding "Peel Estate Lot 13 Braddock Road, Wellard". Schedule 2 - modifying Special Rural Zone No. 15 "Development Condition No. 1" by inserting "Peel Estate Lot 13 Braddock Road, Wellard; subdivision Guide Map No. 16. Part 6 - modifying under Clause 6.11.4 Division 8.

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
58	2/5/03	6/5/03	DH	<p>Part 4 - modify subclause 4.3 ' Policy Area 6 - Wellard' by including point (b) and reclassify points (b) to (f) accordingly. Part 4 - adding a new zone "Cluster/Communal Rural Settlement Zone" under subclause 4.4.1.</p> <p>Part 4 - insert new clause "4.12 Cluster/Communal Rural Settlement Zone" and renumber existing clauses 4.12 to 4.15 accordingly.</p> <p>Table 1 - including new zone "Cluster/Communal Rural Settlement" with permissibility column lengthwise "As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule". Table 2 - including new zone "Cluster/Communal Rural Settlement" with front, side, rear and secondary frontage dimensions to read "As per Fifth Schedule".</p> <p>Part 6 - inserting a new Division 9 - Cluster/Communal Rural Settlement Zone and renumbering the existing divisions and clauses accordingly..</p> <p>Under the new Division 9 "Cluster/Communal Rural Settlement Zone" insert new clause 6.12.</p> <p>Inserting new Schedule, Fifth Schedule - Cluster/Communal Rural Settlement Zone.</p> <p>Appendix 4 - adding new interpretation "Flora Culture" and "Rural Pursuit".</p>
76	29/7/03	31/7/03	DH	<p>Schedule 2 - modifying Special Rural Zone No. 15 by inserting Lot description "Lot 148 Jolley Road, Wellard" into the column headed "Lot Description" and inserting Subdivision Guide Map No. 17 into the column headed "Development Condition No. 1.</p>
79	26/8/03	25/8/03	DH	<p>Schedule 2 – substituting Subdivision Guide Map No. 8 in Amendment No. 38 (referring to Lot 1, Millar Road, Wellard) with a new Subdivision Guide Map to be known as Subdivision Guide Map No. 8A.</p>
75	7/11/03	11/11/03	DH	<p>Schedule 1 – modifying by inserting in Special Residential Zone No. 1, under the column headed Lot Description – "portion of Lots 254 Wellard Road 271 Blacksmith Drive" Subdivision Guide Map No. 2 – modifying and renaming Subdivision Guide Map No. 2 to "Subdivision Guide Map No. 3" and to include the additional special residential area. Schedule 1 – modifying the first Schedule Development Condition 1 to refer to Subdivision Guide Map No. 3.</p>
85	4/5/04	5/5/04	DH	<p>Part 4 – modifying subclause 4.3 Policies to rename Area 19 – Leda to "Leda/Wellard".</p> <p>Fourth Schedule – adding Residential Development Area being "2. Wellard Village" together with related special provisions.</p>
86	17/9/04	21/9/04	DH	<p>Table 1 – Use Class Table – modifying use class "Child Care Centre" to an "AA" use within the Service Commercial Zone.</p>
87	24/12/04	5/1/05	DH	<p>Part 4 – adding new Clauses 4.16 and 4.17. (Note: already existing clause 4.16 and 4.17). Schedule 4 – renaming existing fourth schedule from "Residential Development Areas" to "Development Areas" and renaming in the Fourth Schedule existing "Residential Development Area No. 1 Casuarina" to "Development Area No. 1 Bertram".</p> <p>Schedule 4 – adding at the end of existing Clause 2 of Residential Development Area No. 1 Casuarina renamed in accordance with 2 above the following: "Nothing within Clause 4.16 (Part IV Policies, Zones & Development Areas) will serve to undermine the Approval to Commence Development or conditions imposed therein for the Casuarina Structure Plan, approved by Council." and amending Clause 3 to read "Prior to consideration and adoption of a local structure plan shall be advertised in accordance with Clause 4.16.2.8 of the Scheme".</p> <p>Inserting a Fifth Schedule titled "Development Contribution Plans" and inserting into the new schedule Development Contribution Plan for DCA1 (Bertram/Parmelia (north east)/Orelia (east)</p> <p>Inserting Development Contribution Area No. 1 Plan. Renumbering existing Fifth and Sixth Schedules to the Sixth and Seventh Schedules respectively.</p>

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
88	19/4/05	21/4/05	DH	<p>Part 4 – modifying subclause 4.3 Policies by adding to Area 15 – Kwinana Industrial Strip “(f) Where an approved Outline Development Plan (ODP) exists for a site, industrial developments shall be undertaken in accordance with the approved ODP.”</p> <p>Part 6 – inserting “6.8.1 Outline Development Plans” and “6.8.2 Minor Works not Requiring Planning Approval” and clause 6.8.3 under Division 5 – Kwinana Industrial Strip.</p> <p>Part 6 – renumbering existing clauses 6.8.1 to 6.8.10 accordingly.</p> <p>Part 6 – adding clause “6.8.12 Private Utility”.</p> <p>Appendix 4 – adding new interpretation “Private Utility” and “Telecommunications Infrastructure”.</p> <p>Table 1 – adding Private Utility and Telecommunications Infrastructure to Table 1.</p>
78	19/4/05	27/4/05	DH	<p>Schedule 2 – amending by deleting all existing provisions for Locations described as: Peel Estate Lots 688, 690, 691 Mandogalup (Special Rural Zone No 2), Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup Peel Estate Lot 685 Certificate Title 237 Fol. 100A (Special Rural Zone No 9), and substituting: LOCATION LOT DESCRIPTION Peel Estate Lots 688, 690, 691 Mandogalup Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup Peel Estate Lot 685 Certificate of Title 237 Fol. 100A (To be known as Special Rural Zone No 2 – Wandi) PERMITTED AND AA USES P Dwelling House AA Aged and Dependent Persons Accommodation Equestrian Use Home Occupation Public Utility Public Recreation Stables X All other uses are not permitted.</p> <p>ADDING RELEVANT DEVELOPMENT CONDITIONS.</p>
84	31/3/06	12/3/06	DH	<p>Schedule 2 (Special Rural Zones) – inserting in Special Rural Zone No. 15 under the column headed “Lot Description” – Lot 153 Woolcoat road, Wellard. Schedule 2 (Special Rural Zones) – inserting into Development Condition No. 1 of Special Rural Zone No. 15 “Lot 153 Woolcoat Road, Wellard”, “Subdivision Guide Map No. 18”. Establishing a Subdivision Guide Map for 18 for Special Rural Zone No. 15.</p>
80	2/6/06	12/6/06	DH	<p>Part 4 – modifying clause 4.4.1. Inserting a new Division 8 titled “Rural Water Resource Zone: to read as below and renumbering existing Divisions 8 – 14 and associated Clauses 6.11 to 6.17.3 thereafter. “6.10. The Council’s primary intention in controlling the use and development of land within the Rural Water Resource Zone is to protect and preserve the underground water resource in accordance with the provisions of Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12th June 1998 (as amended from time to time), while facilitating rural land use and development compatible with this primary intention.” <i>Note: Clause 6.10 already exists – this anomaly was corrected by making this Clause 6.11. Subsequent clauses needed then to be renumbered to Clause 6.23.3.</i></p>

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
80 (Cont'd)	2/6/06	12/6/06	DH	<p>Table 1 – inserting new column with the heading “Rural Water Resource Zone” with relevant annotation.</p> <p>Table 2 – inserting new row for Rural Water Resource.</p> <p>Part 4 – adding an additional section at the end of Clause 4.7 to read “In the case of the Rural Water Resource Zone such uses shall be deemed not permitted.”</p> <p>Part 4 – adding new Clause 4.11 titled “Rural Water Resource Zone” and renumbering subsequent clauses thereafter. Schedule 3 – deleting existing listing of Lot 107 Thomas Road Casuarina of the Scheme (Special Uses) and including Lot 107 Thomas Road in Schedule 7 (additional uses) as additional use A2.</p>
80	2/6/06	12/6/06	DH	<p>Appendix 4 – adding interpretations “Industry – Cottage”, “Bed and Breakfast”, “Community Hall”, “Clubs Sporting and Recreation”, “Farm Stay Accommodation Rural Chalets”, “Home Business”.</p> <p>Schedule 2 – deleting Clause (c) of the column headed “Permitted and AA Uses” of Special Rural Zone No. 14. Schedule 2 – in Special Rural Zone No. 14 replacing existing Clause 2.</p> <p>Schedule 2 – deleting the use class “Private Recreation” as a permissible use under the column headed “Permitted and AA Uses” in Special Rural Zones No.’s 2 and 5.</p> <p><i>Note: No use class “Private Recreation” appeared in SR 2.</i></p> <p>Schedule 2 – adding new provision under column headed “Permitted and AA Uses” of Special Rural Zones No 2, 5, 11, 12, 13 and portions of SR No. 16 for the area which corresponds with the Rural-Water Protection Zone of the Metropolitan Region Scheme as follows:</p> <p>“Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.”</p> <p>Schedule 2 – adding in column headed “Permitted and AA Uses” in the development conditions of Special Rural Zone No. 16, under the use permissibility “AA” a new provision</p> <p>“Private Recreation – only in areas not within the Rural-Water Protection Zone of the Metropolitan Region Scheme”.</p> <p>Part 3 – adding at the end of Clause 3.4 the words “In the case of land within the Rural Water Protection Zone of the Metropolitan Region Scheme, Council shall have regard to the provisions of Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy.”</p> <p>Part 4 – adding under Clause 4.3 an additional Policy provision to each of Policy Area 1 – Wandri, Area 2 – Mortimer Road, and Area 3 – Thomas Road and numbered sequentially, the words “Land use and development shall be consistent with the objectives of “Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection”.</p> <p>Schedule 2 – changing use permissibility of Stables from “P” (permitted) to “AA” (discretionary approval) under the column headed “Permitted and AA Uses” for Special Rural Zone No.s 2, 5, 11, 12, and 13 and adding the use “Stables” as an “AA” discretionary use to Special Rural Zone 16.</p> <p>Modifying the Table of Contents of Scheme to reflect renumbering as appropriate arising from modifications.</p>
91	22/6/07	4/7/07	DH	<p>Schedule 5 - modify Developer Contribution Area No. 1 to include new contribution item 1.3.</p> <p>Schedule 5 - modify DCA1 area by inserting new Contributions Methodology item 2.3 and renumbering existing items 2.3 and 2.4 (including sub-items).</p> <p>Schedule 5 - modifying cost methodology item 2.2 of Development contribution Area No. 1.</p>
92	24/8/07	4/9/07	DH	<p>Schedule 3 - deleting Lots 554 & 555 Gilmore Avenue, Media from the Special uses Table.</p> <p>Schedule 4 - modifying by adding Development Area No. 3 "Lot 555 Gilmore Avenue, Medina" together with relevant provisions.</p>

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
98	15/1/08	22/1/08	DH	Adding modified Subdivision Guide Plan into text. Schedule 2 - amending Special Rural Zone No. 2 by renaming Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated July 2003 to "Subdivision Guide Plan No. 2 dated October 2006". Part 6 - modify Division 9 - Special Rural Zone, by deleting the words "to a 2.5 metre wide road sub-base or gravel standard" from Clause 6.12.4(e) and replacing them with "and maintained thereafter, to the Council's specification and satisfaction". Schedule 2 - modifying Development Condition of Special Rural Zone No. 2 by adding new clause "20." and renumbering subsequent clauses accordingly.
96	22/1/08	5/2/08	DH	Part 4 - delete (including all associated provisions) Clause 4.18 Development Areas, Clause 4.20 Special Control Areas and Clause 4.21.3 Development contribution Areas and replace with Clause "4.18 Special Control Areas". Part 4 - inserting new Development Zone under Clause 4.4.1. Table 1 - inserting new Development Zone "15. Development" and use classes after Cluster/Communal Rural Settlement Zone. Part 6 - deleting Clause 6.15 Division 12 - Area of Landscape Protection and replacing with "5.16 Division 12 - Development Zone". Part 6 - deleting Clause 6.16 Division 13 - The Peel-Harvey Coastal Catchment and replace with "6.16 division 13 - Special Control Areas". Part 6 - inserting a new Clause "6.17 Division 14 - Structure Plans" into the Scheme. Part 6 - renumbering (including all associated provisions) the existing Clause 6.17 and 6.18 to 6.18 and 6.19 respectively. Schedule 4 - deleting Special Provisions 2-5 of Development Areas 1 - Bertram and 2 - Wellard Village and renumbering existing provisions accordingly.
89	22/1/08	12/2/08	DH	Part 4 - including Part Lot 100 and Lots 60-61 Abercrombie Road, Lots 3-5 Hope Valley Road and Part Lot 113 Anketell road, Hope Valley in Scheme Policy Area 11 - Postans East.
94	9/12/08	12/1/09	DH	Schedule 2 - inserting within Special Rural Zone No. 15 "Lot 20 Mortimer Road, Casuarina", modifying development condition No. 1 and adding development condition No. 17.
106	15/5/09	26/5/09	DH	Subdivision Guide Plan - renaming Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated October 2006" to "Subdivision Guide Plan No. 2 dated June 2008 for Special Rural Zone No. 2" and modifying the Development Conditions of Special Rural Zone No. 2 under the Schedule 2 to reflect this.
93	23/6/09	30/6/09	DH	Schedule 4 - adding special provisions 3 & 4 to Development Area No. 1.
103	25/9/09	5/10/09	DH	Schedule 4 - adding Development Area No. 4 "Lot 257 Wellard Road, Calista" together with relevant provisions.
136	16/03/12	20/03/12	NM	Renamed "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated June 2008" to "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated November 2010" within Special Rural Zone No. 2 within Schedule 2 – Special Rural Zones. Included an additional provision within Special Rural Zone No. 2 within Schedule 2 – Special Rural Zones.
115	19/06/12	16/07/12	NM	Inserted Development Contribution Areas (DCA) 8, DCA 9, DCA 10, DCA 11, DCA 12, DCA 13, DCA 14 and DCA 15 into Schedule V – Development Contribution Plans. Replaced Clause 6.16.5 – Development Contribution Areas. Inserted Schedule VIII – Static Feasibility Model.

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
135	23/05/14	26/02/14	MLD	<p>Retaining a portion of Lot 2 Orelia Avenue, Orelia that accommodates the mixed use commercial and residential development approved by the City of Kwinana on 23 January 2013 in the Commercial zone, and rezoning the balance of the lot from Commercial to Residential with an R40/50 density code.</p> <p>Rezoning Lots 1 and 3 Orelia Avenue, Orelia from Commercial to Residential with an R40/50 density code. Insert new clause into "Division 1 - Residential Zone" in "Part VI - Development Requirements" of the Scheme:</p>
140	03/07/15	07/07/15	NG	<p>Zone Lot 303 Wellard Road and portion of unmade 'Wellard Road' Road Reserve from 'No Zone' to 'Kwinana Town Centre' Zone. Rezone Portion Lot 9036 Wellard Road from 'Residential' to 'Kwinana Town Centre' Zone. Modify the boundary of Development Area No.2 to coincide with the existing Wellard Road alignment. Modify the boundary of Development Contribution Areas 14 and 15 to coincide with the existing Wellard Road alignment. Replace Column 2 'Kwinana Town Centre Use Classes' under Table 1. Replace the 'Minimum Setback from Boundaries' requirements for the Kwinana Town Centre Zone under Table II. Under Section 4.3 Policies, modify point five. Delete Clause 6.4.3 of the Scheme and renumber Clause 6.4.4 accordingly. Modify Clause 6.4.4 . Delete Paragraph One under Part 6.5 Division 2- Kwinana Town Centre and insert a new Paragraph One. Modify Clause 6.5.1 "Plot Ratio". Delete Clause 6.5.3 "Residential Design Codes" and renumber 6.5.4 and 6.5.7 accordingly. Modify Clause 6.17.2.1. Modify Clause 6.17.3.3. Modify Clause 6.17.3.4. Modify Clause 6.17.3.5. Modify Clause 6.17.7.3 (b). Replace 'Town Centre' with 'Kwinana Town Centre' in Table II- Minimum Setbacks from Boundaries. Insert a new Sub-Clause 6.5.8 'Structure Plan'. Modify the Scheme Map.</p>
141	05/06/15	19/09/16	MLD	<p>Modifying the Subdivision Guide Plan No. 2 to allow for the subdivision of Lot 25 Robinson Road, Wandii; and</p> <p>Renaming the "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated November 2010" to "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated March 2014" and modifying the Development Conditions of Special Rural Zone No. 2 under the Second Schedule of the Scheme to reflect this.</p>
149	02/09/16	20/09/16	MLD	<p>Modifying the Scheme Maps by deleting the Special Use zone over Lot 116 Rockingham Road, Naval Base.</p> <p>Modifying the Scheme text by deleting the Special Use provisions for Lot 116 Rockingham Road, Naval Base within Schedule 3 - Special Uses.</p> <p>Modifying the Scheme Maps by introducing the General Industry zone over Lot 116 Rockingham Road, Naval Base.</p>
147	15/9/17	20/9/17	MLD	<p>Modifying the Subdivision Guide Plan No. 2 in accordance with the proposed new lot configuration for Lot 9 (No. 81) Robinson Road, Wandii.</p> <p>Within the Second Schedule of the Scheme, rename 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated March 2014' to 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated December 2016' for Special Rural Zone No. 2 and modifying the Development Conditions of Special Rural Zone No. 2 under the Second</p>

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
151	15/09/17	18/09/17	GM	Appendix IV – Interpretations – included definition for Commercial Vehicle and deleted definition for Transport Depot. Inserted new Clause 6.20 – Parking of Commercial Vehicles. Inserted new Schedule IX – Parking of Commercial Vehicles. Deleted Clause 6.4.5 – Commercial Vehicles. Deleted development conditions 14 under Schedule 1 – Special Residential Zones.
100A	03/10/17	12/10/17	GM	Schedule 5 – Development Contribution Plans - introduced new Development Contribution Areas 2 to 7 inclusive. Modified the Scheme Map by introducing the Development Contribution Areas 2 to 7 inclusive. Modified clause 6.16.5.13.2 to insert new paragraph (a).
127	09/02/18	13/02/18	MLD	Rezone Portion of Lots 1581, 300, Unallocated Crown Land, 9266, portion Unmade Road Reserve and Lot 1362 (Reserve 41661) corner Challenger Avenue and Bertram Road, Bertram from Rural A and No Zone to Residential R30. Modifying the Scheme Maps accordingly.
146	09/02/18	13/02/18	MLD	Modifying the Subdivision Guide Plan No. 2 in accordance with the proposed new lot configuration for Lot 21(No. 160) Robinson Road, Wandii
146	16/02/18	16/02/18	HB	Within the Second Schedule of the Scheme, rename 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated March 2014' to 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated December 2016' for Special Rural Zone No. 2 and modifying the Development Conditions of Special Rural Zone No. 2 under the Second Schedule of TPS2.
154	09/02/18	13/02/18	MLD	Transferring the portion of Lot 501 Varris Way, Orelia reserved for Parks, Recreation and Drainage to the Residential zone. Applying an R40 density coding to Lot 501 Varris Way, Orelia; and Updating the scheme maps accordingly.
144	20/04/18	8/5/18	HB	Modify the density code of Lot 54 Johnson Rd and Lot 9001 Holden Close, Bertram from R20 to R40. Add Development Area 1a into Schedule IV - Development Areas of the Scheme. Remove Lot 54 Johnson Rd and Lot 9001 Holden Close, Bertram from Development Area No. 1 and include Lot 54 Johnson Rd and Lot 9001 Holden Close, Bertram into Development Area 1a. Include additional Uses No. 3 - Lot 54 Johnson Rd and Lot 9001 Holden Close, Bertram into Schedule VII - Additional Uses of the Scheme. Amend the Scheme Map accordingly. Update special provisions into Schedule IV - Development Area 1a - Lot 54 Johnson Rd and Lot 9001 Holden Close, Bertram.
155	02/11/18	7/11/18	MLD	Modify the definition of Developable Area in the 'Method for Calculating Contributions' section of DCPs 2-6 inclusive to delete reference to 'commercial land'. Correct a minor typographical error to 4.1 of DCP 4, whereby the first word should state "costs." Correct a minor typographical error to the Total Contribution formula in the 'Method for Calculating Contributions' section of DCPs 4-7 inclusive, whereby the first word immediately following the '=' sign should state "cost" Correct a minor typographical error to the Cost Contribution for Administration Costs in the 'Method for Calculating Contributions' section of DCP7, whereby the referenced item number should state "3".

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
156	01/02/19	01/02/19	HB	Adding the following definition into Appendix IV – Interpretations: Bulky Goods Showroom
132	19/03/19	20/03/19	GM	The boundary of DCA1 to be amended on the scheme maps to include the Bollard Bulrush area and adjacent areas within Wellard, Bertram and Parmelia. Replacing Schedule V - Development Contribution Plans, DCA1 in its
160	15/01/2021	18/01/2021	MLD	Rezone Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential', with a density coding of R20.
158	05/02/2021	03/03/2021	GM	Adding the use class Home Business to Table 1 – Zoning and Use Classes. Deleting Clause 4.14 of the scheme and renumbering. Amending the definitions of Home Business and Home Occupation in Appendix IV – Interpretations.
152	09/02/2021	25/02/2021	GM	Amending reference to Residential Planning Codes to R-Codes throughout the scheme text; Inserting new Clause 1.10 NOTES DO NOT FORM PART OF SCHEME into Part 1 – Preliminary, which states:1.10.1Notes, and instructions printed in italics, do not form part of this Scheme; Notes are also included throughout text to indicate where clause is now dealt with in Regulations; Replacing 'Part II Planning Approval' with "Part II Development Approval; Deleting Clause 2.1- 2.6 inclusive; Delete Clause 3.5; Delete Clause 4.5; Replacing 'Clause 2.3' within Clause 4.7 (b) with "Clause 64 of the deemed provisions"; Delete Clause 6.1; Modify existing clause 6.4.1; Insert new Clause 6.4.2; Delete Clause 6.17.1; Delete Clause 6.17.2.2; Delete Clause 6.17.3 Replacing 'Detailed Area Plan' with 'Local Development Plan' throughout the scheme text; Deleting Clause 6.17.6 - 6.17.8 inclusive; Delete Clause 6.18 (a) (b); Delete Clause 6.18.2; Delete Clauses 6.18.4- 6.18.6 inclusive; Replace Clause 6.18.7 with Model Provision 10; Delete Clause 6.19-6.19.3 inclusive; Delete Clause 7.2; Deleting Clause 8.1 - 8.6 inclusive; Delete Appendix II; Delete Appendix III; Delete in the following interpretations from Appendix IV: a. Dwelling; b. Owner, and c. Residential Building; Replace reference to the 'Town Planning and Development Act, 1928' to "Planning and Development Act 2005 within Appendix IV; Insert new 'Schedule A – Supplemental Provisions to the Deemed Provisions' and insert the following clause: 67 (zc) The expert opinion of the Royal Institute of Architects. Update the 'Contents' page accordingly; Replace reference to Appendices with the correct roman numerals throughout the scheme; and Renumbering the remaining scheme provisions and schedules sequentially and update any cross referencing to the new clause numbers as required.

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
162	29/09/23	26/10/23	GL	<p>Rezone a portion of Lots 1, 7 – 11 and 88 Lyon Rd, Wandi from the Special Rural (SR13) zone to the Residential zone with a Residential Design Code of R5, R10 and R12.5 as shown on the Scheme Amendment Map and amending the Scheme Map accordingly.</p> <p>Extend the DCA5 boundary to correspond with the Residential zone boundary over portions of Lots 1, 7 – 11 and 88 Lyon Rd, Wandi as shown on the Scheme Amendment Map, and amending the Scheme Map accordingly.</p> <p>Insert Clause 5.19 Additional site and development requirements in Part V – Development Requirements.</p> <p>Amend the Scheme Map to depict the ASR1 designation over Lots 1, 7 – 11 & 88 Lyon Rd, Wandi on the Proposed Zoning Map and inserting the ASR designation in the legend</p>
159	10/10/2023	11/01/2024	HAB	<p>Rezone parts of Lot 3 and 9014 Rowley Road, Mandogalup from the 'Rural A' zone and the 'Park Recreation and Drainage' reserve to the 'Development' zone; and</p> <p>Amend the Scheme Map accordingly.</p>
161	31/10/2023	17.04/2024	HAB	<p>Rezone parts of lots 9000, 9002, 9006 and 11 Hoffman Road, Mandogalup from 'Rural A' zone to the 'Development' zone.</p> <p>Amend the Scheme Map accordingly.</p>
145	3/11/23	9/11/23	GL	<p>Replace Development Contribution Plan 8-15 inclusive from Schedule 5 of Town Planning Scheme No.2. – Mandogalup Community Infrastructure, Wandi/Anketell Community Infrastructure, Casuarina/Anketell Community*Infrastructure, Wellard (East Community Infrastructure, Wellard (West) Community Infrastructure, Bertram Community Infrastructure, Wellard/Leda Community Infrastructure and Town Centre (Medina, Calista, Orelia, Parmelia Community Infrastructure.</p>
163	13/02/24	22/02/24	GL	<p>Amend Schedule V – Development Contributions Plan 1, Bertram/Wellard/Parmelia (North East) / Orelia (east).</p> <p>Replace clause 1.3 (Administration Costs).</p> <p>Replace clause 2.3 (Administration Costs) in the section relating to 'Cost Contribution Methodology'.</p> <p>Amend Schedule V – Development Contributions Plan 2 through to 7, replace clause 5.1 under the heading "Administration costs" in the section relating to "Infrastructure and administrative items to be funded".</p> <p>Replacing text under the heading "Cost Contribution for Administration Costs" in the section relating to "Method for calculating contributions".</p>

TOWN OF KWINANA
LOCAL PLANNING SCHEME NO. 2

The Kwinana Town Council, under and by virtue of the powers conferred upon it in that behalf by the *Town Planning and Development Act 1928* (as amended), hereinafter referred to as 'The Act', hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

CONTENTS

PART I - PRELIMINARY	15
1.1 CITATION	15
1.2 RESPONSIBLE AUTHORITY	15
1.3 SCHEME AREA	15
1.4 CONTENTS OF SCHEME	15
1.5 ARRANGEMENT OF SCHEME TEXT	15
1.6 SCHEME OBJECTIVES	15
1.7 REVOCATION OF EXISTING SCHEME	15
1.8 RELATIONSHIP TO METROPOLITAN REGION SCHEME	16
1.9 INTERPRETATION	16
1.10 NOTES DO NOT FORM PART OF SCHEME	16
PART II - RESERVED LAND	17
2.1 METROPOLITAN REGION SCHEME RESERVES	17
2.2 LOCAL AUTHORITY SCHEME RESERVES	17
2.3 DEVELOPMENT OF LOCAL RESERVES	17
2.4 MATTERS TO BE CONSIDERED BY COUNCIL	17
PART III - POLICIES, ZONES AND DEVELOPMENT AREAS	18
3.1 POLICY AREAS & ZONES	18
3.2 REZONING	18
3.3 POLICIES	18
3.4 ZONES	29
3.5 ZONING TABLE	30
3.6 USES NOT SPECIFIED	30
3.7 USES SPECIFIED	30
Table I - Zoning and Use Classes	31
3.8 SPECIAL RESIDENTIAL ZONE	34
3.9 SPECIAL RURAL ZONE	34
3.10 RURAL WATER RESOURCE ZONE	34
3.11 SPECIAL USE ZONE	34
3.12 CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE	34
3.13 EXTRACTIVE INDUSTRY	34
3.14 RETAIL USE & DEVELOPMENT	34
3.15 SERVICE STATIONS	34
3.16 SPECIAL CONTROL AREAS	35
3.17 ADDITIONAL USES	35
PART IV - NON-CONFORMING USES	36
4.1 NON-CONFORMING USE RIGHTS	36
4.2 EXTENSION OF NON-CONFORMING USE	36
4.3 CHANGE OF NON-CONFORMING USE	36
4.4 DISCONTINUANCE OF NON-CONFORMING USE	36
4.5 DESTRUCTION OF BUILDINGS	36
PART V - DEVELOPMENT REQUIREMENTS	37
5.1 DISCRETION TO MODIFY DEVELOPMENT STANDARDS	37
5.2 MINIMUM SETBACKS FROM BOUNDARIES	37
Table II - Minimum Setbacks from Boundaries	38
5.3 DIVISION 1 - RESIDENTIAL ZONE	39
5.4 DIVISION 2 - KWINANA TOWN CENTRE	40
5.5 DIVISION 3 - COMMERCIAL ZONES	41
5.6 DIVISION 4 - MIXED BUSINESS 1 ZONE	44
5.7 DIVISION 5 - INDUSTRIAL ZONES	45
5.8 DIVISION 6 - RURAL ZONE	49
5.9 DIVISION 7 - SPECIAL RESIDENTIAL ZONE	50
5.10 DIVISION 8 - RURAL WATER RESOURCE ZONE	52
5.11 DIVISION 9 - SPECIAL RURAL ZONE	52
5.12 DIVISION 10 - CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE	55
5.14 DIVISION 12 - DEVELOPMENT ZONE	59
5.15 DIVISION 13 - SPECIAL CONTROL AREAS	59
5.16 DIVISION 14 - STRUCTURE PLANS	70

5.17	DIVISION 15 - CONTROL OF ADVERTISEMENTS	73
5.18	PARKING OF COMMERCIAL VEHICLES.....	74
PART VI - CAR PARKING		77
6.1	77
Table III - Car Parking Requirements		77
6.2	SHARED OR COMBINED PARKING	79
6.3	DIMENSIONS OF PARKING SPACES.....	79
6.4	LANDSCAPING CONSTRUCTION AND MAINTENANCE.....	79
SCHEDULES		81
SCHEDULE A – SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS		81
SCHEDULE I - SPECIAL RESIDENTIAL ZONES		82
SCHEDULE II - SPECIAL RURAL ZONES.....		84
SCHEDULE III - SPECIAL USES		98
SCHEDULE IV - DEVELOPMENT AREAS.....		100
SCHEDULE V – DEVELOPMENT CONTRIBUTION PLANS.....		110
SCHEDULE VI - CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE		140
SCHEDULE VII - ADDITIONAL USES.....		120
SCHEDULE VIII – STATIC FEASIBILITY MODEL		121
SCHEDULE IX – PARKING OF COMMERCIAL VEHICLES.....		122
APPENDICES		123
APPENDIX I - BUILDINGS, OBJECTS AND PLACES, THE PRESERVATION OF WHICH SHOULD BE ENCOURAGED.....		123
APPENDIX II - INTERPRETATIONS		125
APPENDIX III - NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL		140
APPENDIX IV - MIXED BUSINESS ZONE NO. 1 - LAND USE CLASSES AND SUBSET LAND USE ACTIVITIES		141
APPENDIX V - EXEMPTED ADVERTISEMENTS PURSUANT TO DIVISION 11.....		140
APPENDIX VI - CONTROL OF ADVERTISEMENTS.....		143
ADOPTION		144

PART I - PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as the Town of Kwinana Town Planning Scheme No. 2 hereinafter called 'the Scheme' and shall come into operation on the publication of the Scheme in the Government Gazette.

1.2 RESPONSIBLE AUTHORITY

The Authority responsible for implementing the Scheme is the Council of the Town of Kwinana hereinafter called 'the Council'.

1.3 SCHEME AREA

The Scheme applies to the whole of the area of land contained within the inner edge of the broken black border of the Scheme Map, which area is hereinafter referred to as the 'Scheme Area'.

1.4 CONTENTS OF SCHEME

The Scheme comprises:

- (a) The Scheme Text.
- (b) The Scheme Map.
- (c) The Land Use Map.

1.5 ARRANGEMENT OF SCHEME TEXT

The Scheme Text is divided into the following parts:-

Part I	Preliminary
Part II	Reserved Land
Part III	Policies, Zones and Development Areas
Part IV	Non-Conforming Uses
Part V	Development Requirements
Part VI	Car Parking

1.6 SCHEME OBJECTIVES

The objectives of the Scheme are as follows:

- (a) reserving land required for public purposes;
- (b) zoning the balance of the land for the various purposes described in the Scheme;
- (c) providing development controls for the purpose of securing and maintaining an orderly and properly planned use and development of land within the Scheme Area;
- (d) introducing measures by which places of natural beauty and places of historic or scientific interest may be conserved;
- (e) making provision for other matters authorised by the enabling Act.

1.7 REVOCATION OF EXISTING SCHEME

The Town of Kwinana Town Planning Scheme No. 1 as amended, which came into operation by publication in the Government Gazette on 11 March, 1971, is hereby revoked.

1.8 RELATIONSHIP TO METROPOLITAN REGION SCHEME

- 1.8.1 The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended from time to time, shall continue to have effect.
- 1.8.2 Notwithstanding anything to the contrary in the Scheme and without affecting the generality of Clause 1.2 Part 1, the Council may, with the consent of the Minister, or when required by the State Planning Commission, require that the development of any land within the District, however zoned, shall be subject to the provisions of Clause 10, 24 and 30 of the Metropolitan Region Scheme.

1.9 INTERPRETATION

- 1.9.1 Except as provided in Clause 1.9.2 the words and expressions of the Scheme have their normal and common meaning.
- 1.9.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided therein, words and expressions have the respective meanings given to them in Appendix II.
- 1.9.3 Where a word or term is defined in the R-Codes, then notwithstanding anything else in the Scheme, that word or term when used in respect of residential development has the meaning given to it in the R-Codes.

1.10 NOTES DO NOT FORM PART OF SCHEME

AMD 152 GG 09/02/2021

- 1.10.1 Notes, and instructions printed in italics, do not form part of this Scheme; Notes are also included throughout text to indicate where clause is now dealt with in Regulations.

PART II - RESERVED LAND

AMD 152 GG 09/02/2021

2.1 METROPOLITAN REGION SCHEME RESERVES

The lands shown as Metropolitan Region Scheme Reserves on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map in order to comply with the *Metropolitan Region Town Planning Scheme Act, 1959*, as amended. Those lands are not reserved by this Scheme. The provisions of the Metropolitan Region Scheme continue to apply to such reservations.

2.2 LOCAL AUTHORITY SCHEME RESERVES

The lands shown as Local Authority Scheme Reserves on the Scheme Map, hereinafter called 'Local Reserves' are lands reserved under the Scheme for Local Authority purposes or for the purposes shown on the Scheme Map.

2.3 DEVELOPMENT OF LOCAL RESERVES

Subject to Part III of the Scheme and except as otherwise provided, a person shall not on any Local Reserve without first applying for and obtaining the Planning Consent of the Council under this Scheme;

AMD 47 GG 18/4/97

- (a) commence or carry out a development other than the erection of a boundary fence unless that land is vested in a Public Authority and the development is for the purpose for which the land is so vested;
- (b) use that land other than for the purpose for which it is reserved under this Part;
- (c) demolish, damage or alter any buildings or works, or remove or damage any tree; or
- (d) excavate, spoil or waste the land so as to destroy, damage or adversely affect its usefulness for the purpose which it is reserved.

AMD 47 GG 18/4/97

2.4 MATTERS TO BE CONSIDERED BY COUNCIL

AMD 80 GG 2/6/06

Where an application for Planning Approval is made with respect to land within a Local Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its consent.

In the case of land within the Rural Water Protection Zone of the Metropolitan Region Scheme, Council shall have regard to the provisions of Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy.

PART III - POLICIES, ZONES AND DEVELOPMENT AREAS

AMD 152 GG 09/02/2021

3.1 POLICY AREAS & ZONES

AMD 43 GG 21/2/97

The Scheme Area is covered by;

- Policy Areas;
- Development Areas; and
- Zones

Each Policy Area is the subject of a Policy Statement which establishes broad land use objectives as a guide to future decisions concerning subdivision, development and zoning. The Development Areas are not zones but delineate land areas and include Scheme provisions in the 'Fourth Schedule' to ensure that co-ordinated, equitable and orderly development of the defined land area occurs.

Development Areas may cover existing and/or proposed Residential, Industrial or Commercial land areas which may or may not be presently zoned for this purpose.

3.2 REZONING

Where in the opinion of Council any rezoning is inconsistent with the Policy Statement for the Policy Area, the strategy for future development of the area, or the requirements of the 'Development Area' (where and if appropriate), the Council shall;

- (a) not proceed with the rezoning on the grounds that it is inconsistent with established planning directions; or
- (b) proceed with the rezoning after review of the implications and desirability of such action.

3.3 POLICIES

The following policy statements shall apply to the Policy Areas so named and numbered on the Scheme Map and shown on the Policy Maps Figures 1 and 2.

AMD 26 GG 30/9/94 Rezoning portions of Lot 99 Cockburn Road and Lot 102 Sutton Road, Naval Base from Local Reserve - Park, Recreation and Drainage to General Industry;
- Excluding the abovementioned land from Policy Area No. 16 - Mt Brown and including it within Policy Area No. 15 - Kwinana Industrial Strip.

- AMD 29 GG 24/2/95* (1) Rezoning Part Lot 180 Abercrombie Road, Hope Valley, from 'Rural A' to 'Rural B'.
(2) Amend Table 1 TPS2 - Policy Area map to include Part Lot 180 in Policy Area 11 - Postans East and exclude from Policy Area 7 - Hope Valley.

AMD 43 GG 21/2/97 Adding a new "Policy Area 22 - Bertram" to cover the land bounded by Thomas Road, Mortimer/Bertram Road, the Freeway and the Tramway Reserve as depicted on the Scheme Amendment Plan.

AMD 89 GG 22/1/08 Including Part Lot 100 and Lots 60-61 Abercrombie Road, Lots 3-5 Hope Valley Road and Part Lot 113 Anketell road, Hope Valley in Scheme Policy Area 11 - Postans East.

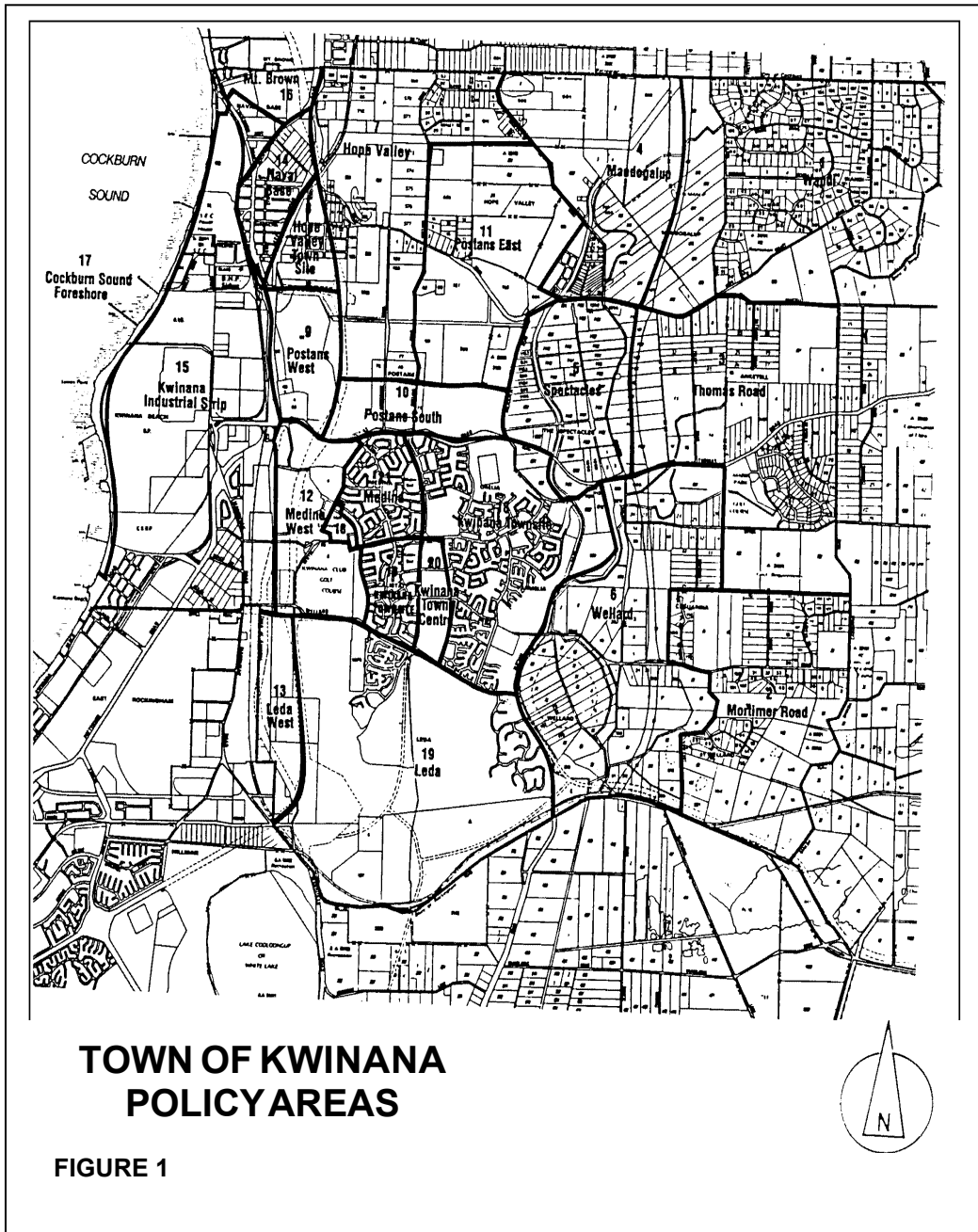


Figure 1 - Town of Kwinana - Policy Areas

Area 1 - Wandri

Whereas equestrian special rural development has been established in the eastern and northern parts of this policy area and whereas adjacent areas extending west to Lyon Road and south to Anketell Road have similar landform and whereas Council supports orderly development of this policy area, the following planning policy shall apply:

- (a) The predominant use shall be equestrian special rural development;
- (b) A rural community and service centre to cater for the needs of the local residents may be provided within the policy area as and when Council is satisfied that the need exists;
- (c) Development of land for special rural purposes shall occur in such a manner as to secure the preservation of banksia woodlands;
- (d) Extractive industry will not be supported;
- (e) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*
- (f) Land use and development shall be consistent with the objectives of "Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection". *AMD 80 GG 2/6/06*

Area 2 - Mortimer Road

Whereas rural homesites have been developed within special rural zones north and south of Mortimer Road and whereas the adjacent area of Born Road has similar landform and rural lots of 4ha and whereas the adjacent area south to the town boundary has a relatively higher carrying capacity and pasture potential, the following planning policy shall apply:

- (a) The predominant use shall be rural homesites within special rural zones and equestrian special rural development shall not be supported north of Lots 54 and 148 Woolcoat Road;
- (b) The keeping of more than two horses shall not be supported;
- (c) Rezoning of the lots on either side of Born Road for the predominant use will be supported by Council;
- (d) Development of land for special rural purposes shall occur in such a manner as to secure the preservation of banksia woodlands.
- (d) Extractive industry will not be supported.
- (e) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*
- (f) Land use and development shall be consistent with the objectives of "Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection". *AMD 80 GG 2/6/06*

Area 3 - Thomas Road

Whereas rural homesites have been developed within Newbold Road special rural zone and whereas the adjacent private golf course is partially developed and whereas rural homesites, market gardening and rural uses have been developed on existing lots the following planning policy shall apply:

- (a) The predominant use shall be rural homesites;
- (b) The predominant use within the existing special rural zones shall be rural homesites and equestrian special rural zones will not be supported;

- (c) Development of land for special rural purposes shall occur in such a manner as to secure the preservation of banksia woodlands.
- (d) Extractive industry will not be supported.
- (e) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*
- (f) Land use and development shall be consistent with the objectives of "Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection". *AMD 80 GG 2/6/06*

Area 4 - Mandogalup

Whereas market gardening has been developed on groundwater supplies and whereas rural homesites have been established primarily on existing lots and whereas Lake Wattleup wetlands have landscape amenity, the following planning policy shall apply:

- (a) The predominant use shall be rural, provided such uses are not in conflict with principles of groundwater conservation and do not significantly contribute to nutrient discharge to the district drainage network;
- (b) Subdivision shall only be supported where consistent with the predominant use;
- (c) The landscape amenity of the Lake Wattleup wetlands shall be conserved;
- (d) Tailings ponds are not permitted.

Area 5 - Spectacles

Whereas market gardening and rural homesites are the predominant uses and whereas a large area of the Spectacles wetland has been held for industrial purposes and whereas the Spectacles have conservation value, as a wetland habitat, the following planning policy shall apply:

- (a) The predominant use shall be rural provided such uses are not in conflict with principles of groundwater conservation and do not significantly contribute to nutrient discharge to the district drainage network;
- (b) The landscape amenity of the Spectacles Wetlands shall be conserved;
- (c) Subdivision shall only be supported where consistent with the predominant use;
- (d) A rural community and service centre may be established in the vicinity of the Hope Valley Road and Johnson Road intersection;
- (e) Tailings ponds are not permitted.

Area 6 - Wellard

AMD 58 GG 2/5/03

Whereas market gardening has been developed on groundwater supplies and whereas rural homesites have been established primarily on existing lots and whereas the Bollard Bullrush Swamps have landscape amenity as a wetland habitat, the following planning policy shall apply:

- (a) The predominant use shall be rural provided such uses are not in conflict with principles of groundwater conservation and do not significantly contribute to nutrient discharge to the district drainage network;
- (b) Council may consider multiple occupancy development in the form of strata titling within this Policy Area provided such development is within the Cluster/Communal Rural Settlement Zone.
- (c) The landscape amenity of the Bollard Bullrush Swamps shall be conserved;

- (d) Subdivision shall only be supported where consistent with the predominant use;
- (e) Tailings ponds are not permitted;
- (f) A rural community and service centre may be established in the vicinity of the Thomas Road and Johnson Road intersection.

Area 7 - Hope Valley

Whereas rural homesites and other rural uses have been established primarily on existing lots and whereas market gardening has been developed on groundwater supplies and whereas limestone quarrying and sand mining continue to exploit those resources the following planning policy shall apply:

- (a) The predominant uses shall be rural provided such uses are not in conflict with principles of groundwater conservation and do not significantly contribute to nutrient discharge to the district drainage network;
- (b) Subdivision shall only be supported where consistent with the predominant use;
- (c) Extractive industries will be supported subject to a management plan approved by Council;
- (d) Tailings ponds are not permitted;
- (e) The landscape of Long Swamp shall be protected.

Area 8 - Hope Valley Townsite

Whereas a rural-residential community is established and whereas airborne industrial emissions are sometimes evident and whereas market gardening based on groundwater supplies is established and whereas there are numerous stables already established the following planning policy shall apply:

- (a) The predominant use shall continue to be rural-residential homesites with an equestrian theme provided with a system of riding trails in accordance with an overall structure plan adopted by Council, however other uses may also be encouraged on existing lots;
- (b) Tailings ponds are not permitted;
- (c) Consolidation and development of the townsite will be supported by Council, subject to demonstrated improvements in air quality and the availability of essential services.

Area 9 - Postans West

Whereas tailings ponds A, B and C have been established and they have unused capacity, and whereas upon decommissioning they could be used for a range of uses, the following planning policy shall apply:

- (a) Subject to an overall management programme and structure plan, Council will support redevelopment of the site;
- (b) Redevelopment and use shall be consistent with the emissions buffer, with the further limitation that noise, vibration, airborne emissions and odours shall not adversely affect residences within the Hope Valley townsite;
- (c) Suitable landscape buffers shall be developed.

Area 10 - Postans South

Whereas the urban areas of Medina and Orelia require separation from industrial activity and whereas the agricultural research station is a suitable buffer use, the following planning policy shall apply:

- (a) The predominant uses shall provide adequate separation and buffer for the urban areas;
- (b) A landscape buffer 100 metres wide north of and parallel to Thomas Road shall be retained and be the subject of a management plan approved by Council;
- (c) Extractive industries shall not be supported;
- (d) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*

Area 11 - Postans East

Whereas tailings ponds are established and whereas further tailings pond areas will be required in the future the following planning policy shall apply:

- (a) Tailings ponds, extractive industries and processing will be supported by Council on the basis that the activity is confined to a consolidated area and;
- (b) That an overall management programme is prepared by the proponent and agreed by Council;
- (c) That new tailings ponds construction shall be sympathetic to topography, either by accentuation or softening of natural landform features and shall preserve in perpetuity existing perimeter vegetation.

Area 12 - Medina West

Whereas district level recreation facilities have been established and whereas Chalk Hill and the linear parklands remain in their natural state and whereas separation between heavy industry and the urban areas is required the following planning policy shall apply:

- (a) The predominant uses shall be townscape open space and recreation and buffer;
- (b) Only such additional uses as will not degrade the landscape buffer function and amenity of adjacent residential areas shall be supported;
- (c) Council shall prepare a management plan which allows for the public utilisation of the open space system through the development of trails to link historic sites, recreation facilities and passive leisure facilities;
- (d) Extractive Industry is not permitted;
- (e) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*

Area 13 - Leda West

Whereas tailings (gypsum) have been disposed of on lot 17 and whereas the Pickle Swamps have landscape amenity as a wetland habitat and whereas separation between heavy industry and the urban area of Leda is required the following planning policy shall apply:

- (a) Tailings disposal will be supported subject to a management plan approved by Council;
- (b) The predominant use shall be rural homesites with landscape protection;
- (c) General industrial activity shall not be supported;

- (d) Only such uses as will not degrade the wetland habitat and the landscape buffer shall be supported;
- (e) Extractive Industry is not permitted;
- (f) Tailing Ponds are not permitted. *AMD 47 GG 18/4/97*

Area 14 - Naval Base

Whereas light industry and service commercial have established and whereas small scale heavy industry (fabrication) has also established and whereas the road access and subdivision layout was not designed for these activities the following planning policy shall apply:

- (a) The predominant use shall be general industry with the limitation that noise, vibration, groundwater pollution, airborne emissions and odours, shall not adversely affect nearby businesses or residents;
- (b) Subdivision and development shall be supported where in accordance with an overall structure plan (which includes design levels A.H.D.) approved by Council;
- (c) Service road, slip road and side road access shall be established along the Rockingham Road frontage in accordance with the overall structure plan approved by Council and the Main Roads Department;
- (d) Industrial developments shall be designed and constructed so as to minimise their visual impact on the locality and to blend harmoniously with the locality;
- (e) Subdivision design and works associated with subdivisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation.

Area 15 - Kwinana Industrial Strip

Whereas heavy industries (Class 1 and 2) have established under agreement acts and whereas airborne emissions (SO₂) cause occasional nuisance to adjacent businesses and residents and whereas the overall aesthetic appearance and presentation is of a low standard and whereas the road network and accessibility is severely limited the following planning policy shall apply:

- (a) The predominant use shall be general industry with the limitation that noise, vibration, groundwater pollution, airborne emissions and odours, shall not adversely affect nearby businesses or residents;
- (b) Airborne emissions and noise levels shall be monitored with a view to encouraging low pollution levels for residents of the urban areas;
- (c) Streets and public places shall be suitably landscaped in accordance with a management plan agreed between businesses and Council;
- (d) Industrial establishments shall be encouraged to improve the landscape quality of their sites;
- (e) The road network and accessibility of the industrial strip shall be improved in accordance with an overall structure plan approved by Council;
- (f) Where an approved Outline Development Plan (ODP) exists for a site, industrial developments shall be undertaken in accordance with the approved ODP; *AMD 88 GG 19/4/05*
- (g) Industrial developments shall be designed and constructed so as to minimise their visual impact on the locality and to blend harmoniously with the locality; *AMD 88 GG 19/4/05*

- (h) Industrial developments shall ensure that public access to, and recreational use of The Wells Park Recreation Reserve is preserved, with particular attention being given to ensuring that the Reserve is appropriately buffered from any future industrial development;
AMD 88 GG 19/4/05
- (i) Subdivision design and works associated with subdivisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation.
AMD 88 GG 19/4/05

Area 16 - Mt. Brown

Whereas the scenic and landscape quality of the Mt. Brown locality is significant and whereas the adjacent land to the north is reserved for "parks and recreation" in the Metropolitan Region Scheme and whereas the topography is steep to undulating and naturally wooded the following planning policy shall apply:

- (a) Council shall support the development of passive recreation and look-out facilities in accordance with an overall management plan;
- (b) Industrial development shall not be permitted;
- (c) Subdivision design and works associated with subdivisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation.

Area 17 - Cockburn Sound Foreshore

Whereas the public use Challenger Beach, Barter Road Beach and Kwinana Beach for recreation, and whereas certain sections of the foreshore dunes and beaches require restoration and management, and whereas boat launching and other beachfront facilities are required, and whereas industrial and port facilities cross the foreshore, the following planning policy shall apply:

- (a) Public access to defined foreshore areas shall be encouraged for recreation purposes and facilities shall be established in accordance with the management plan (E.P.A. Bulletin 172) adopted by Council;
- (b) As much of the littoral strip and foreshore dunes as are not required by industry for the time being and which are required for the management of erosion and recreation pursuits shall be reserved for that purpose;
- (c) Where industrial or port facilities require to cross foreshore areas of Cockburn Sound provision shall be made for continuity of public access along the foreshore or as close thereto as practicable.

Area 18 - Kwinana Town

Whereas low density single family residential development has been established in accordance with an overall structure plan and whereas further development is proposed and whereas a wide range of commercial, service commercial, recreational, civic and cultural facilities have been established the following planning policy shall apply:

- (a) The predominant use shall be low density residential development to a maximum of two storeys;
- (b) Residential densities shall be in accordance with the codes as denoted on the Scheme Map together with other densities or combinations of densities permitted under this Scheme;
- (c) Further subdivision and development shall be in accordance with a structure plan approved by Council;

- (d) Council shall support a wider range of residential subdivision and development designs in keeping with consumer requirements;
- (e) Within the broadacre unsubdivided land coded R 20 Council shall;
 - support diversity in lot sizes and development design,
 - promote higher density development only in selected locations subject to the standard re-coding procedure.
- (f) Subdivision design and works associated with subdivisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation;
- (g) Subdivision and development of the Medina Light Industrial Area in the vicinity of Seabrook Way and Gentle Road shall be designed and developed in such a manner as to not detract from the environmental quality of the wetlands in respect of earthworks, stormwater drainage and industrial effluent disposal.

Area 19 - Leda/Wellard

AMD 85 GG 4/5/04

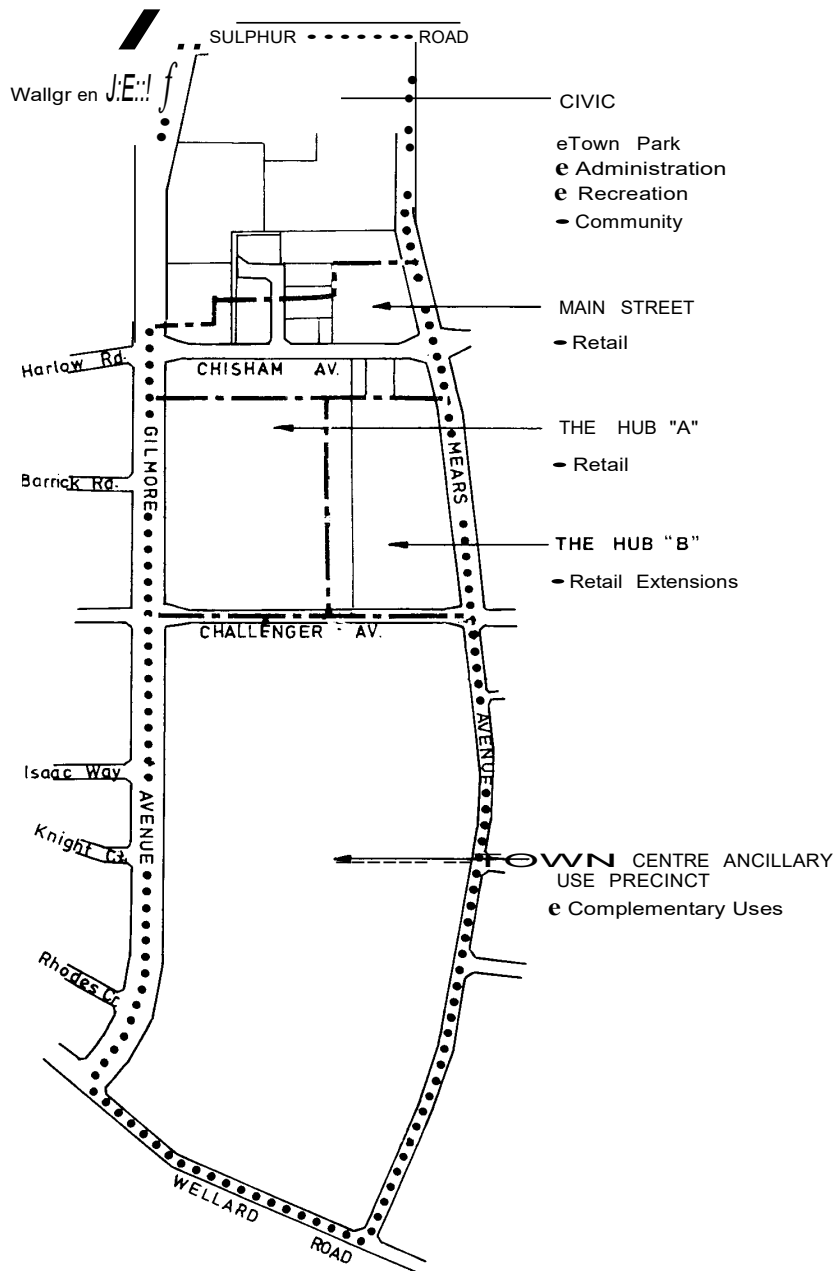
Whereas the area has been set aside for urban extensions to Kwinana Town and whereas the area includes the Leda Conservation Reserve and Bush Forever sites and whereas portions of the area have been developed for various residential forms and whereas development constraints and community aspirations need to be considered, the following planning policy shall apply:

- (a) Subdivision and development shall be designed based on the principles contained within Liveable Neighbourhoods and Transit Orientated Design and achieve mixed-use Neighbourhood Centres.
- (b) Subdivision and development shall be in accordance with a Structure Plan and associated documentation approved by the Council and the Western Australian Planning Commission, incorporating the following design objectives:
 - Council shall support a wide range of residential lot sizes and development designs in accordance with the approved Structure Plan.
 - The north-south chain of wetlands shall be integrated into the neighbourhood design and set aside as open space.
 - The recreation slow-ways forming part of the townsite linear parkland shall be provided for in the Structure Plan and subdivision layout.
 - A central access spine focussing on the Neighbourhood Centre and transit precinct.
- (c) Subdivision design and works should be carried out in such a manner as to retain any feature, specifically the undulating landform, ridgelines and vegetation, which Council considers is practicable to and worthy of preservation.
- (d) Subdivision and development shall be established in such a manner as to avoid contamination of wetland bodies from stormwater and leachates and to minimise intrusion into environmentally sensitive areas.
- (e) Extractive industry is not permitted.

Area 20 - Kwinana Town Centre

Whereas the district centre has been established and whereas population levels could double with the development of Leda and whereas a wide range of community, cultural, commercial, recreation and administrative facilities need to be located in a convenient central location the following planning policy shall apply:

- (a) Development of district level facilities shall be encouraged in accordance with the Kwinana Town Centre Strategy Plan (as amended) adopted by Council;
- (b) The policy area shall be divided into the following precincts;
 - Civic Precinct shall contain Council administration, offices, community and cultural facilities, town park and recreation facilities,
 - Main Street Precinct shall contain retail shopping and associated commercial uses consistent with the concept of the traditional shopping street,
 - The Hub 'A' Precinct shall contain the retail and other commercial core of the district,
 - The Hub 'B' Precinct shall contain retail and other commercial expansion,
 - Town Centre Ancillary Use Precinct shall contain uses ancillary and complimentary to district centre functions and shall be the subject of a Structure Plan as set out under Division 6.17 and approved by Council prior to subdivision and development.
AMD 140 GG 03/07/15
- (c) Subdivision design and works associated with subdivisional development shall be carried out in such a manner as to ensure minimal destruction of existing vegetation considered by Council to be worthy of preservation.

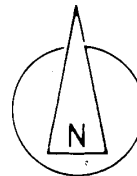


----- POLICY PRECINCTS



POLICY AREA 20

KWINANA TOWN CENTRE POLICY AREA PRECINCTS



1" 10,000

FIG

Area 21 - Medina

Whereas low density single residential development has been established and whereas aging housing stock exists and whereas reticulated sewerage facilities are not available, the following planning policy shall apply:

- (a) Council will support redevelopment of areas containing aging housing stock subject to the adoption of an overall redevelopment strategy by Council;
- (b) Council will support the extension of a reticulated sewerage system into the Medina area in order to facilitate redevelopment;
- (c) Council will support redevelopment to the higher densities shown on the Scheme provided that it is demonstrated that redevelopment will occur in a comprehensive co-ordinated manner;
- (d) Council will support redevelopment that produces diversity in lot sizes and development designs.

Area 22 – Bertram

AMD 43 GG 21/2/97

Whereas Rural uses are established ranging from intensive to extensive agriculture and whereas the Bollard/Bullrush swamp has high landscape and conservation value and whereas the existing Kwinana Residential Area is established to the west and whereas a multiplicity of land holdings exist the following planning policy shall apply:

- (a) Council will support new residential and complimentary subdivision and development in accordance with a Structure Plan adopted by Council in order to co-ordinate the orderly development of the area;
- (b) The Structure Plan for the area shall have regard to the multiplicity of landholdings, the need to accommodate regional, district and local drainage and ultimate severance of the area from the existing urban areas by the regional transit reserves;
- (c) Subdivision for residential purposes should respond to water sensitive design criteria in accord with principles of catchment management in recognition of the area's location within the Peel/Harvey Estuarine system, and should include provision for a nutrient stripping detention basin/water feature in and adjacent to the Peel Main Drain;
- (d) Council will support the use of agreements and co-operative mechanisms to ensure the orderly development of the Policy Area.

3.4 ZONES

3.4.1 The Scheme Area is classified and divided into the following zones:

Residential	
Kwinana Town Centre	
Commercial	
Service Commercial	
Mixed Business 1	<i>AMD 57 GG 1/6/99</i>
General Industry	
Light Industry	
Rural Zone A and B	
Rural Water Resource Zone	<i>AMD 80 GG 2/6/06</i>
Special Residential Zone	
Special Rural Zone Special	
Use Zone	
Cluster/Communal Rural Settlement Zone	<i>AMD 58 GG 2/5/03</i>
Development	<i>AMD 96 GG 22/1/08</i>

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

3.5 ZONING TABLE

Table No. 1 indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme Area in the various zones such uses being 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.

The symbols used in the Zoning Table have the following meaning:

"P" A use that is permitted provided it complies with the relevant standards and requirements laid down in this Scheme and all conditions (if any) imposed by the Council in granting planning consent;

"AA" A use in respect of which the Council exercising discretionary powers available to it may approve under this Scheme;

"AA(1)" A use in respect of which the Council exercising discretionary powers available to it may approve under the Scheme only in relation to land use and development in Mixed Business Zone No. 1. *AMD 57 GG 1/6/99*

"SA" A use which Council exercising the discretionary powers available to it may approve under this Scheme after notice of application has been given in accordance with Clause 64 of the deemed provisions;

"IP" A use which will not be approved pursuant to this Scheme unless the Council can be satisfied that the proposed use will be dependent upon and incidental and subservient to the predominant use of the land as may be determined by Council;

"X" A use that is not permitted.

3.6 USES NOT SPECIFIED

AMD 57 GG 1/6/99; AMD 80 GG 2/6/06

If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may, except in the case of Mixed Business Zone No. 1 -

- (a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted, or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purposes of the zone and thereafter follow the advertising procedures of Clause 64 of the deemed provisions in considering an application for Planning Approval.

In the case of Mixed Business Zone No. 1 such uses shall be deemed to be not permitted.

In the case of the Rural Water Resource Zone such uses shall be deemed not permitted.

3.7 USES SPECIFIED

Where in the zoning table a particular use is mentioned, it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.

TABLE I - ZONING AND USE CLASSES

KEY TO COLUMNS

- | | |
|--|---|
| <p>1. RESIDENTIAL</p> <p>2. KWINANA TOWN CENTRE</p> <p>3. COMMERCIAL</p> <p>4. SERVICE COMMERCIAL</p> <p>5. MIXED BUSINESS 1 <small>AMD 57 GG 1/6/99</small></p> <p>6. GENERAL INDUSTRY</p> <p>7. LIGHT INDUSTRY</p> <p>8. RURAL A</p> | <p>9. RURAL B</p> <p>10. RURAL WATER RESOURCE</p> <p>11. SPECIAL RESIDENTIAL</p> <p>12. SPECIAL RURAL</p> <p>13. SPECIAL USE</p> <p>14. CLUSTER/COMMUNAL RURAL SETTLEMENT <small>AMD 58 GG 2/5/03</small></p> <p>15. DEVELOPMENT <small>AMD 96 GG 22/1/08</small></p> |
|--|---|

USE CLASSES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Ancillary Accommodation	SA	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16 of the Scheme. <small>AMD 140 GG 03/07/15</small>	AA	X	X	X	X	X	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12 th June 1988 (As amended from time to time).	*	#	+	As denoted on Scheme Map, Clause 5.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16.
Aged and/or Dependent Persons Accommodation <small>AMD 8 GG 16/7/93</small>	X		X	X	X	X	X	AA	X		AA	AA	X		
Aged & Dependent Person's Dwelling	AA		AA	X	X	X	X	AA	X		*	#	+		
Amenity Building	P		P	P	AA	AA	P	P	*		#	+			
Amusement Centre	X		AA	AA	SA	X	X	AA	X		*	#	+		
Aquaculture	X		X	X	X	X	X	AA	X		*	#	+		
Boatel	X		X	X	AA	AA	X	X	*		#	+			
Boat Sales	X		AA	P	P	P	P	X	X		*	#	+		
Bus Station	X		SA	AA	AA	P	AA	X	X		*	#	+		
Caravan Park	X		X	X	X	X	AA	AA	AA		*	#	+		
Caretaker's House/Flat	P		IP	IP	IP	IP	IP	IP	IP		*	#	+		
Car Park	AA		AA	AA	AA	AA	AA	AA	AA		*	#	+		
Chicken Farm	X		X	X	SA	X	SA	X	*		#	+			
Child Care Centre <small>AMD 47 18/4/97; AMD 86 17/9/04</small>	SA		P	AA		X	X	X	X		X	X	X		
Civic Building	SA		P	P	P	X	P	AA	X		*	#	+		
Club	SA		AA	AA	AA	AA	AA	AA	X		*	#	+		
Commercial Hall	SA		AA	AA	AA	X	AA	AA	X		*	#	+		
Consulting Rooms	SA		AA	AA	X	AA	AA	AA	X		*	#	+		
Dog Kennels	X		X	X	X	X	SA	SA	SA		*	#	+		
Drive-In Takeaway Food Shop	X		AA	SA	X	X	SA	AA	X		*	#	+		
Drive-In Theatre	X		X	AA	AA	X	P	AA	AA		*	#	+		
Dry Cleaning Premises	X		SA	P	SA	SA	P	AA	X		*	#	+		
Eating House	SA		P	AA	X	AA	AA	X	X		*	#	+		
Educational Establishment	SA	AA	X	X	AA	AA	AA	X	*	#	+				
Equestrian Uses <small>AMD 8 GG 16/7/93</small>	X	X	X	X	X	X	X	X	*	#	+				
Extractive Industry	X	X	X	X	SA	AA	SA	SA	*	#	+				
Factory Units	X	X	X	AA	AA	P	X	X	*	#	+				
Family Day Care Centre	P	P	P	X	AA	AA	AA	AA	*	#	+				
Fish Shop	X	P	AA	X	X	X	X	X	*	#	+				
Forestry (Selective)	X	X	X	X	X	X	AA	AA	*	#	+				
Fuel Depot	X	X	AA	X	P	AA	X	AA	*	#	+				
Funeral Parlour	X	AA	AA	AA	AA	AA	AA	X	*	#	+				
General Industry	X	X	X	X	P	X	X	IP	*	#	+				

Table I - Zoning and Use Classes (Cont'd)

- KEY TO COLUMNS**
- | | |
|--|---|
| <p>1. RESIDENTIAL</p> <p>2. KWINANA TOWN CENTRE</p> <p>3. COMMERCIAL</p> <p>4. SERVICE COMMERCIAL</p> <p>5. MIXED BUSINESS 1 <small>AMD 57 GG 1/6/99</small></p> <p>6. GENERAL INDUSTRY</p> <p>7. LIGHT INDUSTRY</p> <p>8. RURAL A</p> | <p>9. RURAL B</p> <p>10. RURAL WATER RESOURCE</p> <p>11. SPECIAL RESIDENTIAL</p> <p>12. SPECIAL RURAL</p> <p>13. SPECIAL USE</p> <p>14. CLUSTER/COMMUNAL RURAL SETTLEMENT <small>AMD 58 GG 2/5/03</small></p> <p>15. DEVELOPMENT <small>AMD 96 GG 22/1/08</small></p> |
|--|---|

USE CLASSES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Grouped Dwelling	AA	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16 of the Scheme. <small>AMD 140 GG 03/07/15</small>	P	X	X	X	X	X	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12 June 1988 (As amended from time to time).	*	#	+	As denoted on Scheme Map, Clause 5.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16.
Hazardous Industry	X		X	X	SA	X	X	X	X		*	#	+		
Health Studio	SA		AA	P	AA	X	AA	X	X		*	#	+		
Holiday Accommodation	X		X	X	SA	X	AA	AA	AA		*	#	+		
Home Business <small>AMD 158 GG 05/02/2021</small>	SA		AA	X	X	X	X	SA	X		*	#	+		
Home Occupation	AA		AA	X	X	X	AA	AA	AA		*	#	+		
Hospital	SA		AA	P	SA	X	AA	AA	AA		*	#	+		
Hotel	X		SA	X	SA	X	X	X	X		*	#	+		
Intensive Agriculture	X		X	X	X	X	X	AA	X		*	#	+		
Laundry (Laundrette)	X		P	AA	AA	AA	P	X	X		*	#	+		
Laundry (Industrial)	X		X	AA	SA	P	P	X	X		*	#	+		
Licensed Restaurant	SA		P	P	X	X	SA	X	X		*	#	+		
Light Industry	X		X	X	X	P	P	X	IP		*	#	+		
Liquor Store	X		P	AA	SA	X	X	X	X		*	#	+		
Local Shop	SA		P	AA	SA	P	P	AA	X		*	#	+		
Lodging House	SA		AA	X	X	X	AA	X	X		*	#	+		
Marina	X		X	X	X	P	P	X	X		*	#	+		
Medical Clinic	SA		P	P	SA	X	AA	AA	X		*	#	+		
Motel	SA		AA	AA	SA	X	AA	X	X		*	#	+		
Motor Racing Track <small>AMD 17 GG 4/6/93</small>	X		X	SA	X	SA	X	SA	X		*	#	+		
Motor Repair Station	X		AA	AA	X	P	P	X	X		*	#	+		
Multiple Dwelling	SA		AA	X	X	X	X	X	X		*	#	+		
Museum	AA		P	P	X	X	X	X	X		*	#	+		
Non-Residential Health Centre	SA		AA	AA	AA	AA	AA	X	X		*	#	+		
Noxious Industry	X		X	X	X	SA	X	X	X		*	#	+		
Office	X		P	P	AA	IP	IP	X	X		*	#	+		
Open Air Display	X		AA	AA	AA	AA	AA	X	X		*	#	+		
Open Air Storage Yard	X		X	X	SA	AA	AA	X	X		*	#	+		
Petrol Filling Station	X		AA	AA	P	P	P	X	P		*	#	+		
Piggery	X		X	X	X	SA	X	SA	X		*	#	+		
Private Hotel	X	AA	AA	SA	X	X	X	X	*	#	+				
Private Recreation	X	AA	AA	SA	X	AA	SA	X	*	#	+				
Private Utility <small>AMD 88 GG 19/4/05</small>	AA	AA	AA	AA	P	AA	AA	AA	AA	AA	AA				
Professional Office	X	P	P	AA	X	X	X	X	*	#	+				
Public Amusement	SA	AA	P	AA	X	X	AA	AA	*	#	+				
Public Assembly - Place of	SA	P	AA	AA	AA	AA	AA	X	*	#	+				

Table I - Zoning and Use Classes (Cont'd)

KEY TO COLUMNS

- | | |
|--|---|
| <p>1. RESIDENTIAL</p> <p>2. KWINANA TOWN CENTRE</p> <p>3. COMMERCIAL</p> <p>4. SERVICE COMMERCIAL</p> <p>5. MIXED BUSINESS 1 <i>AMD 57 GG 1/6/99</i></p> <p>6. GENERAL INDUSTRY</p> <p>7. LIGHT INDUSTRY</p> <p>8. RURAL A</p> | <p>9. RURAL B</p> <p>10. RURAL WATER RESOURCE</p> <p>11. SPECIAL RESIDENTIAL</p> <p>12. SPECIAL RURAL</p> <p>13. SPECIAL USE</p> <p>14. CLUSTER/COMMUNAL RURAL SETTLEMENT <i>AMD 58 GG 2/5/03</i></p> <p>15. DEVELOPMENT <i>AMD 96 GG 22/1/08</i></p> |
|--|---|

USE CLASSES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Public Recreation	P	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16 of the Scheme. <i>AMD 140 GG 03/07/15</i>	P	P	P	P	P	P	AA	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12 June 1988 (As amended from time to time).	*	#	+	As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16.
Public Utility	P		P	P	P	P	P	P	P		*	#	+		
Public Worship	SA		P	P	AA	AA	P	AA	X		*	#	+		
Recreational Facilities	AA		P	P	P	AA	AA	AA	AA		*	#	+		
Residential Building	AA		X	X	X	X	X	AA	X		*	#	+		
Restricted Premises	X		SA	AA	AA	X	AA	X	X		*	#	+		
Retail Plant Nurseries <i>AMD 20 GG 19/7/94</i>	X		AA	P	SA	X	AA	AA	X		X	X	X		
Rural Industry	X		X	X	X	AA	AA	AA	AA		*	#	+		
Rural Produce Stall <i>AMD 20 GG 19/7/94</i>	X		X	X	X	X	X	A	X		X	X	X		
Service Industry (1)	X		AA	P	AA	AA	AA	X	X		*	#	+		
Service Station	X		AA	AA	SA	AA	AA	X	X		*	#	+		
Shop	X		P	X	IP	X	X	X	X		*	#	+		
Showroom	X		P	P	P	AA	AA	X	X		*	#	+		
Single House	P		IP	IP	X	IP	IP	P	X		*	#	+		
Stables	X		X	X	X	X	X	P	P		*	#	+		
Tailings Pond	X		X	X	X	X	X	X	P		*	#	+		
Tavern	X		AA	SA	SA	X	X	X	X		*	#	+		
Telecommunications Infrastructure <i>AMD 88 GG19/4/05</i>	SA		AA	AA	AA	P	AA	SA	AA		SA	SA	AA		
Trade Display	X		AA	AA	AA	AA	AA	X	X		*	#	+		
Transport Depot	X		X	X	SA	P	P	X	P		*	#	+		
Vehicle Sales	X	AA	P	P	X	AA	X	X	*	#	+				
Vehicle Wreckers	X	X	X	X	AA	SA	X	X	*	#	+				
Veterinary Clinic	SA	AA	AA	AA	P	P	AA	X	*	#	+				
Veterinary Hospital	X	X	SA	SA	AA	AA	AA	X	*	#	+				
Warehouse (1)	X	IP	IP	AA	P	AA	X	X	*	#	+				

- * As denoted on Scheme Map, Clause 5.8 and in the First Schedule
- # As denoted on Scheme Map, Clause 5.9 and in the Second Schedule
- + As denoted on Scheme Map, Clause 5.10 and in the Third Schedule

- (1) The land use class comprises only land use activities reflected in Appendix III of the Scheme and activities not listed in Appendix III are deemed to be not permitted in the corresponding zone.

AMD 57 GG 1/6/99

3.8 SPECIAL RESIDENTIAL ZONE

Uses within the Special Residential Zone of Table No.1 are contained within the First Schedule and Part V of the Scheme.

3.9 SPECIAL RURAL ZONE

Uses within the Special Rural Zones of Table No. 1 are contained within the Second Schedule and Part V of this Scheme.

3.10 RURAL WATER RESOURCE ZONE

AMD 80 GG 2/6/06

Within the Rural Water Resource Zone of Table No. 1, the land uses their permissibility and interpretation are those contained within Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12th June 1998 (as amended from time to time) and Part V of the Scheme, except that the land uses Cattery, Dog Kennels, Equestrian Activity and Plant Nursery are limited to extensions of existing operations.

3.11 SPECIAL USE ZONE

Uses within the Special Use Zone of Table No. 1 are contained within the Third Schedule and Part VI of the Scheme.

3.12 CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE

AMD 58 GG 2/5/03

Uses within the Custer/Communal Rural Settlement Zone are contained within the Fifth Schedule and Part V of this Scheme.

3.13 EXTRACTIVE INDUSTRY

Application for approval to commence development in respect of extractive industry shall include rehabilitation measures intended to secure an identified end use consistent with policies contained in Part III (Policies & Zones).

3.13.1 Extractive Industry shall be carried out in accordance with the approved Management Plan, subject to any conditions that Council sees fit to protect the amenity of the locality.

3.14 RETAIL USE & DEVELOPMENT

In assessing proposals for retail development, Council shall have due regard to the adopted Retail Structure Plan.

3.15 SERVICE STATIONS

AMD 11 GG 8/8/95

In determining an application to commence development for a service station, Council may consider and impose conditions regarding the following matters:

- (a) design and method of construction of underground and aboveground fuel storage facilities and potential pollution monitoring equipment;
- (b) design, building materials, colour and degree of illumination of service station buildings.

3.16 SPECIAL CONTROL AREAS

AMD 96 GG 22/1/08

Where a Special Control Area is shown on the Scheme Map, in addition to the zone requirements, Clause 5.15 Division 13 sets out particular provisions which also apply and generally concerns landscape, environmental, built form and site management issues, and contributions for infrastructure.

3.17 ADDITIONAL USES

AMD 66 GG 19/11/99

Notwithstanding anything contained within the Zoning Table the land specified in Sixth Schedule may be used for the specific use that is listed in addition to any uses permitted in the zone in which the land is situated subject to the conditions set out in Sixth Schedule with respect to that land.

PART IV - NON-CONFORMING USES

4.1 NON-CONFORMING USE RIGHTS

No provision of the Scheme shall prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of the coming into force of the Scheme, or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out, were duly obtained and are current.

4.2 EXTENSION OF NON-CONFORMING USE

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the Planning Approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 CHANGE OF NON-CONFORMING USE

Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Approval to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

4.4 DISCONTINUANCE OF NON-CONFORMING USE

- 4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.
- 4.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

4.5 DESTRUCTION OF BUILDINGS

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75 percent or more of its value, the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

PART V - DEVELOPMENT REQUIREMENTS

AMD 152 GG 09/02/2021

5.1 DISCRETION TO MODIFY DEVELOPMENT STANDARDS

If a development, other than a residential development, the subject of an application for Planning Approval, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:-

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and
- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

5.2 MINIMUM SETBACKS FROM BOUNDARIES

- 5.2.1 In determining an application for Planning Approval within a zone, Council shall apply the minimum setback requirements as specified by Table No.2 as follows:

TABLE II - MINIMUM SETBACKS FROM BOUNDARIES

ZONE	FRONT	SIDE	REAR	SECONDARY STREET FRONTAGE
Residential	As Per R-Codes			
Special Residential	As Per Defined Building Envelopes (Division 6)			
Rural A	7.5	(<4.5ha)2m	6	4.5
Rural B	7.5	(>4.5ha)3m	6	4.5
Special Rural	As Per Part VI (Division 7)			
General Industry	15	6	9	6
(Where the proposed use is consistent with light industry use the setback for the light industrial zone may apply)				
Light Industry	9	3	6	4.5
Kwinana Town Centre <i>AMD 140 GG 03/07/15</i>	As per the relevant zones set out in an approved Structure Plan prepared and adopted under Part 6.17 of the Scheme. <i>AMD 140 GG 03/07/15</i>			
Commercial	6	1.5	6	3
Service Commercial	9	3	6	6
Special Use	At Discretion of Council			
Cluster/Communal Rural Settlement	As per Fifth Schedule			<i>AMD 58 GG 2/5/03</i>
Rural Water Resource <i>AMD 80 GG 2/6/06</i>	7.5	3	6	4.5

5.2.2 Notwithstanding Clause 5.2.1, Council may by absolute majority of Council approve a variation in building setback less than that shown in Table No.2.

When considering an application for approval to setback variations, Council shall have due regard to the following:

- (i) The effect on the privacy of adjoining lots.
- (ii) The effect on the amenity of adjoining land through overshadowing.
- (iii) The extent of noise transmission.
- (iv) The effect on the streetscape.
- (v) Possible obstruction or hindrance to movement, use or activity on adjacent land.
- (vi) Undercutting or overbearing of development on adjoining land.
- (vii) The discharge of stormwater runoff onto adjoining land.
- (viii) Obstruction of the safe movement of traffic.
- (ix) The position of existing buildings and structures.
- (x) The requirements of any servicing authority.

5.2.3 Outbuilding setbacks shall generally be determined by reference to Table 2. The setback of outbuildings may be varied by Council in a particular case, providing it is satisfied that such a variation is desirable having considered matters addressed by Clause 5.2.2 and in the case of the Residential zone, such setback variation is not in conflict with the R-Codes.

- 5.2.4 Where, in the opinion of the Council, a proposed variation of building setback requirements may significantly affect an adjoining property, the Council shall cause the owners and occupiers of such property to be advised in writing of the proposed variation and afforded reasonable access to the proposed plans of the proposed development for a period of not less than 7 days commencing on the date of notification. In such case the Council, before determining the application, shall have regard to any submissions received in respect of the proposed variation.

5.3 DIVISION 1 - RESIDENTIAL ZONE

RESIDENTIAL DEVELOPMENT: R-CODES

AMD 151 GG 15/09/17

5.3.1 R-Codes

AMD 152 GG 09/02/2021

- a) The R-Codes, modified as set out in clause 5.4.2, are to be read as part of this Scheme.
- b) The local government –
 - i. must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - ii. may publish a copy of the R-Codes on the website of the local government.
- c) The coding of the land of 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.
- d) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with sub-clause c).

5.3.2 Modification of R-Codes

AMD 152 GG 09/02/2021

- 5.3.2.1 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the R-Codes shall conform to the provisions and schedules of the R-Codes.

- 5.3.3 Notwithstanding the provisions of the Scheme, all residential development shall be connected to a comprehensive sewerage system, where no such connection is available, no residential development other than the erection of a single house shall be permitted unless;

- (a) the Health Department of W.A. recommends to the Council that there are exceptional circumstances to warrant a variation from the requirement to connect to a sewer; or
- (b) the lot, the subject of an application has been developed for residential purposes in excess of a single house under the provisions of a previously gazetted Town Planning Scheme and redevelopment is only carried out to an equivalent or less extent as previously approved.

- 5.3.4 Any dwelling constructed in conjunction with a retail establishment or other permitted use shall be termed a Grouped Dwelling and comply with the appropriate development standards of the R20 R-Codes unless otherwise prescribed under an approved structure plan.

AMD 140 GG 03/07/15

5.3.5 The following provisions apply to land zoned Residential and coded R40/50 fronting Orelia and Hennessy Avenues adjoining the Orelia local centre, notwithstanding any other provisions in the Scheme *AMD 135 GG 23/5/14*

- (a) R50 density code applies to development with frontage to Orelia Avenue.
- (b) R40 density code applies to development without frontage to Orelia Avenue.
- (c) Development to be setback from retaining walls along the northern boundary of the Residential zone as follows, unless otherwise approved by the City of Kwinana:
 - (i) adjoining Lots 723 to 727 fronting Bampton Road, a minimum setback of 8m for single storey and 5m for two storey dwellings; and
 - (ii) adjoining Lots 717 to 722 fronting Oakham Way and Bampton Road, a minimum setback of 7m for single storey and 4m for two storey dwellings.
- (d) Development to be in accordance with Design Guidelines to be approved by the City of Kwinana that address:
 - subdivision design layout;
 - building envelopes;
 - landscaping;
 - fencing;
 - vehicular access; and
 - retaining walls.

5.4 DIVISION 2 - KWINANA TOWN CENTRE

Subject to Clause 5.16.2, the subdivision, use and development of land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 5.16 of the Scheme and shall take into account the following principles: *AMD 140 GG 03/07/15*

- (a) Groupings of buildings shall be designed to produce an integrated layout;
- (b) Buildings shall be of complimentary design with particular reference to their relative height and slope of paving and cantilever awnings; and also in terms of colour, tone and texture of facing materials so that components of form and finish will blend harmoniously;
- (c) Building design and layout shall make provision for general uniformity of future advertising outside any shops to be in keeping with the architectural character of the development;
- (d) Provision shall be made for planting and landscaping of development to enhance the environs and to secure a pleasant relationship between the centre and the existing and potential use of adjoining land.

5.4.1 Plot Ratio

Within the Kwinana Town Centre, plot ratios for land use types shall be determined in accordance with an approved Structure Plan (or any subsequent Local Development Plan) prepared under Part 5.16 of the Scheme.

AMD 140 GG 03/07/15

5.4.2 Residential Accommodation

In addition to a caretaker's residence, one unit of self-contained living accommodation for a single family may be incorporated in every building for every complete 450 square metres of area of the lot on which such building is erected and the floor area of such unit shall be excluded in calculating the plot ratio of the building.

All residential accommodation within the Kwinana Town Centre, whether in a mixed development or not, shall conform with the standards prescribed in the Residential Zone and the codes where applicable.

5.4.3 Car Parking

Where car parking spaces are to be provided the same shall be provided, designed, constructed and maintained in accordance with the provisions of Part VI of the Scheme and the approved plan relating thereto.

5.4.4 Loading and Unloading

Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided the same shall be provided and maintained in accordance with the approved plan relating thereto.

5.4.5 Site Coverage and Set Backs

In determining the site coverage and set backs of any development other than residential development Council may permit a site coverage of up to 100 percent and a setback variation to zero subject to it first being satisfied on matters relating to access, car parking, circulation, servicing, loading and unloading and other matters which Council in its absolute discretion may take into consideration.

5.4.6 Landscaped Areas

In considering development applications for land within the Town Centre zone, an area of one twelfth of the lot shall be designed, developed and maintained as a landscaped area and shall include existing vegetation identified by Council, except in the case of the erection on a lot of a single dwelling house.

Where, in the opinion of Council, sufficient landscape features exist in the lot or nearby streets and reserves, the landscaped area may be reduced by up to 50%.

Existing vegetation in excess of 1.8 metres in height within the specified landscaping areas shall be retained in good order provided that it does not interfere with the orderly or proper planning of the development or pose a threat to the safety of the development or to the public.

5.4.7 Structure Plan

The Challenger Precinct (E26) Concept Plan adopted by Council on 25 September 2013 has effect as a structure plan for the purposes of Clause 5.16.

AMD 140 GG 03/07/15

5.5 DIVISION 3 - COMMERCIAL ZONES

In order to accommodate the types of existing and future commercial uses in the Town of Kwinana, two types of commercial zones have been designated. These are Commercial and Service Commercial Zones.

5.5.1 Commercial Zone

The Council's intention in controlling development within the Commercial Zone is to:

- (a) Promote in the Commercial Zone both Shop and Showroom uses.
- (b) Promote in the Commercial Zone commercial uses which are complementary and not in competition with the function of the Kwinana Town Centre Zone.

5.5.2 Service Commercial Zone

The Council's intention in controlling development within the Service Commercial Zone is to;

- (a) Promote in the Service Commercial Zone Showroom uses.
- (b) Not permit in the Service Commercial Zone Shop uses.

5.5.3 Plot Ratio and Site Coverage

The maximum plot ratio and site coverage shall be as follows:

- (a) In the Commercial Zone no building shall have a plot ratio exceeding 2.0 and the site coverage allowed shall be 100 per cent subject to the satisfaction of Council on matters relating to access, car parking, circulation, servicing, loading and unloading and other matters which Council in its absolute discretion may take into consideration.
- (b) In the Service Commercial Zone no building shall have a plot ratio exceeding 1.5 and the site coverage shall not exceed 70 per cent and there shall be a maximum of two storeys.

5.5.4 Setbacks

Every building within the Commercial Zone shall be set back such distance from the boundaries of the lot on which it is to be erected as specified in **Table 2** as a condition of approval of the application for Planning Approval relating to the building.

5.5.5 Landscaped Areas

Within the Commercial and Service Commercial Zones an area of 8% of the lot shall be designed, developed and maintained as a landscaped area in accordance with the approved plan relating thereto. Where in the opinion of Council sufficient landscape features exist in the lot or nearby streets and reserves, the landscaped area may be reduced by up to 50%.

Existing vegetation in excess of 1.8 metres in height within the specified landscaping areas shall be retained in good order provided that it does not interfere with the orderly or proper planning of the development or pose a threat to the safety of the development or to the public.

5.5.6 Car Parking

Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VI of the Scheme and the approved plan relating thereto.

5.5.7 Loading and Unloading

Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the Commercial Zones shall be provided and maintained in accordance with the approved plan relating thereto.

5.5.8 Upper Floors

Within the Commercial Zone, where the ground floor of a multi-storey building is used for the purpose of shops the upper floors of such building may be used for such purpose or purposes as may be permitted or approved of in the Commercial Zone or for the purpose of offices notwithstanding that such offices may not be a use which is incidental to the use of the building in question for the purpose of shops.

Within the Service Commercial Zone mixed developments consisting of uses permitted or approved of by Council may be approved where such uses are compatible and where in the opinion of Council the development will not detract from the amenity of the area.

5.5.9 Orelia Local Centre

The following provisions apply to land zoned Commercial at the intersection of Orelia and Hennessy Avenues, notwithstanding any other provisions in the Scheme:

(a) Use classes are permitted as follows:

- (i) "P" use: Local Shop
- (ii) "AA" uses:
 - Car Park
 - Civic Building
 - Consulting Rooms
 - Eating House
 - Fish Shop
 - Health Studio
 - Laundry (Laundrette)
 - Licensed Restaurant
 - Medical Clinic
 - Multiple Dwelling
 - Office
 - Professional Office
 - Veterinary Clinic

"AA" uses are only permitted where a Local Shop exists or where proposed concurrently with a Local Shop, and all other uses not specified above are not permitted.

- (b) Minimum retail floor space of 515m² to be provided.
- (c) Maximum of 3 storeys permitted.
- (d) Maximum plot ratio of 2.0 permitted.
- (e) A pedestrian awning to be provided along the building frontage.
- (f) In relation to non-residential development, a maximum street setback of 1.5m to Orelia Avenue is permitted.
- (g) In relation to residential development, a maximum residential density of R50 is permitted.
- (h) Development to be in accordance with Design Guidelines to be approved by the City of Kwinana that address:
 - design of buildings;
 - vehicular access and parking;
 - design features to reduce/prevent noise impacts;
 - landscaping;
 - end of trip facilities; and
 - signage.

5.6 DIVISION 4 - MIXED BUSINESS 1 ZONE

AMD 57 GG 1/6/99

The Council's intention in controlling development within the Mixed Business 1 Zone is to:

- (a) Promote the progressive development of land identified within Council's 'Mixed Business Strategy' for uses considered to be predominantly consistent with the 'Other Retail' and 'Storage/distribution' land use categories as defined therein.
- (b) Provide for a range of uses which achieve high standards of development with regard to built form and landscaping.

5.6.1 In addition to the requirements Clause 63 of the deemed provisions **the Council shall** require, in the first instance, the preparation of Design Guidelines (to the satisfaction of Council) for individual 'Mixed Business' zones and shall thereafter, consider subsequent applications for its **Planning Approval** within such zones in conformity with the relevant Design Guidelines.

5.6.2 The **Council may** permit variations from the relevant Design Guidelines where it is satisfied that the proposed development still meets the objectives of the 'Mixed Business 1' Zone and, in particular, achieves a high standard of development.

5.6.3 The **Council may**, from time to time, require proponents to update or modify the relevant Design Guidelines to the satisfaction of the Council.

5.6.4 Subdivision and Development within the 'Mixed Business 1' Zone should be laid out generally in accordance with the Development Guide Plan as adopted by Council so as to enhance the locality and to secure a high standard of visual amenity for the 'Mixed Business 1' zone.

5.6.5 Within the 'Mixed Business 1' Zone, no existing vegetation shall be removed without Council's approval and Council's approval to commence development shall be deemed as Council's consent to remove vegetation in accordance with the approved plans. Council may specify trees or groups of trees to be preserved within the Mixed Business 1' zone in order to preserve the amenity of the locality.

5.6.6 Plot Ratio and Site Coverage

In the 'Mixed Business 1' Zone no building shall have a plot ratio exceeding 1.5 and the site coverage shall not exceed 70 percent and there shall be a maximum of two levels.

5.6.7 Minimum Setbacks from Boundaries

Every building within the 'Mixed Business 1' Zone shall be set back from the street to which the proposed building fronts a minimum distance as specified under Table 2, except that **Council may** permit a reduction in the minimum set back requirement where it is satisfied that the proposed development complies with the relevant design guidelines prepared for, and relevant to, the locality within which the building is proposed to be erected.

5.6.8 Landscaping

Within the 'Mixed Business 1' Zone, Council shall require the provision and development of landscaped areas in compliance with the design guidelines relevant to the locality within which the proposed development is situated but should not be less than 8% of the lot and shall be laid out and maintained in accordance with the approved plan.

Where in the opinion of Council sufficient landscape features exist in the lot or nearby streets and reserves, the landscaped area may be reduced by up to 50%.

Existing vegetation in excess of 1.8 metres in height within the specified landscaping areas shall be retained in good order provided it does not interfere with the orderly or proper planning of the development or pose a threat to the safety of the development or to the public.

5.6.9 Upper Floors

Within the 'Mixed Business 1' Zone where the ground floor of a multi-storey building is used for the purpose of shops the upper floors of such buildings may be used for such purposes as may be permitted or approved of in the 'Mixed Business 1' Zone or for the purpose of offices notwithstanding that such offices may not be a use which is incidental to the use of the building in question for the purpose of shops.

Within the 'Mixed Business 1' Zone mixed developments consisting of uses permitted or approved of by Council may be approved where such uses are compatible and where in the opinion of Council the development will not detract from the amenity of the area.

5.6.10 Car Parking

Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VII of the Scheme and the approved plan relating thereto.

5.6.11 Loading and Unloading

Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the 'Mixed Business 1' Zone shall be provided and maintained in accordance with the approved plan relating thereto.

5.7 **DIVISION 5 - INDUSTRIAL ZONES**

AMD 57 GG 1/6/99

For the purpose of this Scheme, industry has been classified into two types of zones, being Light Industry and General Industry. A noxious Industry as defined in this Scheme shall be subject to the "SA" provisions of Clause 64 of the deemed provisions and shall be zoned as General Industry.

A use falling within the General Industrial zone including any offensive trade or noxious industry shall be considered by Council in accordance with industrial classifications and locational criteria that Council shall adopt from time to time.

Where a use, the subject of the General Industrial zone may have an environmental impact on an adjacent local authority area, Council shall refer such an application together with all relevant information to that authority for its comments.

When considering any application for Planning Approval for a Noxious Industry or Offensive Trade, Council;

- (a) shall require the applicant to provide a report covering such matters as the effect of the proposal on air quality, the levels of dust and other airborne pollutants, the quality of ground water, road traffic and the amenity of the locality as well as any other matter which in the opinion of Council needs to be covered;
- (b) may consult with the Health Department and the Environmental Protection Authority for clarification of any aspect of the proposal which Council requires;
- (c) shall follow the "SA" procedures under Clause 64 of the deemed provisions;

- (d) May either refuse or approve the application with such conditions as are appropriate under the General Industrial zone together with any other conditions which may be appropriate after having considered all the matters arising out of procedures (a), (b), and (c) of the Clause.

5.7.1 Outline Development Plans

AMD 88 GG 19/4/05

Within Policy Area 15 – Kwinana Industrial Strip any industry may choose to prepare an Outline Development Plan (ODP) for its site. In addition to the information required for a Planning Approval by Clause 63 of the deemed provisions, the ODP shall include the site dimensions, all existing and proposed buildings, driveways, car parking and loading areas, relevant ground levels, the location, use, height, dimension, floor area and elevations of any proposed buildings and other works, any proposed advertising signs, and any other information the Council considers to be relevant.

- (i) The ODP shall be submitted to the Council for approval prior to any works being carried out on the site;
- (ii) In considering whether to grant approval to an ODP, the Council shall advertise the ODP for public comment;
- (iii) Once approved, an ODP is valid for two years from the date of approval;
- (iv) Upon receipt of an approved ODP, the Planning Approval of the Council is not required for any development carried out generally in accordance with the approved ODP.
- (v) Once an approved ODP has expired, it is no longer valid until revised and submitted to Council for further approval.

5.7.2 Minor Works not Requiring Planning Approval

AMD 88 GG 19/4/05

Council approval shall not be required for the following minor works within Policy Area 15 – Kwinana Industrial Strip:

- (i) Works undertaken in accordance with an approved ODP;
- (ii) Any works, that in the opinion of the Council or its delegate, only involve the minor alteration or modification to an approved ODP;
- (iii) Any works on landholdings greater than 4 ha in area to the west of Rockingham and Patterson Roads, that involve the minor rearrangement of car parking areas and landscaping, wholly within the subject land, provided that the overall area of landscaping, number of car parking bays and size of car parking bays are not diminished, and the car parking bays are reconstructed and marked out in accordance with the Council's approved engineering standards and the area of landscaping within the front setback area is not reduced;
- (iv) Any works that re-arrange, alter or renew plant, provided that the area of plant external to the existing building area is not increased, the capacity of the plant does not exceed approved levels, and the offsite impacts of industry including, risks, airbourne emissions, odours, noise, vibration, or light spill are not increased; and
- (v) Any minor works to existing plant or infrastructure necessary to comply with licenses or notices issued under State Government legislation or regulations.
- (vi) any works involving a temporary shed or structure, not exceeding 100 square metres in floor area which is outside a driveway, car parking or loading or landscaping area which;
 - is not used for activities which increase the offsite impacts of the industry by virtue of, the generation of risks, airbourne emissions, odours, noise, vibration, or light spill;
 - is used for the storage of, material, equipment or machinery or the carrying out of activities associated with the construction, maintenance and similar functions, of approved development and is removed from the site within six months of the date of installation.

All minor works undertaken in (i-iv) shall comply in all respects with Part VI and VII of the Scheme and all other applicable licences or approvals are to be obtained and complied with, and prior to the commencement of any of these works a copy of the plans and details should be forwarded to Council.

- 5.7.3 Council may specify in a Planning Policy prepared and adopted in accordance with Part 2 - Division 2 of the deemed provisions, additional types of works not requiring Planning Approval under the Scheme. Such works may not include use or development which increased the offsite impacts of industry, including, risks, airborne emissions, odours, noise, vibration, or light spill or new use and development of a Use Class defined under Table 1 different to that approved for the site or uses requiring licensing.

AMD 88 GG 19/4/05

- 5.7.4 Plot Ratio and Site Coverage

AMD 88 GG 19/4/05

Within the Industrial Zones the following plot ratios and site coverage shall not be exceeded.

	Plot Ratio	Site Coverage
Light Industry	1.0	70%
General Industry	0.8	65%

- 5.7.5 Minimum Setbacks from Boundaries

AMD 88 GG 19/4/05

Within the Industrial Zones, Council may, at its absolute discretion, vary minimum side and rear boundary setbacks less than that shown in Table 2, provided the following requirements are met, in addition to the requirements of Clause 5.2.2:

- (i) The reduced setback applies to not more than one lot boundary per free standing building and not more than two boundaries per lot;
- (ii) The development on the lot does not exceed the maximum permissible site coverage and maximum permissible plot ratio specified in Clause 5.7.1.
- (iii) The method of construction and materials used comply with fire resistance level requirements of the Building Code of Australia;
- (iv) The wall facing the boundary to which a reduced setback is granted does not exceed six (6) metres in height.

- 5.7.6 Appearance of Buildings, Units of Process and Ancillary Structures within all Industrial Zones

AMD 88 GG 19/4/05

All buildings, units of process and ancillary structures shall be located, designed and constructed so that the external appearance arising from height, expanse, method of construction, materials used, colour and texture of external finish serve to blend the development into the natural landscape and surrounding built environment and minimise the visual impact of the development.

In considering an application for planning approval, Council shall have regard for the following:

- (i) The extent to which the use of external colour/tone and texture differences on single large structures or between individual structures reduces the visual impact of the development on the locality and blends harmoniously with the natural landscape and built environment.
- (ii) The extent to which the siting, height and expanse of individual buildings, units of process and ancillary structures serves to preserve views of natural features and areas of landscape significance.

5.7.7 Landscaped Areas
AMD 88 GG 19/4/05

Within all industrial zones an area of at least 5 percent of the site shall be developed and maintained as a landscaped area in accordance with the approved plan relating thereto. Council may in the particular case, reduce the landscaping requirement by up to 50% where the applicant undertakes to establish and maintain landscaping of the road verge in accordance with an agreed plan.

Existing vegetation in excess of 1.8 metres in height within the specified landscaping areas shall be retained in good order provided that it does not interfere with the orderly or proper planning of the development or pose a threat to the safety of the development or to the public.

5.7.8 Car Parking & Crossovers
AMD 88 GG 19/4/05

Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VII of the Scheme and the approved plan relating thereto.

Crossovers shall be constructed of bitumen or concrete to the satisfaction and specification of Council.

Parking areas and crossovers shall be constructed and drained to ensure that storm water is disposed of on-site.

5.7.9 Loading & Unloading
AMD 88 GG 19/4/05

Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the Industrial Zones shall be provided and maintained in accordance with the approved plan relating thereto.

5.7.10 Waste Water & Effluent Disposal
AMD 88 GG 19/4/05

No land shall be used as a dumping area for any waste products, by-products, industrial waste or residue of any form, nature or description unless prior approval in writing has been granted by the Council.

In considering an application for Planning Approval, the Council shall have regard to the possible effects of the development on the amenity of the surrounding areas and the possible result of such development on the soils and sub-soils as well as groundwaters and air quality and may seek the advice of the Health Department and the Environmental Protection Authority.

5.7.11 Recycled Water
AMD 88 GG 19/4/05

In considering an application for planning approval, the Council shall have regard to the desirability of the use of recycled water in industrial processes, but shall also have regard for the requirements of industry in respect of the quality and quantity necessary.

5.7.12 Fencing
AMD 88 GG 19/4/05

Where a security fence is proposed on a front lot boundary, it shall be set back a distance of 1.5 metres from the front lot boundary and landscaping shall be established and maintained between these lines to the satisfaction of Council.

5.7.13 Materials Used
AMD 88 GG 19/4/05

- (a) The facade on the principal frontage shall be constructed of brick, stone, masonry or such other material as may be approved by Council;
- (b) Notwithstanding the provisions of Clause 5.7(a) Council may approve the installation and maintenance of strategic landscaping on the principal frontage in lieu of facade treatment. Council shall be satisfied that the aesthetic benefits of strategic landscaping will exceed the benefits of a facade treatment and Council may require the lodgement of a performance bond to an equivalent value of the cost of landscaping as estimated by Council. Council may specify a colour or finish on the facade of the principal frontage.

5.7.14 Private Utility
AMD 88 GG 19/4/05

In considering applications for the installation of a private utility, Council shall be satisfied that the utility is located within either a service corridor or a location that does not compromise future development, does not result in any adverse risk implications and is visually unobtrusive.

5.8 DIVISION 6 - RURAL ZONE
AMD 57 GG 1/6/99

For the purposes of this Scheme, rural land has been classified into two types of zones, being Rural A and Rural B.

5.8.1 Rural A Zone

The predominant uses within the Rural A Zone shall be rural use provided that the proposed uses are consistent with principles of groundwater conservation and are not likely, in the opinion of Council, to result in significant discharge of nutrients to the district drainage network.

Where a proposed use is, in the opinion of Council, likely to have a significant impact on groundwater quality and quantity or is likely to lead to significant discharge of nutrients to the local drainage network, Council may refer the matter to the Environmental Protection Authority or Water Authority of Western Australia for advice.

Council shall not support fragmentation by subdivision except where the use or proposed use of the land is consistent with the predominant use or uses and is consistent with the Policy Statement for the particular locality.

Council shall apply such development standards to a proposal the subject of an application for Planning Approval as it thinks fit providing such standards are not less than that pertaining to similar uses under the Scheme.

5.982 Rural B Zone

Land within the Rural B Zone may be used for extractive industries, tailings ponds, processing and other purposes applicable to that zone and for purposes incidental thereto and for no other purpose.

Council shall apply such development standards to a proposal the subject of an application for Planning Approval as it thinks fit providing such standards are not less than those pertaining to the General Industrial Zone.

5.9 DIVISION 7 - SPECIAL RESIDENTIAL ZONE

AMD 57 GG 1/6/99

In considering an application for rezoning to create a Special Residential Zone, Council shall have regard to the following criteria:

- (a) That the proposal consists of a comprehensive site analysis taking into consideration such matters as topography, soil, tree cover, climate and an assessment of the effects of the development on the environment.
- (b) That the proposal clearly outlines the reasons for selecting the area the subject of the proposed zone with particular reference to how this relates to Council's policy statement for the locality.
- (c) That the subdivision guide map clearly demonstrates that the landform, vegetation, and physical constraints have been taken into account in terms of lot size, lot shape, road layout, building envelopes, strategic fire breaks and open space.
- (d) That the proposal outlines the proposed staging of the subdivision and development, and the criteria to be met before successive stages are implemented.

5.9.1 An application for rezoning to create a Special Residential Zone shall include the following:

- (a) A Subdivision Guide Map at an appropriate scale to show the proposed subdivision including lot sizes and dimensions, tree preservation areas, building envelopes, strategic firebreaks, road and drainage reserves, and other areas to be set aside for a specific purpose such as bush fire tank site, open space or community purpose site.

Council may in the particular case, allow the omission of any of the above requirements if so, requested by the applicant;

- (b) The Subdivision Guide Map shall show contours based on Australian Height Datum and all relevant topographic features and as a minimum show individual trees or groups of trees, types of trees and vegetation, rock outcrops, wetlands, buildings, roads and fencing;
- (c) A plan or plans showing the layout of reticulated scheme water, road works, drainage and any fill or site modifications;
- (d) The proposed staging of the subdivision where relevant.

5.9.2 Scheme provisions for a specific Special Residential Zone shall be set out in the First Schedule specifying any special development conditions appropriate to secure the objectives of the zone.

5.9.3 In addition to other provisions of the Scheme, land which is included within a Special Residential Zone shall be subject to the following provisions:

Access

- (a) All public roads within any Special Residential Zone shall be constructed to the Council's specification and satisfaction.

Drainage

- (b) Prior to subdivision land within any Special Residential Zone shall be drained to the specification and satisfaction of Council.

Water Supply

- (c) A reticulated water supply from the Water Authority of W.A. network shall be provided to each lot.

On-Site Effluent Disposal

- (d) Adequate provision for on-site effluent disposal shall be made in accordance with the standard requirements of the Council.

Building Envelopes

- (e) Building Envelopes to be defined by the subdividing landowner prior to a clearance of a Diagram of Survey and a plan of individual envelopes shall be endorsed by the Town Clerk as a certified copy of the Building Envelope.
- (f) All buildings shall be constructed within the confines of the building envelope as shown on the Subdivision Guide Map.
- (g) Notwithstanding the provisions of Clause 5.9.3(f) above, Council may permit a variation in the requirements of the approved plan if it is shown to the satisfaction of Council at the time of application for Planning Consent that a proposed relocation of a building envelope is desirable or necessary.
- (h) When giving consideration to variation of building envelopes, Council shall have consideration for;
- the preservation of existing screening vegetation;
 - the proximity of building envelopes and development on adjacent lots;
 - the effects of such variation on views from adjacent lots;
 - the size of the building envelope, in that the area of the envelope should be approximately 1000 square metres and should not be greater than one half the area of the lot.
- (i) All use and development which requires the issue of a building or other licence or involves the removal of vegetation shall be established within the building envelope.

Tree Preservation

- (j) To retain the rural character of an area and avoid the creation of wind erodible conditions, the Council may designate any group or clump of trees and substantial vegetation as Tree Preservation Areas or may designate Tree Preservation Areas in accordance with a Plan of Subdivision.
- (k) The Council may require the land owner to undertake a tree planting programme on lots nominated by Council as being deficient in vegetation cover.

Prospective Purchasers

- (l) The subdivider shall ensure that each prospective purchaser of a subdivided lot acknowledges in writing at the time of purchase of a lot a schedule of conditions relating to the subdivision.

5.10 DIVISION 8 – RURAL WATER RESOURCE ZONE

AMD 80 GG 2/6/06

The Council's primary intention in controlling the use and development of land within the Rural Water Resource Zone is to protect and preserve the underground water resource in accordance with the provisions of Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12th June 1998 (as amended from time to time), while facilitating rural land use and development compatible with this primary intention.

5.11 DIVISION 9 - SPECIAL RURAL ZONE

AMD 57 GG 1/6/99; AMD 98 GG 15/1/08

The Special Rural Zones have been divided into three categories according to the policy area and the predominant use as follows:

No.	Policy Area	Predominant Use
1.	Wandi	Rural homesites Equestrian Special Rural Development
2.	Mortimer Road	Rural homesites Equestrian Special Rural Development in selected areas
3.	Thomas Road	Rural homesites only

5.11.1 In considering an application for rezoning to create a Special Rural Zone, Council shall have regard to the following criteria:

- (a) That the land shall be located within one of the three policy areas Wandi, Mortimer Road or Thomas Road.
- (b) That the proposal meets the predominant use specified for that policy area.
- (c) That the proposal clearly demonstrates that the land is suitable by virtue of its existing natural vegetation cover, aesthetic appeal of its landform and the absence of conflict with alternative land uses or resource management.
- (d) That the subdivision guide map clearly demonstrates that the landform, vegetation, and physical constraints have been taken into account in terms of lot size, lot shape, road layout, building envelopes, strategic fire breaks and open space.
- (e) That the proposal states the source of potable water supply and non-potable water supply as well as the management of these supplies.

5.11.2 An application for rezoning to create a Special Rural Zone shall include the following:

- (a) Subdivision Guide Map at an appropriate scale to show tree preservation areas, building envelopes, strategic fire breaks, pedestrian and riding trails, road and drainage reserves, other areas proposed to be set aside for a specific purpose such as bush fire tank site, open space or community purpose site.

Council may in the particular case, allow the omission of any of the above requirements if so requested by the applicant;

- (b) The Subdivision Guide Map shall show contours based on the Australian Height Datum and all relevant topographic features and as a minimum show individual trees or groups of trees, types of trees and vegetation, rock outcrops, wetlands, buildings, roads and fencing;
- (c) Where the proposal is part of a larger special rural policy area, a structure plan showing how the proposal relates to the adjacent lots shall be provided;

- (d) A surveyor's plan (pre-calculation drawing) shall be lodged with Council prior to the clearance of diagrams of survey and shall show tree preservation areas, strategic fire breaks, building envelopes and roads and drains as proposed and as required by Council for approval.

5.11.3 The Scheme provisions for a specific Special Rural Zone shall be set out in the **Second Schedule** specifying any special development conditions appropriate to secure the objective of the zone.

5.11.4 In addition to other provisions of the Scheme, land which is included within a Special Rural Zone shall be subject to the following provisions.

Dwellings

- (a) Not more than one dwelling may be erected on a lot within a Special Rural Zone unless such dwelling complies with the definition of "Aged and/or Dependent Persons Accommodation" contained in Appendix II (interpretations) of the scheme. *AMD 8 GG 16/7/93*
- (b) No habitable dwelling shall have a floor level less than 2 metres above the highest known water level.

Building Setbacks (except where building envelopes are specified)

- (c) The minimum setbacks from the boundaries of lots shall be;
 - (i) Front - 15 metres, unless Council is of the opinion that site conditions are such that a reduction of the setback distance is warranted. In any event, the front setback shall not be less than 7.5 metres,
 - (ii) Others - 10 metres.

Access

- (d) All public roads within any Special Rural Zone shall be constructed to the Council's specification and satisfaction.
- (e) The access strips of the lots shown as battleaxe lots shall be constructed prior to subdivision, and maintained thereafter, to the Council's specification and satisfaction. *AMD 98 GG 15/1/08*

Drainage

- (f) Prior to subdivision land within any Special Rural Zone shall be drained to the specification and satisfaction of Council.

Building Envelopes

- (g) All buildings shall be constructed within the confines of the building envelope as shown on the Subdivision Guide Map.

Notwithstanding the provisions of this clause, Council may permit a variation in the requirements of the approved plan if it is shown to the satisfaction of Council at the time of application for planning approval that a proposed relocation of a building envelope is desirable or necessary.

Tree Preservation

- (h) To retain rural character of an area and avoid the creation of wind erodible conditions, the Council may designate any group or clump of trees and substantial vegetation as Tree Preservation Areas or may designate Tree Preservation Areas in accordance with a Plan of Subdivision.
- (i) Within the land designated as Tree Preservation Areas, or outside of Building Envelopes, no indigenous tree, scrub or other substantial vegetation may be removed except as hereunder;
 - (i) trees which are dead, diseased or dangerous;
 - (ii) for the purpose of a firebreak required by a regulation or by-law except that in order to preserve the amenity of the area Council may at its discretion vary the position of any required firebreak to avoid destruction of vegetation or due to the physical features of the subject land;
 - (iii) for the purpose of an access driveway for a residential dwelling as approved by Council.
- (j) Removal of indigenous trees, scrub or other substantial vegetation for any purpose other than the above exceptions, shall require the written approval of Council.
- (k) The Council may require the land owner to undertake a tree planting programme on lots nominated by Council as being deficient in vegetation cover.

Fencing

- (l) The Council may determine a minimum standard of road boundary fencing after considering the approved use class and purpose or intent for which the Special Rural Zone was created.

Water Supply

- (m) Water supply provisions;
 - (i) The subdividing owner of the land shall make arrangements satisfactory to the Council to the effect that prospective purchasers of the lots are advised that no reticulated water supply can be provided by the Water Authority of W.A,
 - (ii) Where the land is subject to the provisions of the Water Authority of W.A. by-laws applicable to underground water control, the subdividing owner shall inform all prospective purchasers in writing of the Water Authority's requirements,
 - (iii) Purchasers of lots shall make their own arrangements to provide a potable water supply and shall prior to the occupation of any dwelling house provide a water storage tank with a minimum capacity of 92,000 litres unless an operating bore is connected to the supply in which case Council may permit the minimum capacity to be reduced to 20,000 litres. For the purposes of this clause, Council shall be satisfied that the tanks have adequate catchment area and in the case of a bore that it has adequate capacity and flow rate. Council shall be satisfied that the water supply for human consumption meets the standards of the Executive Director of W.A. Health and in the case of any bore water supply, it shall be certified to be acceptable for human consumption.

Forestry (Selective)

- (n) Council may approve the use 'selective forestry' in Special Rural zones following advertising of the proposal in accordance with the 'SA' provisions of the Scheme;
 - (i) Council may only approve forestry (selective) on lots or portions of lots deficient in vegetation indigenous to the locality,
 - (ii) Applications for approval to commence development of forestry (selective) shall nominate the species of tree to be planted and no other species of vegetation shall be felled for forestry purposes, other than the nominated species,
 - (iii) Council's approval for forestry (selective) shall specify the nominated species to be felled for forestry,
 - (iv) No persons shall remove vegetation indigenous to the locality for the purposes of replacement with forestry (selective) vegetation,
 - (v) Council may only approve applications for forestry (selective) subject to an agreed management plan which specifies,
 - 1. the nominated species of vegetation to be grown and felled;
 - 2. the numbers of nominated species to be planted;
 - 3. the density of planting of nominated species;
 - 4. the area/location of the lot to be planted with nominated species;
 - 5. the proposed planting/felling programme including interval between felling period and numbers to be felled.
 - (vi) Planting and felling programmes shall be planned to produce a scattering of nominated species of different maturities and no felling programme shall result in areas of the lot devoid of vegetation,
 - (vii) The landowner shall seek Council's approval in writing prior to felling nominated species and each individual tree to be felled shall be marked for inspection by Council prior to felling.

Stock

AMD 50 GG 18/4/97

- (o) The keeping of horses or stock within Special Rural Zones wherein it is permitted shall be subject to a management plan agreed to by Council. The management plan may include the limitation on numbers, areas from which horses or stock are to be excluded, fencing standards, or any other matter necessary to avoid soil, vegetation, landscape or environmental degradation.
- (p) All dwellings are to be connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection. The base of the system or the modified irrigation area is to be the required distance above the highest known groundwater level as determined by Council.

AMD 72 GG 5/2/02

5.12 DIVISION 10 - CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE

AMD 58 GG 2/5/03; AMD 80 GG 2/6/06

Council's objective in establishing a Cluster/Communal Rural Settlement Zone is to provide for multiple occupancy to occur in the context of specific themes within its rural areas, while enhancing the environmental status of the land and its rural landscape value.

5.12.1 In considering an application for rezoning to create a Cluster/Communal Rural Settlement Zone, Council shall have regard to and require the following criteria:

- (a) a comprehensive site analysis, having regard to such matters as topography, soil, tree cover, climate and an assessment of the effects of development on the environment;

- (b) the reason for selecting the area the subject of the proposal with particular reference to the particular advantages gained by multiple occupancy and strata titling in order to achieve the objectives of the development proposal;
- (c) Management Plan including, but not limited to, stocking restrictions, vegetation retention, replanting, drainage, water harvesting and management, nutrient management, bush fire control, landscaping protection and soil conservation;
- (d) the source, quality and quantity of potable water and the ongoing management thereof;
- (e) the details of the management instrument to be implemented in order to ensure that multiple occupancy is implemented appropriately;
- (f) a Development Plan detailing the development proposal and indicating lot configuration and area, land use areas, tree retention, fire control details, contours (Australian Height Datum), all relevant topographical features, individual trees or groups of trees, types of trees and other vegetation, rock outcrops, wetlands, buildings, building envelopes, roads, fencing infrastructure and servicing requirements as may be appropriate. Council may, in a particular case, allow the omission of any of the above details from the Development Plan, or require the addition of any other factor necessary to ensure the preservation of the amenities of the locality and protection of the environment.
- (g) where the proposal is part of a larger development precinct or policy area established under the Scheme, a Structure Plan shall be prepared showing how the proposal relates to adjacent lots.
- (h) provision of design guidelines detailing how land use development and the built form (dwellings, ancillary buildings, water tanks etc) shall be integrated with the rural character of the locality. The design guidelines will address the following:
 - (i) use of non-reflective material;
 - (ii) use of appropriate building materials such as timber, stone, rammed earth or brick and colour(s) and textures which are essentially earthy and are compatible with the rural landscape;
 - (iii) depending on the density of cluster development and its potential impact on rural amenity, restrictions will be placed on the floor area and height of dwellings;
 - (iv) and any other design issue deemed appropriate by Council.

5.12.2 Scheme Provisions for a specific Cluster/Communal Rural Settlement Zone shall be set out in the Fifth Schedule specifying the theme and any special development conditions appropriate to secure the objective of the zone. In addition to other provisions of the Scheme, land which is included within the Cluster/Communal Rural Settlement Zone shall be subject to the following provisions:

Tree Preservation

- (a) To retain the rural character of an area and to avoid the creation of wind erodible conditions, Council may designate any group or clump of trees and substantial vegetation as Tree Preservation Areas or may designate Tree Preservation Areas in accordance with a Development Plan.
- (b) Within the land designated as Tree Preservation Areas, no vegetation shall be removed except as hereunder;
 - (i) trees which are dead, diseased or dangerous;
 - (ii) for the purpose of a firebreak required by regulation or by-law except, that in order to preserve the amenity of the area, Council may at its discretion vary the position of any firebreak to avoid destruction of vegetation, or due to the physical features of the subject land;

- (iii) for the purpose of an access drive-way for a residential dwelling as approved by Council.
- (c) Council may require the landowner/s to undertake a tree planting programme on areas nominated by Council as being deficient in vegetation cover.

Fencing

- (d) Council may determine the minimum standard of road boundary fencing after considering the approved use class and purpose or intent for which the zone was created.

Water Supply

- (e) Where a density greater than 1 dwelling per 2 ha is sought all dwellings shall be connected to reticulated water.
- (f) The method of water supply shall be determined having regard to the density of development, water availability, quality and potability.
- (g) Where reticulated water is not to be provided, the subdivider shall make arrangements satisfactory to Council to the effect that prospective purchasers of the lots are advised that no reticulated water supply can be provided by the Water Corporation
- (h) Where the land is situated in a groundwater protection area the subdivider shall inform all prospective purchasers in writing of the requirements of the Department for Environment, Water and Catchment Protection in this regard.
- (i) Purchasers of lots shall make their own arrangements to provide a potable water supply and shall, prior to the occupation of any dwelling house, provide a water storage tank with a minimum capacity of 92 000 litres unless an operating bore is connected to the supply, in which case Council may permit the minimum capacity to be reduced to 20 000 litres.

For the purpose of this clause, Council shall be satisfied that the tanks have adequate catchment area and in the case of a bore, that it has adequate capacity and flow rate. Council shall be satisfied that the portable water meets the standards of the Commissioner for Health.

Servicing

- (j) Internal roads, drainage and other services shall be constructed and maintained to standards satisfactory to Council. Council may serve notice on the person or body responsible for the sites management requiring the repair or maintenance of services which are found not to be to Council's specifications. Council may, by its duly authorised officer, enter the property for the purpose of any inspections of works required by this clause.

Forestry (Selective)

- (k) Council may approve the use 'Forestry (Selective)' within the Cluster/Communal Rural Settlement Zone, but shall have regard to the following:
 - (i) Council may only approve forestry (selective) on lots or portions of lots deficient in vegetation indigenous to the locality;
 - (ii) applications for approval to commence development of forestry (selective) shall nominate the species of tree to be planted and no species of vegetation shall be felled for forestry (selective) purposes other than the nominated species;
 - (iii) Council's approval for forestry (selective) shall specify the nominated species to be felled;

- (iv) no person shall remove vegetation indigenous to the locality for purpose of replacement with vegetation for forestry (selective) purposes;
- (l) Council may only approve applications for forestry (selective) subject to an agreed Management Plan which includes the following:
 - (i) nominated species of vegetation to be grown and felled;
 - (ii) number of nominated species to be planted;
 - (iii) density of planting of nominated species;
 - (iv) area of location of lot to be planted with nominated species;
 - (v) proposed planting and felling program including interval between felling periods, numbers to be felled, scattering of nominated species of different maturities, and shall not result in area of the lot devoid of vegetation;
 - (vi) the requirements of the Bush Fires Board of WA.

Dwellings

- (m) No habitable dwelling shall have a floor level less than 2 metres above the highest known water table.

Stock

- (n) Where a Development Plan depicts areas for grazing, stocking rates shall be determined by Agriculture WA and the Council. A Management Plan shall be prepared and agreed by the Council, including limitation on numbers, areas from which stock is excluded, fencing standards, and any other matter necessary to avoid soil, vegetation, landscape and environmental degradation.
- (o) If, in the opinion of Council, any lot is over grazed or severely degraded it may order the removal of any or all stock, either temporarily or permanently, unless remedial works are carried out by the landowner/s to render the land stable.

5.12.3 Prior to the subdivision or development of land, a Development Plan (prepared in accordance with subclause 5.11.1(f) shall be submitted and approved by the Council and the Western Australian Planning Commission. Subdivision and development shall generally be in accordance with the approved Development Plan, and no further subdivision shall be permitted.

5.12.4 Prior to its consideration of subdivision or development, Council shall also require the submission of such legal or other documentation as may be required so as to provide for:

- (a) a mechanism whereby Council will be a party to, and whose consent will be necessary for, any decision involving a change in the structure or management of the project or a change in land use;
- (b) a commitment to a continuing direct relationship between ownership of residential lots and the balance of the property;
- (c) satisfactory management or maintenance of the non-residential component of the property;
- (d) methodology for resolution of any conflict arising in respect to the management of the property as a whole or to activity on a residential site;
- (e) continuing use of land, other than that set aside for residential or community use, for equestrian purposes, or other approved rural enterprises;
- (f) ownership and management of community facilities where provided;

- (g) prohibition of the sale of commonly owned and managed land, unless with the consent of Council and approval of the Western Australian Planning Commission; and
- (h) implementation of reasonable controls over residential appearance and maintenance.

5.13 DIVISION 11 - SPECIAL USE ZONES

AMD 57 GG 1/6/99; AMD 80 GG 2/6/06

Land within a Special Use Zone may be used for the purposes specified on the Scheme Map and in the Third Schedule and for purposes incidental thereto and for no other purpose.

5.13.1 The site requirements of lot area, minimum effective frontage, development type, plot ratio, car parking, setbacks and other development provisions shall be determined by Council in its absolute discretion, providing that such standards are not less than that pertaining to similar uses under the Scheme.

5.14 DIVISION 12 – DEVELOPMENT ZONE

AMD 57 GG 1/6/99; AMD 96 GG 22/1/08; AMD 96 GG 22/1/08

5.15.1 The purpose of the Development Zone is to provide for the orderly planning and development of larger areas of land in an integrated manner within a regional context whilst retaining flexibility to review planning with changing circumstances. In considering applications for development and changes to residential density codings in areas near existing and proposed future railway stations the Council will have due regard to the desirability of higher residential densities, transit related development and good pedestrian and vehicular access to stations in order to promote public transport usage.

5.14.2 The objectives of the Development Zone are to:

- (a) designate land for future development;
- (b) provide a planning mechanism for the identification and protection of areas of conservation value whilst facilitating the growth of the Town;
- (c) provide for the orderly planning of large areas of land for residential, commercial, industrial and associated purposes through a comprehensive structure planning process;
- (d) enable planning to be flexible and responsive to changing circumstances throughout the developmental stages of the area, and,
- (e) provide sufficient certainty for demand forecasting by service providers.

5.14.3 Subject to Clause 5.16.2, the subdivision, use and development of land is to generally be in accordance with a Structure Plan that has been prepared and adopted under the provisions of Clause 5.16 of the Scheme.

5.14.4 The permissibility of uses in the Development Zone is subject to Subclause 5.16.7 and shall be determined in accordance with the provisions of the Structure Plan.

5.15 DIVISION 13 - SPECIAL CONTROL AREAS

AMD 57 GG 1/6/99; AMD 80 GG 2/6/06; AMD 96 GG 22/1/08

5.15.1 Operation of Special Control Areas

5.15.1.1 The following special control areas are shown on the Scheme Map:

- (a) Areas of Landscape Protection
- (b) The Peel Harvey Coastal Catchment

- (c) Development Areas shown on the Scheme Map as DA with a number and included in the Fourth Schedule.
- (d) Development Contribution Areas shown on the Scheme Map as DCA with a number and included in the Fifth Schedule.

5.15.1.2 In respect of a special control area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

5.15.2 Areas of Landscape Protection

5.15.2.1 Council's objective in setting aside Areas of Landscape Protection is to conserve areas of natural ecological value or landscape amenity whilst at the same time allowing development as provided in the Zoning Table No. 1 of the Scheme.

5.15.2.2 No person shall, in any Area of Landscape Protection, without Council's Planning Approval in writing;

- (a) Carry out clearing of trees or other vegetation;
- (b) Carry out any filling, dredging or changes to the contour of the land;
- (c) Erect any advertising sign,
- (d) Erect or construct any building or outbuilding,
- (e) Degrade any natural wetland system,
- (f) Detract from the amenity of the locality.

5.15.2.3 In considering an application for Planning Approval in respect of any land within an Area of Landscape Protection, Council shall have regard to the following:

- (a) The overall impact of the proposed development on the landscape amenity of the area and the desirability of limiting or modifying the siting, construction, design or materials of any building or associated services;
- (b) The need for an overall management plan prepared by Council in consultation with the affected owners as a prerequisite to any Planning Approval being issued;
- (c) The extent to which any subdivision proposal should guarantee the protection of natural ecological features or areas of landscape amenity;
- (d) The desirability of minimising the effect of new road construction including earthworks and clearing of vegetation within road reserves.

5.15.3 The Peel-Harvey Coastal Catchment

5.15.3.1 For the purposes of this Scheme, the Peel-Harvey Coastal Plain Catchment means the Peel-Harvey Coastal Plain Catchment as set out in the State Planning Policy No. 2.1, together with any amendments thereto.

- 5.15.3.2 Council shall be guided by the objectives and policy statements contained in the Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992 and State Planning Policy No. 2.1, as amended, a copy of which shall be kept and made available for public inspection at the offices of the Council.
- 5.15.3.3 For the purposes of the definition of development under the Act 'Intensive Agriculture' shall be deemed to be a material change of use requiring approval of the Council.
- 5.15.3.4 In considering a proposal to develop land for intensive agriculture, the Council shall:
 - (a) take account of soil types, slope and groundwater flows and surface water drainage and proximity to the Estuary;
 - (b) take account of the objectives of State Planning Policy No. 2.1, as amended with respect to the potential impact of the proposal on the environment and water quality;
 - (c) seek advice from the Department of Agriculture and Environmental Protection Authority and take account of that advice in making its determination or defer the decision pending a formal assessment under Part IV of the Environmental Protection Act.

5.15.4 Development Areas

5.15.4.1 Purpose

- (a) To identify areas requiring comprehensive planning prior to subdivision and development.
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

5.15.4.2 Planning requirements

- 5.15.4.2.1 Subject to clause 5.16.2, the local government requires a Structure Plan for a Development Area, or for any particular part or parts of a Development Area, before recommending subdivision or approving the use or development of land within the Development Area.
- 5.15.4.2.2 Where a Structure Plan exists, the subdivision, use and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in the Fourth Schedule.
- 5.15.4.2.3 The local government or the Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plan.
- 5.15.4.2.4 The Fourth Schedule describes the Development Areas in more detail and sets out the purpose and particular requirements that may apply to the Development Area.

5.15.5 Development Contribution Areas
AMD 115 GG 19/06/12

5.15.5.1 Interpretation

In clause 5.15.5, unless the context otherwise requires –

“Administrative Costs” means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of a Development Contribution Plan.

“Administrative Items” means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement a Development Contribution Plan, including legal, accounting, planning, engineering, and other professional advice.

“Cost Apportionment Schedule” means a schedule prepared and distributed in accordance with clause 5.15.5.10.

“Cost Contribution” means the contribution to the cost of Infrastructure including Administrative Costs payable by an Owner under clause 5.15.5.11 and any applicable Development Contribution Plan.

“Development Contribution Area” means each area shown on the Scheme Map as DCA with a number and included in the Fifth Schedule.

“Development Contribution Plan” means a development contribution plan prepared in accordance with the provisions of State Planning Policy 3.6 ‘Development Contributions for infrastructure’ and the provisions of this clause 5.15.5 of this Scheme, as incorporated into the Fifth Schedule to this Scheme.

“Development Contribution Plan Report” means a report prepared and distributed in accordance with clause 5.15.5.10 “Infrastructure” means the standard infrastructure items (services and facilities set out in Appendix 1 of State Planning Policy 3.6) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which Cost Contributions may reasonably be requested having regard to the objectives, scope and provisions of State Planning Policy 3.6.

“Infrastructure Cost” means any costs reasonably incurred for the acquisition and construction of infrastructure.

“Owner” means an owner of land that is located within a Development Contribution Area.

“State Planning Policy 3.6” means State Planning Policy 3.6 - Development Contributions for Infrastructure - as amended from time to time.

5.15.5.2 Purpose

The purpose of having Development Contribution Areas is to –

- (a) provide for the equitable sharing of the costs of Infrastructure between Owners;
- (b) ensure that Cost Contributions are reasonably required as a result of the subdivision and development of land in a Development Contribution Area; and

(c) coordinate the timely provision of Infrastructure.

5.15.5.3 Development Contribution Plan required

A Development Contribution Plan is required to be prepared for each Development Contribution Area.

5.15.5.4 Development Contribution Plan Required

A Development Contribution Plan is incorporated into Schedule V (5) as part of this Scheme.

5.15.5.5 Subdivision, strata subdivision and development

The local government shall not withhold its support for subdivision, strata subdivision or refuse to approve a development solely for the reason that a Development Contribution Plan is not in effect, there is no approval to advertise a Development Contribution Plan, or that there is no other arrangement with respect to an Owner's contribution towards the provision of community infrastructure.

5.15.5.6 Guiding Principles for Development Contribution Plans

The Development Contribution Plan for any Development Contribution Area is to be prepared in accordance with the following principles –

(a) Need and the nexus

The need for the Infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

(b) Transparency

Both the method for calculating the Cost Contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

(c) Equity

Cost Contributions should be levied from all developments within a Development Contribution Area, based on their relative contribution to need.

(d) Certainty

All Cost Contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.

(e) Efficiency

Cost Contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

(f) Consistency

Cost Contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

(g) Right of consultation and review

Owners have the right to be consulted on the manner in which Cost Contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.

(h) Accountable

There must be accountability in the manner in which Cost Contributions are determined and expended.

5.15.5.7 Content of Development Contribution Plans

A Development Contribution Plan is to specify -

- (a) the Development Contribution Area to which the Development Contribution Plan applies;
- (b) the infrastructure and administrative items to be funded through the Development Contribution Plan;
- (c) the method of determining the Cost Contribution of each Owner; and
- (d) the priority and timing for the provision of Infrastructure.

5.15.5.8 Period of Development Contribution Plan

A Development Contribution Plan shall specify the period during which it is to operate.

5.15.5.9 Land excluded

In calculating both the area of an Owner's land and the total area of land in a Development Contribution Area, the area of land provided or required in that Development Contribution Area for -

- (a) roads designated under the Metropolitan Region Scheme as Primary Regional Roads and Other Regional Roads;
- (b) existing public open space;
- (c) existing government primary and secondary schools; and
- (d) such other land as is set out in the Development Contribution Plan, is to be excluded.

5.15.5.10 Development Contribution Plan Report and Cost Apportionment Schedule

5.15.5.10.1 Within 90 days of the Development Contribution Plan coming into effect, the local government is to adopt and make available a Development Contribution Plan Report and Cost Apportionment Schedule to all Owners in the Development Contribution Area.

5.15.5.10.2 The Development Contribution Plan report and the Cost Apportionment Schedule shall set out in detail the calculation of the Cost Contribution for each Owner in the Development Contribution Area, based on the methodology provided in the Development Contribution Plan, and shall take into account any proposed staging of the development.

5.15.5.10.3 The Development Contribution Plan report and the Cost Apportionment Schedule do not form part of the Scheme, but once adopted by the local government they are subject to review as provided under clause 5.15.5.11.

5.15.5.11 Cost Contributions based on estimates

5.15.5.11.1 The determination of Infrastructure Costs and Administrative Costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.

5.15.5.11.2 Where a Cost Apportionment Schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government -

(a) in the case of land to be acquired, in accordance with clause 5.15.5.12; and

(b) in all other cases, in accordance with the best and latest information available to the local government until the expenditure on the relevant item of infrastructure or administrative costs has occurred.

5.15.5.11.3 The local government is to have such estimated costs independently certified by appropriate qualified persons and must provide such independent certification to an Owner when requested to do so.

5.15.5.11.4 Where any Cost Contribution has been calculated on the basis of an estimated cost for Infrastructure, the local government -

(a) is to adjust the Cost Contribution of any Owner in accordance with the revised estimated costs; and

(b) may accept a Cost Contribution based upon estimated costs, as a final Cost Contribution and enter into an agreement with an Owner accordingly.

5.15.5.11.5 Where an Owner's Cost Contribution is adjusted under clause 5.15.5.11.4, the local government, on receiving a request in writing from an Owner, is to provide the Owner with a copy of estimated costs and the calculation of adjustments.

5.15.5.11.6 If an Owner objects to the amount of a Cost Contribution, the Owner may give notice to the local government requesting a review of the amount of the Cost Contribution by an appropriate qualified person ('independent expert') agreed by the local government and the Owner at the Owner's expense, within 28 days after being informed of the Cost Contribution.

5.15.5.11.7 If the independent expert does not change the Cost Contribution to a figure acceptable to the Owner, the Cost Contribution is to be determined -

(a) by any method agreed between the local government and the Owner; or

- (b) if the local government and the Owner cannot agree on a method pursuant to (a) or an independent expert, by arbitration in accordance with the *Commercial Arbitration Act 1985*, with the costs to be shared equally between the local government and Owner.

5.15.5.12 Valuation

5.15.5.12.1 Clause 5.15.5.12 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

5.15.5.12.2 In clause 5.15.5.12:

In the case of DCA1 'Value' means the capital sum which an unencumbered estate in fee simple of the land might reasonably be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require:

- (a) on the basis that there are no buildings, fences or other improvements of a like nature on the land;
- (b) on the assumption that any rezoning necessary for the purpose of the development has come into force; and
- (c) taking into account the added value of all other improvements on or appurtenant to the land.

In the case of all other DCAs, 'Value' means the fair market value of land, at a specified date, which is defined as the capital sum that would be negotiated in an arm's length transaction in an open and unrestricted market, assuming the highest and best use of the land with all its potential and limitations (other than the limitation arising from the transaction for which the land is being valued), wherein the parties act knowledgeably, prudently and without compulsion to buy or sell.

The net land value is to be determined by a static feasibility valuation model, using the working sheet model attached to this scheme as Schedule VIII (8). As part of that feasibility an appropriate profit and risk factor is to be determined from which a 10 per cent profit factor is to be excluded from the calculation.

'Valuer' means a licensed valuer agreed by the local government and the owner, or, where the local government and the owner are unable to reach agreement, by a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

5.15.5.12.3 If any Owner objects to a valuation made by the Valuer, the Owner may give notice to the local government requesting a review of the amount of the Value, at the Owner's expense, within 28 days after being informed of the Value.

5.15.5.12.4 If, following a review, the Valuer's determination of the value of the land is still not a figure acceptable to the owner, the value is to be determined:

- (a) by any method agreed between the local government and the owner; or
- (b) if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the *Planning and Development Act 2005*.

5.15.5.13 Liability for Cost Contributions

5.15.5.13.1 An Owner must make a Cost Contribution in accordance with the applicable Development Contribution Plan and the provisions of clause 5.15.5.

5.15.5.13.2 An Owner's liability to pay the Owner's Cost Contribution to the local government arises on the earliest of:

- (a) the local government giving advice to the Western Australian Planning Commission that conditions of subdivision approval of the Owner's land within the Development Contribution Area, which conditions are cleared by the local government, have been complied with; *AMD 100A GG 03/10/17*
- (b) the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the Owner's land within the Development Contribution Area;
- (c) the commencement of any development on the Owner's land within the Development Contribution Area;
- (d) the approval of any strata plan by the local government or Western Australian Planning Commission on the Owner's land within the Development Contribution Area;
- (e) the approval of a change or extension of use by the local government on the Owner's land within the Development Contribution Area; or

The liability arises only once upon the earliest of the above listed events. Upon an Owner's liability to pay the Owner's Cost Contribution arising in accordance with this clause, the local government may issue a notice to the Owner requiring payment of the Cost Contribution in accordance with clause 5.15.5.14.

5.15.5.13.3 Notwithstanding clause 5.15.5.13.2, an owner's liability to pay the Owner's Cost Contribution does not arise if the Owner commences development of the first single house or outbuilding associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the Development Contribution Plan.

5.15.5.13.4 Where a development contribution plan expires in accordance with clause 5.14.5.8, an owner's liability to pay the owner's cost contribution under that Development Contribution Plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the Owner's land, subject to such liability.

5.15.5.14 Payment of Cost Contribution

5.15.5.14.1 The Owner, with the agreement of the local government, is to pay the Owner's Cost Contribution by:

- (a) cheque or cash;
- (b) transferring to the local government or a public authority land in satisfaction of the Cost Contribution;
- (c) the provision of physical infrastructure;
- (d) some other method acceptable to the local government; or
- (e) any combination of these methods.

5.15.5.14.2 The Owner, with the agreement of the local government, may pay the Owner's Cost Contribution in a lump sum, by instalments or in such other manner as agreed with the local government.

5.15.5.14.3 Payment by an owner of the cost contribution, including a cost contribution based upon estimated costs in a manner acceptable to the local government, constitutes full and final discharge of the owner's liability under the development contribution plan and the local government shall provide certification in writing to the owner of such discharge if requested by the owner.

5.15.5.15 Charge on land

5.15.5.15.1 The amount of any Cost Contribution for which an Owner is liable under clause 5.15.5.13, but has not paid, is a charge on the Owner's land to which the Cost Contribution relates, and the local government may lodge a caveat at the Owner's expense against the Owner's title to that land.

5.15.5.15.2 The local government, at the Owner's expense and subject to such other conditions as the local government thinks fit, can withdraw a caveat, lodged under clause 5.15.5.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

5.15.5.15.3 If the Cost Contribution is paid in full, the local government, if requested to do so by the Owner and at the expense of the Owner, is to withdraw any caveat lodged in accordance with clause 5.15.5.15.

5.15.5.16 Administration of Funds

5.15.5.16.1 The local government is to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each Development Contribution Area into which Cost Contributions for that Development Contribution Area will be credited and from which all payments for the cost of infrastructure costs and administrative costs within that Development Contribution Area will be paid.

The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that Development Contribution Area.

5.15.5.16.2 Interest earned on Cost Contributions credited to a reserve account in accordance with clause 5.15.5.16.1 is to be applied in the Development Contribution Area to which the reserve account relates.

5.15.5.16.3 The local government is to publish an audited annual statement of accounts for that Development Contribution Area as soon as practicable after the audited annual statement of accounts becomes available.

5.15.5.17 Shortfall or Excess in Cost Contributions

5.15.5.17.1 If there is a shortfall in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government may:

- (a) make good the shortfall;
- (b) enter into agreements with Owners to fund the shortfall;
or
- (c) raise loans or borrow from a financial institution, but nothing in paragraph 5.15.5.17.1 restricts the right or power of the local government to impose a differential rate to a specified Development Contribution Area in that regard.

5.15.5.17.2 If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government is to refund the excess funds to contributing Owners for that Development Contribution Area. To the extent, if any, that it is not reasonably practicable to identify Owners and/or their entitled amount of refund, any excess in funds shall be applied to the provision of additional facilities or improvements in that Development Contribution Area.

5.15.5.18 Powers of the Local Government

The local government in implementing the Development Contribution Plan has the power to:

- (a) acquire any land or buildings within the scheme area under the provisions of the *Planning and Development Act 2005*; and

- (b) deal with or dispose of any land which it has acquired under the provisions of the *Planning and Development Act 2005* in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

5.15.5.19 Arbitration

Subject to clause 5.15.5.12.3 and 5.15.5.12.4, any dispute between an Owner and the local government in connection with the Cost Contribution required to be made by an Owner is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

5.16 DIVISION 14 - STRUCTURE PLANS

AMD 57 GG 1/6/99; AMD 80 GG 2/6/06; AMD 96 GG 22/1/08; AMD 152 GG 09/02/2021

5.16.1 Requirement for Structure Plans

AMD 152 GG 09/02/2021

5.16.1.1 Within the Development Zone, Kwinana Town Centre Zone or Development Area or the relevant portion of the Zone or Area, unless there is an adopted Structure Plan the local government is not to:

- (a) Consider recommending subdivision; or
- (b) Approve an application for Planning Approval. *AMD 140 GG 03/07/15*

5.16.2 Adoption and Approval of Structure Plans

5.16.2.1 A Proposed Structure Plan may be prepared by a Proponent or the local government. Where prepared by a Proponent, the Proposed Structure Plan is to be submitted to the local government.

5.16.2.2 Upon receiving a Proposed Structure Plan, the local government is to either:

- (a) determine that the Proposed Structure Plan is satisfactory for advertising;
- (b) determine that the Proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or
- (c) determine that the Proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

5.16.2.3 If within 60 days of receiving a Proposed Structure Plan for approval for advertising, or such longer period as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in clause 5.16.2.2, the local government is deemed to have determined that the Proposed Structure Plan is not satisfactory for advertising.

5.16.2.4 (a) Where the Proponent is aggrieved by a determination of the local government under clause 5.16.2.2(b) or (c) or clause 5.16.2.3, the Proponent may request the local government by notice in writing to forward the Proposed Structure Plan to the Commission.

- (b) Within 21 days of receiving a notice from the Proponent under clause 5.16.2.4(a), the local government is to forward to the Commission:
 - (i) a copy of the Proposed Structure Plan;
 - (ii) details of the local government's determination including any modifications to the Proposed Structure Plan required by the local government; and

- (iii) any other information the local government considers may be relevant to the Commission's consideration of approval of the Proposed Structure Plan for advertising.
 - (c) Upon receiving a Proposed Structure Plan in accordance with clause 5.16.2.4(b), the Commission is to make one of the determinations referred to in clause 5.16.2.2 and advise the local government and the Proponent accordingly.
 - (d) If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the local government prior to making its determination under clause 5.16.2.4(c).
 - (e) If within 60 days of receiving a Proposed Structure Plan under clause 5.16.2.4(b), or such longer period as may be agreed in writing between the Proponent and the Commission, the Commission has not made one of the determinations referred to in clause 5.16.2.2, the Commission is deemed to have determined that the Proposed Structure Plan is not satisfactory for advertising.
- 5.16.2.5 Where the local government, or the Commission under clause 5.16.2.4, has determined that the Proposed Structure Plan is satisfactory for advertising, the local government is to:
- (a) advertise, or require the Proponent to advertise, the Proposed Structure Plan for public inspection by one or more of the methods of advertising proposals for development as set out in clause 64 of the deemed provisions; and
 - (b) give notice or require the Proponent to give notice in writing to:
 - (i) all landowners affected by the Proposed Structure Plan; and
 - (ii) such public authorities and other persons as the local government nominates, and such advertisement and notice are to explain the scope and purpose of the Proposed Structure Plan, when and where it may be inspected, and invite submissions to the local government by a specified date being at least 21 days from the date of the notice and advertisement.
- 5.16.2.6 Within 7 days of determining that a Proposed Structure Plan is satisfactory for advertising, the local government is to forward a copy of the Proposed Structure Plan to the Commission.
- 5.16.2.7 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice under clause 5.16.2.5 is to either:
- (a) adopt the Proposed Structure Plan with or without modifications; or
 - (b) refuse to adopt the Proposed Structure Plan and give reasons for this to the Proponent.
- 5.16.2.8 If within the 60 day period, or such further time as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in clause 5.16.2.7; the local government is deemed to have refused to adopt the Proposed Structure Plan.
- 5.1.2.9 Within 21 days of the local government making its determination under clause 5.16.2.7, or deemed refusal under clause 5.16.2.8, the local government is to forward to the Commission:

- (a) a summary of all submissions and comments received by the local government in respect of the Proposed Structure Plan, and the local government's decisions or comments in relation to these;
- (b) the local government's recommendation to the Commission to approve, modify or refuse to approve the Proposed Structure Plan; and
- (c) any other information the local government considers may be relevant to the Commission's consideration of the Proposed Structure Plan.

5.16.2.10 The Commission is to either:

- (a) approve the Proposed Structure Plan with or without modifications; or
- (b) refuse to approve the Proposed Structure Plan and give reasons for its decision to the Proponent and the local government.

5.16.2.11 If within 60 days of receiving the information referred to in clause 5.16.2.9, or such further time as may be agreed in writing between the Proponent and the Commission, the Commission has not made one of the determinations referred to in clause 5.16.2.10, the Commission is deemed to have refused to approve the Proposed Structure Plan.

5.16.2.12 If the Commission approves the Proposed Structure Plan, it is to notify the local government and the Proponent of its decision within 14 days of the date of the Commission's decision.

5.16.2.13 If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the local government prior to approving the Proposed Structure Plan under clause 5.16.2.10.

5.16.2.14 If the local government, following consultation with the Commission, is of the opinion that any modification to the Proposed Structure Plan is substantial, the local government may:

- (a) readvertise the Proposed Structure Plan; or
- (b) require the Proponent to readvertise the Proposed Structure Plan and, thereafter, the procedures set out in clause 5.16.2.5 onwards are to apply.

5.16.2.15 As soon as practicable after receiving notice of the approval of the Proposed Structure Plan by the Commission, the local government is to adopt the Proposed Structure Plan and forward a copy of the Structure Plan to:

- (a) the Proponent;
- (b) the Commission; and
- (c) any other appropriate person or public authority which the local government thinks fit.

5.16.2.16 A Structure Plan is to be kept at the local government's administrative offices and is to be made available for inspection by any member of the public during office hours.

5.1.3 Change or Departure from Structure Plan

5.16.3.1 The local government may adopt a minor change to or departure from a Structure Plan if, in the opinion of the local government, the change or departure does not materially alter the intent of the Structure Plan.

5.16.3.2 (a) The local government is to forward a copy of the minor change or departure to the Commission within 10 days from the date of adopting the minor change or departure.

(b) If the Commission considers that the change or departure adopted by the local government under clause 5.16.3.1 materially, alters the intent of the Structure Plan, then the Commission:

- (i) may require the local government to follow the procedures set out in clause 5.16.2 in relation to the change or departure; and
- (ii) is to notify the local government of this requirement within 10 days.

5.16.3.3 Any change to or departure from a Structure Plan that is not within clause 5.16.2.1 is to follow the procedures set out in clause 5.16.2.

5.17 DIVISION 15 - CONTROL OF ADVERTISEMENTS

AMD 57 GG 1/6/99; AMD 80 GG 2/6/06; AMD 96 GG 22/1/08; AMD 152 GG 09/02/2021

Power to Control Advertisements

5.17.1 Existing Advertisements

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this Part referred to as 'existing advertisements', may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

5.17.2 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 5.17, the Council's prior consent is not required in respect of those advertisements listed in **Appendix IV** which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Appendix IV do not apply to places, buildings, conservation areas or landscape protection zones which are either:

- i) listed by the National Trust;
- ii) listed on the register of the National Estate;
- iii) included in **the Scheme** because of their heritage or landscape value.

5.17.3 Scheme to Prevail.

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

5.17.4 Enforcement & Penalties

The offences and penalties provisions specified by Part 13 of the *Planning and Development Act 2005* apply to the advertiser in this part.

5.18 **PARKING OF COMMERCIAL VEHICLES**

AMD 151 GG 15/09/17

- 5.18.1 Subject to this clause, the parking or garaging of a commercial vehicle on any land requires the prior approval of the Council.
- 5.18.2 An application for the approval of the Council under this clause may be made on the form prescribed by Clause 86 of the deemed provisions.
- 5.18.3 This clause does not apply where the proposed parking of commercial vehicle(s):
- a) occurs during the period that the commercial vehicle(s) is engaged in work on the lot on which it is parked (for example, harvesting or earthmoving on the lot);
 - b) is solely for the purpose of visiting the subject lot for the delivery or receiving of goods and is for a duration of no longer than 4 hours between 7am to 7pm in any 24 hour period for Residential zones and Special Residential Zones and no longer than 5 hours in any 24 hour period for Special Rural Zone, Rural Water Resource and Rural Zones; or
 - c) is approved under this Scheme as a transport depot, or is an incidental activity carried out in conjunction with an approved Commercial or Industrial use.
- 5.18.4 An approval under this clause may only be granted where an occupier of the lot upon which the commercial vehicle(s) is to be parked is also:
- a) the owner of the commercial vehicle(s); or
 - b) the driver of the commercial vehicle(s); or
 - c) the proprietor of a business which owns or operates every commercial vehicle which is to be parked or garaged on the lot.
- 5.18.5 The maximum number of commercial vehicles which may be approved by Council under clause 5.18.1 within a particular zone is set out in Schedule IX.
- 5.18.6 The requirements of clause 5.18.4 and 5.18.5 are not capable of variation by clause 6.2 of the Scheme except in the following manner –
- (a) For lot sizes greater than 500m², Council may vary the 'Maximum number of motorised Commercial Vehicles' as stipulated in Column 3 of Schedule IX by a maximum of one additional motorised commercial vehicle provided –
 - i) the applicant satisfies each of the criteria outlined within clause 5.18.4;
 - ii) the additional commercial vehicle will be sufficiently screened from view of the surrounding streets and the adjacent properties; and
 - iii) the additional commercial vehicle will not detrimentally impact on the character, safety or amenity of the surrounding locality.

- (b) For lot sizes greater than 500m², Council may vary the 'Maximum number of non-motorised Commercial Vehicles', as stipulated in Column 4 of Schedule IX provided the additional trailer(s) or other attachments:
- i) will only be used in conjunction with a motorised commercial vehicle(s) permitted to be parked on the subject lot pursuant to this clause;
 - ii) will be sufficiently screened from view of the surrounding streets and adjacent properties; and
 - iii) will not detrimentally impact on the character of the surrounding locality.

5.19. Additional site and development requirements
AMD 162 GG 29/09/2023

- (1) The Table sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies. *AMD 162 GG 29/09/23*

Table
 Additional requirements that apply to land in Scheme area

No.	Description of land	Development Standards/Conditions
ASR1	Lots 1, 7 – 11 & 88 Lyon Road, Wandii	<ol style="list-style-type: none"> 1. The local government shall recommend as a condition of subdivision approval, and/or shall impose a condition on any development approval to prevent any new dwelling being located within the Rural – Water Protection zone under the Metropolitan Region Scheme. 2. Replacement of any existing dwelling in the Special Rural zone is discretionary subject to development approval being granted by the local authority. 3. For lots zoned Residential with a density code of R5, R10 or R12.5 the local governmental shall recommend as a condition of subdivision approval, and/or shall impose a condition on any development approval to ensure, as far as practical, that any trees worthy of retention as determined by the local government are adequately retained and incorporated into development. 4. No clearing of vegetation within the Rural - Water Protection zone under the Metropolitan Region Scheme is permitted, except in accordance with a bushfire management plan approved by the local government. 5. Notwithstanding the R-Codes, for R10 and R12.5 development, a minimum 10 metre primary street setback is required to accommodate landscaping to the satisfaction of the local

		<p>government.</p> <p>6. Developer Contributions shall be in accordance with City of Kwinana Town Planning Scheme No. 2, except for the following under Development Contribution Area 5:</p> <p>a) Infrastructure items excluded from contributions include:</p> <ul style="list-style-type: none"> • Item 1.3 (Internal Collector Road) <p>b) The method for determining developer contributions shall be based on a pro-rata contribution for the proposed R5, R10 & R12.5 coded Residential zoned land for the agreed infrastructure items.</p>
--	--	---

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

PART VI - CAR PARKING

AMD 152 GG 09/02/2021

- 6.1**
- (a) A person shall not develop or use land or erect, use or adapt any building for use for the purpose indicated in the first column of Table No. 3, unless car parking spaces of the numbers specified in the second column are provided and such spaces are constructed and maintained in accordance with the provisions of this Scheme.
 - (b) Where an application is made for Planning Approval and the purpose for which the land or building is to be used is not specified in Table No. 3 the Council shall determine the number of car parking spaces to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, and the orderly and proper planning of the locality and the preservation of its amenities.
 - (c) Car parking provided within a building shall not be regarded as a level in determining the number of storeys of any development.

TABLE III - CAR PARKING REQUIREMENTS

USE	PARKING
Aged Persons Dwelling, Single House, Attached House, Grouped Dwellings	As prescribed in the R-Codes
Shop	1 for every 20m ² gross floor area. Within the Kwinana Town Centre Zone 1 for every 50m ² gross floor area for shops less than 3,000m ² gross floor area. For shops in excess of 3,000 ² gross floor area - as determined by Council
Showroom, Warehouse, Industry (excluding factory unit building)	4 for up to the first 200m ² gross floor area and thereafter 1 for every additional 100m ² gross floor area or part thereof.
Office	1 for every 50m ² gross floor area.
Factory Unit Building	As for showroom, warehouse OR 2 for every factory unit whichever produces the greatest number of car parking spaces
Factory	
(1) Service and Light Industrial Buildings (other than a factory unit building)	(1) 1 to every 50m ² of gross floor area or 1 to every person employed, whichever is the greater.
(2) Other Industrial Buildings	(2) 1 to every 100m ² of gross floor area or 1 to every person employed, whichever is the greater.
Theatre, Hall, Amusement Centre, Art Gallery, Cinema, Non-residential Club and Church, Museum	As for public assembly, except that Council may exercise discretion on the number of car parking spaces required where dual use of spaces is likely to occur in the case of mixed developments.

USE	PARKING
Hospital	1 for every 3 bed spaces provided.
Hotel, Tavern, Private Hotel, Eating House, Licensed Restaurant, Motel, Club, Lodging House, Night Club, Place of Public Assembly	<p>Where applicable to the particular use:</p> <p>1 for every 2m² of public drinking area other than lounge floor area;</p> <p>1 for every 4 seats which an eating area is designed to provide; OR</p> <p>1 for every 4m² of eating area or part thereof whichever produces the greater number of car parking spaces;</p> <p>1 for every bedroom;</p> <p>1 for every 6 seats provided or capable of being provided in assembly areas; OR</p> <p>1 for every 4.5m² of assembly area whichever produces the greater number of car parking spaces;</p> <p>1 for every 3m² of public lounge drinking area;</p> <p>1 for every 4.5m² of beer garden or outdoor drinking area.</p>
Kindergartens, Primary Schools, Secondary Schools	<p>1 to each person employed or 4 spaces, whichever is the greater.</p> <p>1 to each member of teaching staff.</p> <p>1 to each member of teaching staff plus 1 to each rostered canteen worker.</p>
Health Centre, Consulting Rooms, Clinic, Veterinary Clinic	4 for every consulting room up to 2 such rooms and 2 for every additional consulting room.
Funeral Parlour	Not less than 6 car parking spaces.
Motor Repair Station and Service Station	6 for customers plus 1 for each lubrication and maintenance bay plus 1 for each person working on the site.
Open Air Display	1 for every 200m ² of display area or sales area.
Squash Centre	3 for every court.

6.2 SHARED OR COMBINED PARKING

Where the number of car parking spaces proposed to be provided on land or in a building the subject of an application for Planning Approval is less than the number required to be provided pursuant to the Scheme, the Council may approve the application if the applicant demonstrates that off street parking facilities in the near vicinity are available to cater for the parking requirements of the land and that arrangements to the satisfaction of the Council have been made to enable those facilities to be used for that purpose.

6.3 DIMENSIONS OF PARKING SPACES

The dimensions of car parking spaces, parking angle, driveway widths and landscaping detail specified in Figure 3 shall be used by Council in determining the layout of car parking areas.

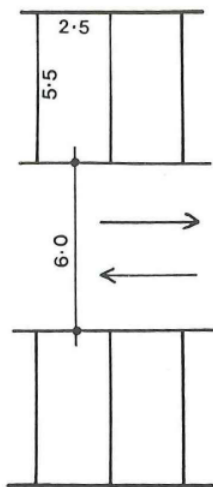
Council may vary the dimensions specified by up to 10 percent where obstructions, site dimensions or topography result in the loss of a car parking space in any run of car parking spaces. This provision shall be used in order to obtain one additional space in a run of spaces and shall not be used to modify landscaping, shade tree or driveway access requirements.

6.4 LANDSCAPING CONSTRUCTION AND MAINTENANCE

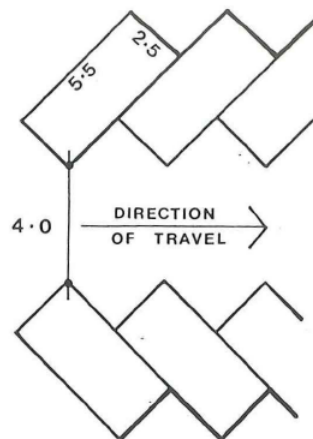
The owner and occupier of premises on which car parking spaces are provided shall ensure that:

- (a) the car parking area is landscaped with shade trees, laid out, constructed, drained and maintained in accordance with the approved plan relating thereto;

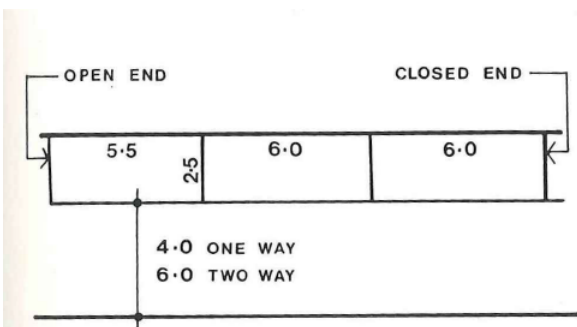
CAR PARKING LAYOUT



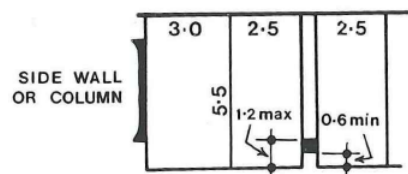
90° PARKING



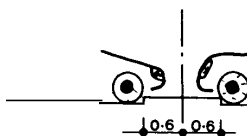
45° PARKING



PARALLEL PARKING

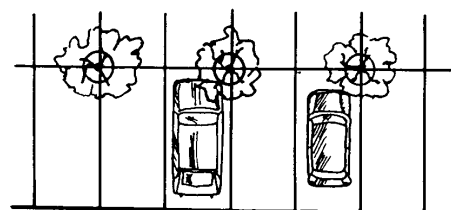


OBSTRUCTIONS



WHEEL STOP MODIFICATIONS

Not to affect drainage



SHADE TREE LANDSCAPING
Kerb ring not to exceed 900 mm diam

CAR PARKING LAYOUT

- 90° & 45° Parking - 5.5 x 2.5 m
- Parallel Parking - 6.0 x 2.5 m
- OR 5.5 x 2.5 m where OPEN ENDED
- Driveway Widths
 - 90° - 6.0m access
 - 45° - 4.0m one way
 - Parallel - 4.0m one way
 - 6.0m two way

FIG
3

SCHEDULES

SCHEDULE A – SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

AMD 152 GG 09/02/2021

67 (zc) The expert opinion of the Royal Institute of Architects.

SCHEDULE I - SPECIAL RESIDENTIAL ZONES

	LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
1.	<p>Part Cockburn Sound Location 16 contained in Certificate of Title Volume 157, Folio 141 and Pt Crown Reserve 33581 Wellard Road, Leda</p> <p>Portion of Pt Lot 245 Wellard Road, Leda</p> <p>Portion of Lots 254 Wellard Road & 271 Blacksmith Drive</p> <p><i>AMD 27 GG 30/8/94</i> <i>AMD 37 GG 26/5/95</i> <i>AMD 47 GG 18/4/97</i> <i>AMD 75 GG 7/1/03</i> <i>AMD 151 GG 15/09/17</i></p>	<p>P Dwelling House</p> <p>AA Grouped Dwelling of not more than two Home Occupation</p> <p>X All other uses are not permitted</p>	<p>The following development conditions shall apply:</p> <ol style="list-style-type: none"> 1. Subdivision shall be in accordance with Guide Map No 3 which shall form part of this Scheme. 2. The minimum lot size shall be 2,000m². 3. The minimum habitable floor area of a dwelling shall be 120m². 4. No more than two dogs may be kept on any lot within the Special Residential Zone. 5. No direct vehicular access shall be permitted from any proposed lot onto Wellard Road and the road notated as "Road A" on the Subdivision Guide Map. 6. No dwelling or carport roof or outbuilding shall be constructed of highly reflective materials. 7. All residences and carports shall be of stone or masonry construction unless the express approval of Council is obtained to vary this requirement. 8. Notwithstanding the provisions of condition 7 above, outbuildings may be constructed of metal or other materials approved by Council provided the external colour and texture produces a neutral non- glaring finish. 9. Within the land designated as Tree Preservation Areas, or outside of Building Envelopes, no indigenous tree, scrub or other substantial vegetation may be removed except as hereunder: <ol style="list-style-type: none"> (i) Trees which are dead, diseased or dangerous; (ii) For the purpose of a firebreak required by a regulation or by-law except that in order to preserve the amenity of the area Council may at its discretion vary the position of any required firebreak to avoid destruction of vegetation or due to the physical features of the subject land; (iii) For the purpose of an access driveway for a residential dwelling as approved by Council. 10. Removal of indigenous trees, scrub or other substantial vegetation for any purpose other than the above exceptions, shall require the written approval of Council.

SCHEDULE I – SPECIAL RESIDENTIAL ZONES (Cont'd)

	LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
1.	<p>Part Cockburn Sound Location 16 contained in Certificate of Title Volume 157, Folio 141 and Pt Crown Reserve 33581 Wellard Road, Leda</p> <p>Portion of Pt Lot 245 Wellard Road, Leda</p> <p>Portion of Lots 254 Wellard Road & 271 Blacksmith Drive</p> <p>(Cont'd)</p> <p><i>AMD 27 GG 30/8/94 AMD 37 GG 26/5/95 AMD 47 GG 18/4/97 AMD 75 GG 7/11/03 AMD 151 GG 15/09/17</i></p>	<p>P Dwelling House</p> <p>AA Grouped Dwelling of not more than two</p> <p>Home Occupation</p> <p>X All other uses are not permitted</p>	<p>11. The Council may determine a minimum standard of road boundary fencing after considering the approved use class and purpose or intent for which the Special Residential Zone was created.</p> <p>12. All other boundary fencing shall be of a rural and open nature and shall exclude asbestos, pickets, sheet iron and any other material which in the opinion of Council would detract from the semi-rural amenity of the area.</p> <p>13. Fencing at or within the building envelope may at the discretion of Council be of a closed screening nature provided the condition scale and colour of the fence does not detract from the rural amenity of the area.</p>

SCHEDULE II - SPECIAL RURAL ZONES

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p>SR1 Lot 54, 55 Peel Estate and Lot 108</p> <p>Thomas Road</p>	<p>P Rural Home Dwelling House</p> <p>AA Private Recreation Home Occupation Public Utility</p> <p>X All other uses are not permitted</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 1 Rural Homes is to be in accordance with Subdivision Guide Map No 1 Thomas Road Rural Homes and endorsed by the Town Clerk. 2. No dwelling house shall be constructed within a Special Rural Area No 1 with a floor area of less than 110 square metres.
<p>SR2 Special Rural Zone No 2 – Wandi</p> <p>Peel Estate Lots 688, 690, 691 Mandogalup Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup Peel Estate Lot 685 Certificate of Title 237 Fol. 100A</p> <p><i>AMD 78 GG 19/4/05</i> <i>AMD 80 GG 2/6/06</i> <i>AMD 98 GG 15/1/08</i> <i>AMD 106 GG 15/5/09</i> <i>AMD 136 GG 16/03/12</i> <i>AMD 147 GG 15/9/17</i></p>	<p>P Dwelling House</p> <p>AA Aged and Dependent Persons Accommodation Equestrian Use Home Occupation Public Utility Public Recreation Stables</p> <p>X All other uses are not permitted.</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<p><u>Development Conditions</u></p> <ol style="list-style-type: none"> 1. The subdivision shall be generally in accordance with the Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2 endorsed by the Chief Executive Officer. 2. No lot shall be less than 2 hectares. 3. No further subdivision to that shown on the Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2 will be supported by Council. 4. Notwithstanding the development conditions for Special Rural Zone No. 2 within Schedule 2 'Special Rural Areas' in the Scheme, management, use and development of land shall be in accordance with the Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 (and the notations contained thereon). 5. No development, including earthworks shall occur outside the approved building envelope, illustrated on the Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2, or an alternative location which has been approved by Council. 6. Prior to the approval of a Deposited Plan the subdivider shall define to the satisfaction of the Council the location and size of building envelopes for each of the proposed lots. The Council's approval of the building envelopes shall be signified by the designated Council officer's signature on a plan showing the building envelopes. 7. Building Envelopes may be altered to preserve declared rare flora to the satisfaction of Council. 8. Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare in vegetation resulting in loose, wind erodible conditions. Land outside the building envelope is to be managed in such a manner that there will be no further clearing of the land save for vegetation that has to be removed for housing, firebreaks, outbuildings and access way construction; the Council's approval shall be deemed as Council's written consent to remove vegetation. 9. The subdividing owner shall prepare and undertake a tree planting programme to encompass all land outside building envelopes at the density of not less than 1000 stems per hectare. The areas shown on Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2 as 'revegetation required' and 'landscape protection areas' shall be planted in accordance with the tree planting programme prior to subdivision. 10. Notwithstanding, Clause 5.10.4 (g) of the Scheme, where the Subdivision Guide Plan defines effluent disposal areas within building envelopes, these areas shall not be varied, and the effluent disposal systems shall be built within.

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p>SR2 Special Rural Zone No 2 – Wandi</p> <p>Peel Estate Lots 688, 690, 691 Mandogalup Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup Peel Estate Lot 685 Certificate of Title 237 Fol. 100A</p> <p><i>AMD 78 GG 19/4/05</i> <i>AMD 80 GG 2/6/06</i> <i>AMD 98 GG 15/1/08</i> <i>AMD 106 GG 15/5/09</i> <i>AMD 136 GG 16/03/12</i> <i>AMD 147 GG 15/9/17</i></p> <p>(Cont'd)</p>	<p>P Dwelling House</p> <p>AA Aged and Dependent Persons Accommodation Equestrian Use Home Occupation Public Utility Public Recreation Stables</p> <p>X All other uses are not permitted.</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<p>11. Notwithstanding, Clause 5.10.4(i) of the Scheme, no vegetation shall be cleared within any allotment except for the purpose of:</p> <ul style="list-style-type: none"> - compliance with the requirements of the <i>Bush Fire Act 1954</i> (as amended); - compliance with an approved Fire Management Plan; - constructing vehicular access way(s), the location of which is to be approved by Council; - clearing within an approved building envelope; and - removing dead, diseased or dangerous trees. <p>12. Development on lots less than 3 hectares in area and containing Department of Environment and Water and Rivers Commission identified wetlands shall be in accordance with the Property Management Plans approved by Council prior to commencement of development. A Property Management Plan is to address, but not to be limited to:</p> <ul style="list-style-type: none"> - defining the proposed use and development of land on the lot; and - define measures by which wetlands and associated vegetation are protected. <p>13. Within Special Rural Zone No. 2 a well licence must be obtained from the relevant authority prior to construction of a well or bore. The maximum amount of groundwater permitted to be drawn shall be at the discretion of the licensing authority and may be reviewed annually.</p> <p>14. Activities carried out on this land shall not contravene the Western Australian Water Authority by-laws applicable to underground water pollution control.</p> <p>15. Prior to subdivision in Special Rural Zone No. 2 a Fire Management Plan shall be prepared to include but not be limited to:</p> <ul style="list-style-type: none"> - firebreaks - water tanks, including cost, timing of provision; and - contributions towards fire fighting equipment. <p>The Council, in consultation with the Fire and Emergency Service Authority of Western Australia may approve and the Chief Executive Officer shall endorse such an approved plan.</p> <p>16. Prior to subdivision the Council shall prepare an estimate of costs for the provision of such 50,000 litre water tanks (to the specification of the Fire and Emergency Services Authority) as nominated in the approved Fire Management Plan required for emergency fire fighting purposes in Special Rural Zone No. 2 (including land acquisition) and a schedule for the reasonable contribution of potential subdividing owners in Special Rural Zone No 2 to share the costs thereof upon subdivision in accordance with Subdivision Guide Plan No. 2 dated December 2016.</p> <p>17. The Council shall provide and construct the facilities as mentioned in Clause 16 above at such time as it deemed fit, but no later than upon 15% of the potential lots shown in Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2 being subdivided.</p>

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p>SR2 Special Rural Zone No 2 – Wandi</p> <p>Peel Estate Lots 688, 690, 691 Mandogalup Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup Peel Estate Lot 685 Certificate of Title 237 Fol. 100A</p> <p><i>AMD 78 GG 19/4/05</i> <i>AMD 80 GG 2/6/06</i> <i>AMD 98 GG 15/1/08</i> <i>AMD 106 GG 15/5/09</i> <i>AMD 136 GG 16/03/12</i> <i>AMD 147 GG 15/9/17</i></p> <p>(Cont'd)</p>	<p>P Dwelling House</p> <p>AA Aged and Dependent Persons Accommodation Equestrian Use Home Occupation Public Utility Public Recreation Stables</p> <p>X All other uses are not permitted.</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<p>18. To facilitate the provision of the facilities mentioned in Clause 16 above, the Council may purchase or acquire by compulsory acquisition or otherwise the land necessary for the establishment of the water tanks for emergency fire purposes and the Commission may require the land to be set aside as a lot for acquisition upon subdivision of land incorporating the water tank sites shown in the approved Fire Management Plan.</p> <p>19. The subdividing owner shall construct front boundary fences to Council's specifications prior to subdivision and all associated costs shall be met by the subdividing owner.</p> <p>20. Access to additional lots created from subdivision in accordance with the Subdivision Guide Plan No. 2 may be provided in the form of a battleaxe leg in lieu of constructing a road where only one additional lot is being serviced. Adjoining battleaxe legs must provide shared access secured through Reciprocal Rights of Access Agreements and must not be fenced off from each other.</p> <p>21. No person within Special Rural Zone No. 2 on lots less than 3 hectares shall commence use or development of land including but not limited to the development of a single dwelling, associated outbuildings, agistment of stock and clearing within or outside the defined building envelope without the prior written approval of Council.</p> <p>22. Where a survey of the property for declared rare flora has not previously been undertaken as a condition of subdivision on lots less than 3 hectares in area, a spring survey for declared rare flora shall be undertaken to the satisfaction of the Department of Conservation and Land Management prior to the commencement of development and Council may on the advice of the Department require the development to be modified in order to preserve the identified flora.</p> <p>23. At the time of subdivision Council will recommend that the Western Australian Planning Commission impose a condition:</p> <ul style="list-style-type: none"> i) to make prospective purchasers aware of the special conditions imposed on the land under Special Rural Zone No. 2; ii) requiring the subdivider to construct front boundary fencing to Council's specification; iii) requiring the subdivider to prepare and implement a tree planting program at a density of not less than 1000 stems per hectare in accordance with the 'Revegetation Required' and 'Landscape Protection Areas' identified on the Subdivision Guide Plan No. 2 dated December 2016 for Special Rural Zone No. 2; iv) requiring the subdivider to implement the approved Fire Management Plan; and v) requiring the subdivider to pay a contribution towards fire fighting facilities to reimburse the costs of Council providing the water tanks for emergency fire fighting purposes; and vi) requiring the landowner to undertake a spring survey for declared rare flora prior to the commencement of subdivisional works and in the event that such flora is identified on the lot or lots that the subdividing landowner should submit amended Plans of Subdivision so as to protect the flora. <p>24. All dwellings within Special Rural Zone No. 2 shall be constructed to the Australian Standard – Construction of Buildings in Bush Fire Prone Areas.</p>

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p>SR3 Peel Estate Lots 693, 100, 104 Hope Valley Road, Mandogalup</p> <p><i>DELETED BY AMD 78 GG 19/4/05 (TO BE KNOWN AS SPECIAL RURAL ZONE</i></p>		
<p>SR4 Lot 18 Mortimer Road and Lot 19 Casuarina Road</p>	<p>P Dwelling House</p> <p>AA Private Recreation Home Occupation Public Utility Stables Equestrian</p> <p>X All other uses are not permitted</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 4 shall be in accordance with Subdivision Guide Map No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares. 3. Minimum dwelling size: <ol style="list-style-type: none"> (a) Floor - no dwelling house shall be constructed within the Special Rural Zone No 4 with an overall floor area (including walls) of less than 90 square metres. (b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 90 square metres projected plan area.
<p>SR5 Peel Estate Lots 119, 120, and 121 Rowley Road/Lyon Road, Mandogalup</p> <p><i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>A Public Recreation Home Occupation Public Utility Equestrian Uses Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 5 Horse Training and Equestrian activities shall be in accordance with Subdivision Guide Map No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2ha. 3. All front boundary fencing shall be erected by the subdivider prior to the approval of the subdivision. 4. Prior to the subdivision of the Special Rural Zone, the subdividing owner shall develop the lot set aside for horse training purposes to the Council's satisfaction. 5. Prior to the subdivision of the Special Rural Zone, the subdividing owner shall make arrangements for the management and maintenance of the training track lot to Council's satisfaction.
<p>SR6 Lot 13 Mortimer Road Volume 1310 Folio 946</p>	<p>P Dwelling House</p> <p>AA Private Recreation Home Occupation Public Utility Stables Equestrian</p> <p>X All other uses are not permitted</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 6 shall be in accordance with Subdivision Guide Map No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares.

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR7</i> Lots 23, 57, 58, 151 Corner of Casuarina and Mortimer Roads</p>	<p>P Dwelling House</p> <p>AA Private Recreation Home Occupation Public Utility Stables Equestrian</p> <p>X All other uses are not permitted</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural No 7 shall be in accordance with Subdivision Guide Maps No 1, 2 and 3 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares. 3. Minimum dwelling size: <ol style="list-style-type: none"> (a) Floor - no dwelling house shall be constructed within the Special Rural Zone No 7 with an overall floor area (including walls) of less than 90 square metres. (b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 90 square metres projected plan area.
<p><i>SR9</i> Peel Estate Lot 685 Certificate of title Vol. 237 Fol. 100A DELETED BY AMD 78 GG 19/4/05 (TO BE KNOWN AS SPECIAL RURAL ZONE NO. 2 WANDI)</p>		
<p><i>SR11</i> Peel Estate Lot 684 Lyon Road, Wandii Certificate of Title Vol. 1294 Fol. 773 <i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation Public Utility Equestrian Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 11, Horse Training & Equestrian activities shall be in accordance with Plan of Subdivision No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares. 3. Minimum dwelling size: <ol style="list-style-type: none"> (a) Floor - no dwelling house shall be constructed within Special Rural Zone No 11 with an overall floor area (including walls) of less than 90m². (b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 90m² projected plan area. 4. The lots shown as No 73 and 74 on Plan of Subdivision No 1 shall be rehabilitated to the satisfaction of Council. 5. Within Special Rural Zone No 11 a well licence must be obtained prior to constructing a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement house-hold water supply needs and to supply water for irrigated development of an area of up to 0.1 hectares. The maximum amount of groundwater permitted to be drawn shall be 1500 cubic metres annually. 6. Activities carried out on this land shall not contravene the Metropolitan Water Authority By-Laws applicable to underground water pollution control.

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR12</i> Peel Estate Lots 117 & 118 Lyon Road, Wandii Certificate of Title Vol. 1236 and 283 Fol. 569 & 160A <i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation Public Utility Equestrian Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 12 activities shall be in accordance with Plan of Subdivision No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares. 3. In excess of two horses per lot will not be permitted unless the applicant can demonstrate to Council that the animals are correctly yarded, and the lot will be managed in a manner to ensure that the soil and vegetation are not denuded. 4. Minimum dwelling size: <ol style="list-style-type: none"> (a) Floor - no dwelling house shall be constructed within the Special Rural Zone No 12 with an overall floor area (including walls) of less than 90m². (b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 90m² projected plan area. 5. Within Special Rural Zone No 12 a well licence must be obtained prior to constructing a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement house-hold water supply needs and to supply water for irrigated development of an area of up to 0.1 hectares. The maximum amount of groundwater permitted to be drawn shall be 1,500 cubic metres annually. 6. Activities carried out on this land shall not contravene the Metropolitan Water Authority by-laws applicable to underground water pollution control.
<p><i>SR13</i> Lot 115 Corner of Lyon and Hope Valley Road, Wandii <i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation Public Utility Equestrian Uses Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<ol style="list-style-type: none"> 1. Subdivision of Special Rural Zone No 13, Lot 115, Lyon Road, is to be in accordance with plan of subdivision No 1 endorsed by the Town Clerk. 2. The minimum lot size shall be 2 hectares. 3. Crash barrier fences shall be constructed between the heads of the cul-de-sac for fire fighting and escape purposes, and the lot owners shall maintain them in a manner such that they serve this purpose. 4. In excess of two horses per lot will not be permitted unless the applicant can demonstrate to Council that the animals are correctly yarded, and the lot will be managed in a manner to ensure that the soil and vegetation are not denuded. 5. Minimum dwelling size: <ol style="list-style-type: none"> (a) Floor - no dwelling house shall be constructed within the area specified in column (a) with an overall floor area (including walls) of less than 90m². (b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 90m² projected plan area. 6. Within Special Rural Zone No 13 a well licence must be obtained prior to constructing a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement house-hold water supply needs and to supply water for irrigated development of an area of up to 0.1 hectares. The maximum amount of ground-water permitted to be drawn shall be 1,500 cubic metres annually. 7. Activities carried out on this land shall not contravene the Western Australian Water Authority By-laws applicable to underground water pollution control.

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR14</i> Peel Estate Lot 701 & Lots Pt 54 & Pt 55 Thomas Road, Casuarina</p> <p><i>AMD 28 GG 23/9/94</i> <i>AMD 80 GG 2/6/06</i></p>	<p>1(a) The following use is permitted ("P") within Special Rural Zone No 14</p> <p style="padding-left: 40px;">(i) Dwelling House</p> <p>(b) The following uses are not permitted unless the Council grants its approval in writing ("AA") within Special Rural Zone No 14</p> <p style="padding-left: 40px;">(i) Home Occupation (ii) Public Utility</p>	<ol style="list-style-type: none"> 1. Subdivision of the land within Special Rural Zone No 14 being portion of Peel Estate Lot 701 and Lots Pt 54 and Pt 55 Thomas Road is to be generally in accordance with Plan of Subdivision No 2 endorsed by the Town Clerk. 2. Notwithstanding the Subdivision Guide Plan the minimum lot size should be 2 hectares. 3. <ol style="list-style-type: none"> (a) Notwithstanding the provisions of Clause 6.10, prior to final approval of a plan or diagram of subdivision the subdivider shall, define to the satisfaction of the Council and the Environmental Protection Authority the position of strategic fire breaks and the location and size of the building envelopes for each of the proposed lots, on the Plan of Subdivision No 2. The Council's approval of building envelopes shall be signified by the Town Clerk's signature on a plan showing the building envelopes after receiving written advice from the EPA. (b) No buildings shall then be constructed on any lot unless it is located within the boundaries of a building envelope on the approved building envelope plan. 4. Notwithstanding the provisions of Clause 6.10 4(b), the minimum distance between the bottom of any effluent disposal system and the highest known water table shall be no less than 1.2 metres. Council may require the installation of an approved nutrient retentive effluent disposal system. Where Council requires an approved nutrient retentive disposal system to be installed, the effluent disposal area shall be soil amended with a type and quantity of nutrient retentive material to the specification of the Water Authority of Western Australia and Council. 5. No dwelling house shall be constructed within Special Rural Zone No 14 with an overall floor area (including walls) of less than 110m². 6. Notwithstanding clause 6.10.4(m), reticulated water shall be supplied to the boundary of all lots within Special Rural Zone No 14 created by the subdivision. 7. Within Special Rural Zone No 14 a well licence must be obtained prior to commencement of a well or bore to extract groundwater. A maximum amount of 1,500 kilolitres of groundwater annually, may be drawn from each lot to supplement household water supply. 8. Notwithstanding clause 6.10.4(l), except with the approval of the Council, no boundary fence or internal fence shall be constructed of the following materials: <ol style="list-style-type: none"> (a) asbestos (b) metal sheeting (c) wooden pickets <p>Any approval of the Council to use any of the materials referred to in this item for a boundary fence shall not be regarded as satisfying the requirements of this condition unless the approval refers in express terms to the request for the use of those materials.</p> 9. Prior to final approval of a plan or diagram of subdivision the subdivider shall provide fencing along Thomas and Orton Roads to the specification and satisfaction of the Town of Kwinana.

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR14</i> Peel Estate Lot 701 & Lots Pt 54 & Pt 55 Thomas Road, Casuarina (Cont'd)</p> <p><i>AMD 28 GG 23/9/94</i> <i>AMD 80 GG 2/6/06</i></p>	<p>(c) All other uses are not permitted ("X")</p>	<p>10. Prior to final approval of a plan or diagram of subdivision, the subdivider shall, to the satisfaction of the Water Authority of Western Australia, demonstrate the adequacy of the sewage disposal method proposed.</p> <p>11 Planting of any trees, shrubs or the like outside the approved building envelopes shall comprise Australian native species only, to the satisfaction of Council.</p>

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS																																						
<p>SR15 Lots 51 & 54 Woolcoot Road, Wellard</p> <p>Lot 56 Banksia Road Wellard <i>AMD 23 GG 8/11/94</i></p> <p>Lot 52 Braddock Road, Wellard <i>AMD 1 GG 1/11/94</i></p> <p>Lot 50 Woolcoot Road, Wellard <i>AMD 9 GG 18/11/94</i></p> <p>Lots 55 & 56 Mortimer Road, Casuarina <i>AMD 13 GG 24/1/95</i></p> <p>Lot 3 Braddock Road, Wellard. <i>AMD 15 GG 13/1/95</i></p> <p>Lot 14, Cnr Braddock Road and Banksia Road, Wellard <i>AMD 33 GG 3/3/95</i></p> <p>Lot 1, Millar Road, Wellard <i>AMD 38 GG 7/7/95; AMD 78 26/8/03</i></p> <p>Peel Estate Lot 303 corner Braddock Road and Banksia Road, Wellard <i>AMD 39 GG 16/2/96</i></p> <p>Lot 2, Banksia Road, Wellard <i>AMD 40 GG 9/2/96</i></p> <p>Part Lot 147 Jolley Road, Wellard <i>AMD 35 GG 6/5/97</i></p> <p>304 Banksia Road, Wellard <i>AMD 49 GG 18/7/97</i></p> <p>Lot 322, Woolcoot Road, Wellard <i>AMD 44 GG 13/3/98</i></p> <p>Peel Estate Lot 13 Braddock Road, Wellard <i>AMD 72 GG 5/2/02</i></p> <p>Lot 148 Jolley Road, Wellard <i>AMD 76 GG 29/7/03</i></p> <p>Lot 153 Woolcoot Road, Wellard <i>AMD 84 GG 31/3/06</i></p> <p>Lot 104 Millar Road, Wellard <i>AMD 83 GG 30/5/06</i></p> <p>Lot 20 Mortimer Road, Casuarina <i>AMD 94 GG 9/12/08</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation, Public Utility</p> <p>X All other uses are not permitted</p>	<p>1. Subdivision of Special Rural Zone No. 15 shall generally be in accordance with Approved Subdivision Guide Map(s) endorsed by the Town Clerk for the following land:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Lots</th> <th style="text-align: left;">Subdivision Guide Map</th> </tr> </thead> <tbody> <tr><td>51 & 54 Woolcoot Road, Wellard</td><td>No. 1</td></tr> <tr><td>56 Banksia Road, Wellard</td><td>No. 2</td></tr> <tr><td>52 Braddock Road, Wellard</td><td>No. 3</td></tr> <tr><td>50 Woolcoot Road, Wellard</td><td>No. 4</td></tr> <tr><td>55 & 56 Mortimer Road, Casuarina</td><td>No. 4</td></tr> <tr><td>3 Braddock Road, Wellard</td><td>No. 6</td></tr> <tr><td>Lot 14, Cnr Braddock Road and Banksia Road, Wellard</td><td></td></tr> <tr><td>Lot 1, Millar Road, Wellard</td><td>No. 8A</td></tr> <tr><td>Peel Estate Lot 303, Corner Braddock Road and Banksia Road, Wellard</td><td>No. 9A</td></tr> <tr><td>Lot 2, Banksia Road, Wellard</td><td>No. 10</td></tr> <tr><td>Part Lot 147 Jolley Road, Wellard</td><td>No. 13</td></tr> <tr><td>Lot 304 Banksia Road, Wellard</td><td>No. 14</td></tr> <tr><td>Lot 322, Woolcoot Road, Wellard</td><td>No. 12</td></tr> <tr><td>Peel Estate Lot 13 Braddock Road Wellard</td><td>No. 16</td></tr> <tr><td>Lot 148 Jolley Road, Wellard</td><td>No. 17</td></tr> <tr><td>Lot 153 Woolcoot Road, Wellard</td><td>No. 18</td></tr> <tr><td>Lot 104 Millar Road, Wellard</td><td>No. 19</td></tr> <tr><td>Lot 20 Mortimer Road, Casuarina</td><td>No. 20</td></tr> </tbody> </table> <p>2. Further subdivision leading to the creation of lots of sizes and configurations at variance to Approved Subdivision Guide Map(s) will generally not be permitted and no lot should be less than 2ha.</p> <p>3. The keeping of Horses or stock within Special Rural Zone No. 15 is prohibited unless a management plan is drawn up and agreed to by Council. In considering a request to keep horses or stock Council may consult with the Department of Agriculture prior to approval being granted. Council may withdraw its permission for the keeping of horses or stock if in its opinion the number, type or management of stock has led or will lead to the degradation of the land or vegetation in which event livestock shall be removed at the direction of Council. Fences shall be erected in areas designated by Council to protect vegetation from grazing stock.</p> <p>4. Minimum dwelling size:</p> <p>(a) Floor - no dwelling house shall be constructed within the area specified in column (a) with an overall floor area (including walls) of less than 100m².</p> <p>(b) Roof - no roof forming effective water catchment area connected to the storage tank shall be less than 120m² projected plan area.</p> <p>5. The subdividing owner shall undertake a tree planting programme over those areas shown on the Special Rural Zone No. 15 subdivision guide maps at a density of not less than 1000 stems per hectare.</p> <p>6. The Council may specify that groups of trees are required to retain the rural character of the locality. No person shall remove without the prior written consent of Council any of those groups of trees.</p>	Lots	Subdivision Guide Map	51 & 54 Woolcoot Road, Wellard	No. 1	56 Banksia Road, Wellard	No. 2	52 Braddock Road, Wellard	No. 3	50 Woolcoot Road, Wellard	No. 4	55 & 56 Mortimer Road, Casuarina	No. 4	3 Braddock Road, Wellard	No. 6	Lot 14, Cnr Braddock Road and Banksia Road, Wellard		Lot 1, Millar Road, Wellard	No. 8A	Peel Estate Lot 303, Corner Braddock Road and Banksia Road, Wellard	No. 9A	Lot 2, Banksia Road, Wellard	No. 10	Part Lot 147 Jolley Road, Wellard	No. 13	Lot 304 Banksia Road, Wellard	No. 14	Lot 322, Woolcoot Road, Wellard	No. 12	Peel Estate Lot 13 Braddock Road Wellard	No. 16	Lot 148 Jolley Road, Wellard	No. 17	Lot 153 Woolcoot Road, Wellard	No. 18	Lot 104 Millar Road, Wellard	No. 19	Lot 20 Mortimer Road, Casuarina	No. 20
Lots	Subdivision Guide Map																																							
51 & 54 Woolcoot Road, Wellard	No. 1																																							
56 Banksia Road, Wellard	No. 2																																							
52 Braddock Road, Wellard	No. 3																																							
50 Woolcoot Road, Wellard	No. 4																																							
55 & 56 Mortimer Road, Casuarina	No. 4																																							
3 Braddock Road, Wellard	No. 6																																							
Lot 14, Cnr Braddock Road and Banksia Road, Wellard																																								
Lot 1, Millar Road, Wellard	No. 8A																																							
Peel Estate Lot 303, Corner Braddock Road and Banksia Road, Wellard	No. 9A																																							
Lot 2, Banksia Road, Wellard	No. 10																																							
Part Lot 147 Jolley Road, Wellard	No. 13																																							
Lot 304 Banksia Road, Wellard	No. 14																																							
Lot 322, Woolcoot Road, Wellard	No. 12																																							
Peel Estate Lot 13 Braddock Road Wellard	No. 16																																							
Lot 148 Jolley Road, Wellard	No. 17																																							
Lot 153 Woolcoot Road, Wellard	No. 18																																							
Lot 104 Millar Road, Wellard	No. 19																																							
Lot 20 Mortimer Road, Casuarina	No. 20																																							

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR15 (Cont'd)</i> Lots 51 & 54 Woolcoat Road, Wellard</p> <p>Lot 56 Banksia Road Wellard <i>AMD 23 GG 8/11/94</i></p> <p>Lot 52 Braddock Road, Wellard <i>AMD 1 GG 1/11/94</i></p> <p>Lot 50 Woolcoat Road, Wellard <i>AMD 9 GG 18/11/94</i></p> <p>Lots 55 & 56 Mortimer Road, Casuarina <i>AMD 13 GG 24/1/95</i></p> <p>Lot 3 Braddock Road, Wellard. <i>AMD 15 GG 13/1/95</i></p> <p>Lot 14, Cnr Braddock Road and Banksia Road, Wellard <i>AMD 33 GG 3/3/95</i></p> <p>Lot 1, Millar Road, Wellard <i>AMD 38 GG 7/7/95; AMD 78 26/8/03</i></p> <p>Peel Estate Lot 303 corner Braddock Road and Banksia Road, Wellard <i>AMD 39 GG 16/2/96</i></p> <p>Lot 2, Banksia Road, Wellard <i>AMD 40 GG 9/2/96</i></p> <p>Part Lot 147 Jolley Road, Wellard <i>AMD 35 GG 6/5/97</i></p> <p>304 Banksia Road, Wellard <i>AMD 49 GG 18/7/97</i></p> <p>Lot 322, Woolcoat Road, Wellard <i>AMD 44 GG 13/3/98</i></p> <p>Peel Estate Lot 13 Braddock Road, Wellard <i>AMD 72 GG 5/2/02</i></p> <p>Lot 148 Jolley Road, Wellard <i>AMD 76 GG 29/7/03</i></p> <p>Lot 153 Woolcoat Road, Wellard <i>AMD 84 GG 31/3/06</i></p> <p>Lot 104 Millar Road, Wellard <i>AMD 83 GG 30/5/06</i></p> <p>Lot 20 Mortimer Road, Casuarina <i>AMD 94 GG 9/12/08</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation, Public Utility</p> <p>X All other uses are not permitted</p>	<p>7. The method of disposal of effluent and waste water shall be to the satisfaction of the Council and the Department of Environmental Protection. On some lots alternative nutrient retentive effluent disposal systems may be required. Where conventional systems are permitted these shall be constructed so as to achieve a minimum vertical separation of 2m between the system and the highest known groundwater level and 100m horizontal separation from wetlands, water courses, the Water corporation Drain and areas of intermittent inundation as shown on the Subdivision Guide Map.</p> <p>Nutrient retentive effluent disposal systems using amending soils are not to be located within 50m of a wetland, water course, the Water Corporation Drain or area of intermittent inundation as shown on the Subdivision Guide Map.</p> <p>Where conventional systems are permitted these shall be constructed so as to achieve a minimum vertical separation of 2m between the system and the highest known groundwater level, and 100m horizontal separation from the Water Authority of Western Australia drain and areas of intermittent inundation as shown on the Subdivision Guide Map.</p> <p>8. Prior to subdivision, the subdividing owner shall erect a sign in a prominent place to inform future owners of the special conditions imposed on the land under Special Rural Zone No. 15, and that they must consult with Council before commencing and development.</p> <p>9. The subdividing owner of the land shall make arrangements to Council's satisfaction to ensure that prospective purchasers are advised of sand excavation on adjoining lots.</p> <p>10. The subdividing owner shall make arrangements to Council's and the Department of Conservation and Land Management's satisfaction, to ensure that prospective purchasers are advised of the possibility of the existence of declared rare flora species of <i>Draberea jeanensis</i> and <i>Diuris</i> sp. (<i>Kwinana</i>) in the Locality.</p> <p>11. Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible condition.</p> <p>Land outside the building envelope is to be managed in such a manner that there will be no further clearing of the land save for vegetation that has to be removed for housing, firebreaks, outbuildings and accessory construction. The Council's approval shall be deemed as Council's written consent to remove vegetation.</p> <p>12. Council may vary building envelopes in order to preserve declared rare flora.</p> <p>13. Prior to the approval of as plan or diagram of subdivision the subdivider shall define to the satisfaction of the Council, the location and size of the building envelopes for each of the proposed lots.</p> <p>The Council's approval of the building envelopes shall be signified by the designated officer of Council's signature on a plan showing the building envelopes.</p>

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p><i>SR15</i> Lots 51 & 54 Woolcoot Road, Wellard</p> <p>Lot 56 Banksia Road Wellard <i>AMD 23 GG 8/11/94</i></p> <p>Lot 52 Braddock Road, Wellard <i>AMD 1 GG 1/11/94</i></p> <p>Lot 50 Woolcoot Road, Wellard <i>AMD 9 GG 18/11/94</i></p> <p>Lots 55 & 56 Mortimer Road, Casuarina <i>AMD 13 GG 24/1/95</i></p> <p>Lot 3 Braddock Road, Wellard. <i>AMD 15 GG 13/1/95</i></p> <p>Lot 14, Cnr Braddock Road and Banksia Road, Wellard <i>AMD 33 GG 3/3/95</i></p> <p>Lot 1, Millar Road, Wellard <i>AMD 38 GG 7/7/95; AMD 78 26/8/03</i></p> <p>Peel Estate Lot 303 corner Braddock Road and Banksia Road, Wellard <i>AMD 39 GG 16/2/96</i></p> <p>Lot 2, Banksia Road, Wellard <i>AMD 40 GG 9/2/96</i></p> <p>Part Lot 147 Jolley Road, Wellard <i>AMD 35 GG 6/5/97</i></p> <p>304 Banksia Road, Wellard <i>AMD 49 GG 18/7/97</i></p> <p>Lot 322, Woolcoot Road, Wellard <i>AMD 44 GG 13/3/98</i></p> <p>Peel Estate Lot 13 Braddock Road, Wellard <i>AMD 72 GG 5/2/02</i></p> <p>Lot 148 Jolley Road, Wellard <i>AMD 76 GG 29/7/03</i></p> <p>Lot 153 Woolcoot Road, Wellard <i>AMD 84 GG 31/3/06</i></p> <p>Lot 104 Millar Road, Wellard <i>AMD 83 GG 30/5/06</i></p> <p>Lot 20 Mortimer Road, Casuarina <i>AMD 94 GG 9/12/08</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation, Public Utility</p> <p>X All other uses are not permitted</p>	<p>14. Management use and development of land shall be in accordance with the Approved Subdivision Guide Map endorsed by the Town Clerk and notations contained therein.</p> <p>15. The subdividing owner shall construct front boundary fences to the standard specified by Council and all associated costs shall be met by the subdividing owner.</p> <p>16. The subdividing owner may be required by the Western Australian Planning Commission, at the time of subdivision, to enter into an agreement with the responsible authority stipulating that acquisition of the land reserved for controlled Access Highway under the Metropolitan Region Scheme will be valued on the basis of Rural zoning and not Special Rural zoning.</p> <p>17. No fencing is to be erected within the Conservation Category Wetlands and their 50 metre buffer.</p>

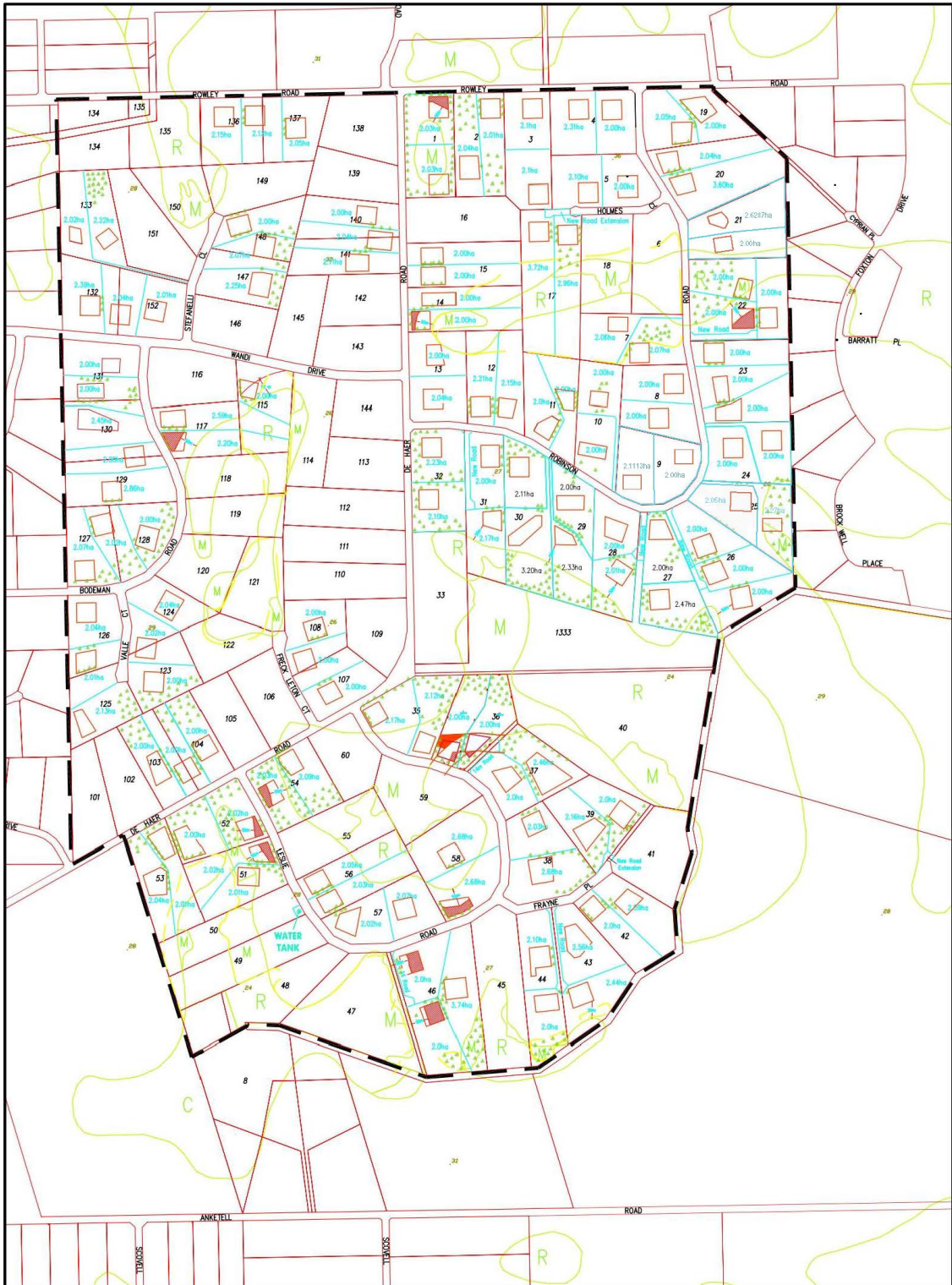
SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS								
<p><i>SR16</i> Lot 683 Lyon Road, Mandogalup</p> <p>Lot 676 Lyon Road, Mandogalup</p> <p>Lot 673 Lyon Road, Mandogalup</p> <p>Lots 6 & 651 Anketell Road, Anketell</p> <p><i>AMD 2 GG 17/3/95</i> <i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation Public Utility Equestrian Uses Private Recreation – only in areas not within the Rural-Water Protection Zone of the Metropolitan Region Scheme Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<p>1. Subdivision of Special Rural Zone No. 16 is to be in accordance with approved subdivision guide maps and endorsed by the Town Clerk for the following land:</p> <p style="text-align: center;">Lot Subdivision Guide Plan</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>673 Lyon Road, Mandogalup</td> <td style="text-align: right;">No. 1</td> </tr> <tr> <td>676 Lyon Road, Mandogalup</td> <td style="text-align: right;">No. 2</td> </tr> <tr> <td>683 Lyon Road, Mandogalup</td> <td style="text-align: right;">No. 3</td> </tr> <tr> <td>651 & 6 Anketell Road, Mandogalup</td> <td style="text-align: right;">No. 4</td> </tr> </table> <p>2. Further subdivision leading to the creation of lots of sizes and configurations at variance to approved subdivision guide maps and endorsed by the town Clerk will not be permitted and no lot shall be less than 2 ha in area.</p> <p>3. Management use and development of land shall be in accordance with the approved subdivision guide map endorsed by the Town Clerk and notations contained thereon.</p> <p>4. No horses shall be permitted unless a management plan with the objective of keeping a full vegetation cover on the soil is submitted to the Local Authority, which may, after consultation with the Department of Agriculture, approve the keeping of one horse only. Council may withdraw its permission for the keeping of livestock if in its opinion the number, type or management of the stock is leading, or will lead to degradation of the land or the vegetation, in which event such livestock shall be removed in accordance with the direction of Council.</p> <p>5. Minimum dwelling size:</p> <p style="margin-left: 20px;">(a) Floor - no dwelling house shall be constructed within the area specified in column (a) with an overall floor area (including walls) of less than 100m².</p> <p style="margin-left: 20px;">(b) Roof - no roof forming an effective water catchment area connected to the storage tank shall be less than 120m² project plan area.</p> <p>6. Within Special Rural Zone No 16 a well licence must be obtained prior to constructing a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement house-hold water supply needs and to supply water for irrigated development of an area up to 0.1 hectares. The maximum amount of groundwater permitted to be drawn shall be 1,500 cubic metres annually.</p> <p>7. Activities carried out on this land shall not contravene the Western Australian Water Authority By-laws applicable to underground water pollution control.</p> <p>8. Any increase in stormwater runoff created by the development shall be catered for within the site and outlet flows to the Water Authority's drainage system shall not be increased. The developer shall at the subdivision stage provide the Water Authority with calculations and plans to demonstrate that stormwater runoff from the subdivision will not increase discharge to the Water Authority's drainage system. Any improvements or addition to the existing drainage system as a result of any development shall be to the requirements of the Water Authority and shall be at the developers expense.</p>	673 Lyon Road, Mandogalup	No. 1	676 Lyon Road, Mandogalup	No. 2	683 Lyon Road, Mandogalup	No. 3	651 & 6 Anketell Road, Mandogalup	No. 4
673 Lyon Road, Mandogalup	No. 1									
676 Lyon Road, Mandogalup	No. 2									
683 Lyon Road, Mandogalup	No. 3									
651 & 6 Anketell Road, Mandogalup	No. 4									

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)

LOCATION LOT DESCRIPTION	PERMITTED AND AA USES	DEVELOPMENT CONDITIONS
<p>Lot 683 Lyon Road, Mandogalup</p> <p>Lot 676 Lyon Road, Mandogalup</p> <p>Lot 673 Lyon Road, Mandogalup</p> <p>Lots 6 & 651 Anketell Road, Anketell</p> <p><i>AMD 2 GG 17/3/95</i> <i>AMD 80 GG 2/6/06</i></p>	<p>P Dwelling House</p> <p>AA Home Occupation Public Utility Equestrian Private Recreation – only in areas not within the Rural-Water Protection Zone of the Metropolitan Region Scheme Stables</p> <p>X All other uses are not permitted</p> <p>Within the area which corresponds with the Rural – Water Protection Zone of the Metropolitan Region Scheme, uses incidental to the residential use of the land including recreation facilities for the private use of the occupier may be supported subject to the advice of the Department of Environment Water and Catchment Protection.</p>	<p>9. Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. Land outside the building envelope is to be managed in such a manner that there will be no further clearing of the land save for vegetation that has to be removed for housing, firebreaks, outbuildings and accessory construction, the Council's approval shall be deemed as Council's written consent to remove vegetation.</p> <p>10. The subdividing owner shall undertake a tree planting programme over those areas shown on the Special Rural Zone No 16 subdivisional guide plans at a density of not less than 1,000 stems per hectare, to encompass all land outside building envelopes including SECWA easements, with planting and management within easements being in accordance with SECWA's requirements.</p> <p>11. Notwithstanding Clause 6.10.4 (g), where the Subdivision Guide Plans define effluent disposal areas within building envelopes, these areas shall not be varied, and the effluent disposal systems shall be built within.</p> <p>12. Prior to subdividing the owner shall erect a sign in a prominent place to inform future owners of the special conditions imposed on the land under Special Rural Zone No 16, and that they must consult with Council before commencing development.</p> <p>13. Council may vary building envelopes in order to preserve declared rare flora.</p> <p>14. The subdividing owner shall construct front boundary fences to Council's specifications prior to subdivision and all associated costs shall be met by the subdividing owner.</p> <p>15. Prior to the approval of a plan or diagram of subdivision the subdivider shall define to the satisfaction of the Council, the location and size of building envelopes for each of the proposed lots. The Council's approval of the building envelopes shall be signified by the Town Clerk's signature on a plan showing the building envelopes.</p> <p>16. Conventional effluent disposal systems shall be constructed so as to achieve a minimum vertical separation of 2 metres between the system and the highest known groundwater level, and 100 metre horizontal separation from the Water Authority of Western Australia drain and areas of intermittent inundation as shown on the subdivisional guide plan. In addition, Council may require the installation of an approved nutrient retentive effluent disposal system. Where Council requires an approved nutrient retentive effluent disposal system to be installed, the effluent disposal area shall be soil amended with a type and quantity of nutrient retentive material to the specification of the Water Authority of Western Australia and Council.</p>

SCHEDULE II - SPECIAL RURAL ZONES (Cont'd)



SUBDIVISION GUIDE PLAN No. 2

WANDI (Special Rural Zone No. 2)

Chief Executive Officer - City of Kwinana

- PROPOSED SUBDIVISION BOUNDARIES
- WRC WETLAND BOUNDARIES -
- CONSERVATION CATEGORY
- MULTIPLE USE
- RESOURCE ENHANCEMENT
- AMENDMENT BOUNDARY
- BUILDING ENVELOPES
- LANDSCAPE PROTECTION AREAS
- AREA FOR EFFLUENT DISPOSAL
- SETBACK 50m FROM WETLAND BOUNDARY
- VEGETATION REQUIRED ADJACENT TO BUILDING ENVELOPE

SCALE 1:10 000 DATE: JUNE 2017

Special Rural - Zone 2 - Boundary — —

SCHEDULE III - SPECIAL USES

DESCRIPTION OF LAND (Lot, Street, Area)	PERMITTED USES	DEVELOPMENT CONDITIONS
Pt Lot 417, Cnr Patterson Road & Office Road, Kwinana Beach	Service Station	Refer Scheme Provisions
Lot 116 Rockingham Road, Naval Base	Hotel/Tavern	Refer Scheme Provisions
Lot 2 Chisham Avenue, Kwinana	Hotel/Tavern	Refer Scheme Provisions
Lot M877 Pace Road, Medina	Hotel/Tavern	Refer Scheme Provisions
Reserve No 31245 Barrick Road, Calista	Aged Persons Home	Refer Scheme Provisions
Reserve No 30070 Sawyer Road, Calista	Aged Persons Home	Refer Scheme Provisions
Lot 643 Bright Road, Calista	Aged Persons Home	Refer Scheme Provisions
Lot 248 Calista Avenue, Calista	Welfare Building	Refer Scheme Provisions
Lot 1 Gilmore Avenue, Medina	Cultural Centre	Refer Scheme Provisions
Pt Lot 66 Johnson Road, Casuarina <i>AMD 61 GG 24/7/98</i>	Service Station Drive-in Takeaway Food Shop and Eating House	
Lot 574 Postans Road, Hope Valley <i>AMD 45 GG 31/12/96</i>	Mineral Sands Storage/Warehouse, Transport depot and related uses.	Design, colour, texture and finish of buildings to produce a non glaring form compatible with the surrounding area. Equivalent use Scheme provisions to apply.
Lots C692 and C694 Moulton Street, Calista <i>AMD 62 GG 27/4/99</i>	The following list of uses shall be variously permitted in accordance with the attached symbols as defined at clause 4.6 of the Scheme Text: <ul style="list-style-type: none"> • Art and Craft Centre (IP) • Car Park (IP) • Commercial Hall (IP) • Educational Establishment (IP) • Non-Residential Health Centre (IP) • Office (IP) • Public Assembly (P) • Public Recreation (P) • Public Utility (P) • Public Worship (P) 	<ol style="list-style-type: none"> 1. Development shall be generally in accordance with the Development Concept Plan for the land as adopted by Council. 2. Any development upon the land shall be required to comply with the requirements of the Kwinana Town Centre Design guidelines to the satisfaction of the Council. 3. The Council shall require the proponent of any development upon the land to have prepared (at the expense of the proponent) the following: <ol style="list-style-type: none"> (i) a traffic management plan; (ii) an acoustic consultant's report; and

SCHEDULE III - SPECIAL USES (Cont'd)

DESCRIPTION OF LAND (Lot, Street, Area)	PERMITTED USES	DEVELOPMENT CONDITIONS
<p>Lots C692 and C694 Moulton Street, Calista (Cont'd)</p> <p><i>AMD 62 GG 27/4/99</i></p>	<p>The following list of uses shall be variously permitted in accordance with the attached symbols as defined at clause 4.6 of the Scheme Text:</p> <ul style="list-style-type: none"> • Art and Craft Centre (IP) • Car Park (IP) • Commercial Hall (IP) • Educational Establishment (IP) • Non-Residential Health Centre (IP) • Office (IP) • Public Assembly (P) • Public Recreation (P) • Public Utility (P) • Public Worship (P) 	<p>(iii) a special agreement between the proponent and the Council to ensure the preservation of trees (to be identified in consultation with appointed officers of the Council), the provision of facilities in accordance with the Development Concept Plan, and public access, to the satisfaction of the Council, prior to granting its planning approval to any development upon the land.</p>
<p>Lot 379 Sayer Road, Mandogalup</p> <p><i>AMD 63 GG 14/1/00</i></p>	<p>Transport Depot and related uses</p>	<p>Refer Scheme Provisions All stormwater runoff to be contained and disposed of onsite to prevent any form of contamination of the Sayer Road Swamp</p>

SCHEDULE IV - DEVELOPMENT AREAS

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>1 Bertram</p> <p><i>AMD 43 GG 21/2/97</i> <i>AMD 64 GG 19/12/00</i> <i>AMD 87 GG 24/12/04</i> <i>AMD 96 GG 22/1/08</i> <i>AMD 93 GG 23/6/09</i></p>	<ol style="list-style-type: none"> 1. The Council, in considering any application for development or making recommendations to the Commission on applications for the subdivision of land, shall have regard to a Local Structure Plan which has been prepared and adopted in accordance with the provisions of the Fourth Schedule of the Scheme. 2. No dwelling or carport roof or outbuilding shall be constructed of highly reflective materials, including but not limited to, unpainted galvanised iron, or light colours such as white or silver. Construction materials should be generally limited to tiles or painted metal sheeting of non-glaring darker colours. 3. The density coding shall be in accordance with the approved Structure Plan. 4. Uses and development within the neighbourhood centre shall be in accordance with the Commercial Zone and the Residential Density Code shown on the approved Structure Plan.
<p>1a Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram.</p> <p><i>AMD 144 GG 20/4/18</i></p>	<ol style="list-style-type: none"> 1. Notwithstanding the density coding of the Scheme map, Council may permit development up to a maximum residential density of R60 where: <ol style="list-style-type: none"> a. The development site abuts Public Open Space, Johnson Road or Holden Close. b. The development site does not abut existing Residential R20 development. c. There is at least two-storey frontage to Public Open Space, Johnson Road or Holden Close; and d. The development minimises the visual impact of garage doors and driveways on the streetscape. 2. In considering subdivision applications, the Council may: <ol style="list-style-type: none"> a. Recommend the application not be approved unless: <ol style="list-style-type: none"> i. Roads are located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site. ii. Public Open Space is centrally located within the site. b. In the absence of built development, recommend approval for subdivision up to maximum density depicted on the Scheme map.

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>2 Wellard Village</p> <p><i>AMD 85 GG 4/5/04</i> <i>AMD 96 GG 22/1/08</i> <i>AMD 93 GG 23/6/09</i></p>	<ol style="list-style-type: none"> 1. The Council, in considering any application for development or making recommendations to the Commission on applications for the subdivision of land, shall have regard to a Local Structure Plan which has been prepared and adopted in accordance with the provisions of the Fourth Schedule of the Scheme. 2. <ol style="list-style-type: none"> a) The density coding shall generally be in accordance with the approved Structure Plan; and b) Medium density residential development (R30-R60) should be promoted in the Neighbourhood Centre and adjacent to the rail station precinct. 3. <ol style="list-style-type: none"> a) Council may require the preparation and submission of Local Development Plans (LDPs) for a lot or lots within the Structure Plan area to enhance, elaborate or expand on the details or provisions contained in the approved Structure Plan. b) DAPs will be required for the following lots shown on the approved Structure Plan (i) within the neighbourhood centre, (ii) adjoining public open space; (iii) large lots (greater than 1500m²); (iv) serviced by rear laneways; and/or (v) lots coded R40 or above. c) DAPs may include details as to: <ol style="list-style-type: none"> i) building envelopes; ii) distribution of land uses within a lot; iii) private open space; iv) services v) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures; vi) advertising signs, lighting and fencing;

SCHEDULE IV - DEVELOPMENT AREAS (Cont'd)

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>2 Wellard Village (Cont'd)</p> <p><i>AMD 85 GG 4/5/04</i> <i>AMD 93 GG 23/6/09</i></p>	<ul style="list-style-type: none"> viii) landscaping, finished site levels and drainage; ix) protection of sites of heritage, conservation or environmental significance including tree preservation; x) special development controls and guidelines; and xi) such other information considered relevant by the local government. <p>4. In addition to the Residential zone, uses within the Neighbourhood Centre identified on the Structure Plan shall be in accordance with the provisions of the Commercial zone with the exception of the following:</p> <ul style="list-style-type: none"> ▪ Single House P <p>5. Council will require the preparation and submission of design guidelines for the neighbourhood centre detailing the requirements to achieve Liveable Neighbourhood design and a common architectural theme. The design guidelines should address the following:</p> <ul style="list-style-type: none"> ▪ Energy efficiency development controls; ▪ Building form and materials; ▪ Roof form; ▪ Density; ▪ Garaging and access; ▪ Setbacks and zero lot line; ▪ Site coverage; ▪ Fencing; ▪ Servicing; ▪ Advertising/signage/lighting; ▪ Noise attenuation and measures to combine commercial and residential development; ▪ Facades; ▪ Colour and materials. <p>6. Council may vary the provisions of the Residential Design Codes and any other Scheme provisions, where in the opinion of Council, the variation promotes Liveable Neighbourhood design and is in accordance with the approved DAP(s) and/or approved design guidelines.</p> <p>7. The lot size and configuration (frontage and lot depth) for large lots shall generally be in accordance with the approved Structure Plan with a minimum lot size of 1500m²;</p> <p>8. a) Council will require the preparation and submission of DAP(s) for a lot or lots shown on the approved Structure Plan as 'large lots (greater than 1500m²)'. The objective of the DAP for these lots is to provide for a transition and well-integrated development between the existing 'Homestead Ridge' Special Residential zoned land and future residential development within the Structure Plan area.</p> <p>b) Council will not support development on a lot as shown on the approved Structure Plan as 'large lots (greater than 1500m²)' unless the following development requirements are met:</p>

SCHEDULE IV - DEVELOPMENT AREAS (Cont'd)

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>2 Wellard Village (Cont'd)</p> <p><i>AMD 85 GG 4/5/04</i> <i>AMD 93 GG 23/6/09</i></p>	<p>i) Construction Materials: No roofs of dwellings or carports of outbuildings shall be constructed of highly reflective material, but without limiting the generality of the foregoing, unpainted zincalume.</p> <p>All dwellings and carports shall be of stone or masonry construction unless the express approval of Council is obtained to vary this requirement.</p> <p>Notwithstanding the above provisions, outbuildings may be constructed of metal or other material approved by Council provided the external colour and texture is of a neutral and non-glaring finish.</p> <p>(ii) Building Envelopes: All buildings and development shall be constructed within the confines of the building envelope.</p> <p>The building envelopes shall be positioned towards the front of the lots, have a regular shape and range in size between 600m² to 750m². The building envelopes should be set back 5 metres from the front lot boundary and a minimum 4 metres from the side lot boundaries.</p> <p>iii) Tree Preservation Area: The area outside the building envelope and behind the 5 metre setback is designed as a Tree Preservation Area. No development (including driveways, sheds and outbuildings or storage of materials and or disposal of wastes) is to be undertaken within the Tree Preservation Area.</p> <p>No indigenous tree, shrubs or other substantial vegetation may be removed from the Tree Preservation area without the written approval of Council except in the following circumstances:</p> <ul style="list-style-type: none"> ▪ indigenous tree, shrubs or other substantial vegetation are considered at the discretion of by the Council to be dead, diseased or dangerous; and ▪ for the purposes of a firebreak required by a Regulation or by-law. <p>Council may require the landowner to undertake a tree planting programme within Tree Preservation Area(s) nominated by Council as being deficient in vegetation cover.</p>

SCHEDULE IV - DEVELOPMENT AREAS (Cont'd)

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>2 Wellard Village (Cont'd)</p> <p><i>AMD 85 GG 4/5/04</i> <i>AMD 93 GG 23/6/09</i></p>	<p>iv) Fencing at or within the building envelope may, at the discretion of Council, be of a closed screening nature provided the condition, scale and colour of the fence does not detract from the amenity of the area.</p> <p>Fencing in front the building envelope shall comply with the Residential Design Codes, all other boundary fencing shall be of a rural and open nature and shall exclude asbestos, pickets, sheet iron and any other material which in the opinion of Council would detract from the amenity of the area.</p> <p>Solid 'wing walls' not exceeding 1.8 metres in height may be constructed at the front of the dwelling to the side boundary provided the appearance compliments the dwelling and complies with the Building Code of Australia.</p> <p>v) <i>Commercial Vehicle Parking</i> shall comply with the provisions set out in Section 6.4.5 of the Scheme.</p> <p>9. Prior to development south of the railway line, the landowner shall enter into an agreement with Council regarding the funding of railway crossings, including pedestrian bridges. The agreement will outline costs and responsibilities regarding these infrastructure items.</p>
<p>3 Lot 555 Gilmore Avenue, Medina</p> <p><i>AMD 92 GG 24/8/07</i></p>	<p>1. The Council, in considering any application for development or making recommendations to the Commission on applications for the subdivision of land, shall have regard to a Local Structure Plan which has been prepared and adopted in accordance with the provisions of Clause 4.18.2.4 & Clause 4.18.2.5 of the Scheme.</p> <p>2. The Structure Plan shall conform with Network City and Liveable Neighbourhoods Design Code requirements, and a maximum residential density of R40.</p> <p>3. Prior to subdivision and/or development, Council shall require the preparation of a Local Development Plan (LDP) by the developers in accordance with Clause 4.18.2.7 of the Scheme.</p> <p>4. Subdivision and/or development is to ensure advanced landscaping/vegetation is installed on site to conform with the surrounding streetscape.</p> <p>5. Council may vary the provisions of the Residential Design Codes and any other Scheme provisions, where in the opinion of Council, the variation promotes Liveable Neighbourhood design and is in accordance with the approved LDP.</p>

SCHEDULE IV - DEVELOPMENT AREAS (Cont'd)

AREA, NUMBER & LOCALITY	SPECIAL PROVISIONS
<p>4 Lot 257 Wellard Road, Calista</p> <p><i>AMD 103 GG 25/9/09</i></p>	<ol style="list-style-type: none"> 1. The Council, in considering any application for development or making recommendations to the Commission on any application for subdivision of the land, shall have regard to a Structure Plan which has first been prepared and adopted in accordance with Clauses 4.20.2.4 and 4.20.2.5 of the Scheme and the following Special Provisions. 2. The Structure Plan shall conform with Network City and Liveable Neighbourhoods Design Code requirements. A density of R30 applies to the land. Should aged or dependent persons dwellings be proposed, the normal density bonus available under Section 6.1.3A3i of the Residential Design Codes may also be applied. 3. The Structure Plan shall be prepared having respect for protection of the natural environment, appropriate built form, landscape elements and maintaining the character of the surrounding residential area. 4. The Structure Plan shall provide an appropriate high quality design interface with the existing residential development located on the north side of Wellard Road (north alignment) and the Wellard Road/Gilmore Avenue roundabout. 5. The Structure Plan shall identify areas for advanced landscaping to be undertaken as part of subdivision and/or development, in order to conform with the surrounding streetscape. 6. Council may vary the provisions of the Residential Design Codes of Western Australia and any other Scheme provisions, where in the opinion of Council the variation promotes Liveable Neighbourhoods design and is in accordance with the adopted Structure Plan.

SCHEDULE V – DEVELOPMENT CONTRIBUTION PLANS

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) <i>AMD 132 GG 19/03/19; AMD 163 GG 13/02/24</i>
Map reference on scheme map	DCA1
Infrastructure and Administrative Items to be funded	1.1 Bridge
	Item A 100% of the cost of construction of the Sulphur Road Bridge over the railway line immediately south of the proposed Thomas Road Station.
	1.2 Roads and Drainage
	Item B The development of storm water management infrastructure on the Peel Main Drain in accordance with the requirements of the Water Corporation to service the flows north of Bertram Road.
	Item C Bertram Road upgrade (Bertram/Mortimer Roads between Challenger Avenue and the Kwinana Freeway and Johnson Road/Bertram Road Intersection treatments) including all associated infrastructure works.
	Item D Johnson Road upgrade (north of Peel Lateral Drain to Holden Close from a rural standard to urban standard being a Neighbourhood Connector A or equivalent) including all associated infrastructure works.
	Item E Johnson Road upgrade (south of Peel Lateral Drain to Bertram Road, from rural standard to an urban standard being a Neighbourhood Connector A or equivalent) including all associated infrastructure works.
	Item F The construction of a dual use path on the eastern side of Johnson Road from Holden Close to Bertram Road.
	Item G The upgrading of Johnson Road (south of Bertram Road) to the eastern edge of the Peel Main Drain Reserve to a Neighbourhood Connector A standard (or equivalent) including all associated infrastructure works.
	Item H Johnson Road (west side of the Peel Main Drain Reserve to Millar Road). The construction of a new road from the west side of the Peel Main Drain Reserve southward. Contributions will be sought for the difference between a Neighbourhood Connector A standard road (or a comparable standard as constructed) and an Access Street B in terms of the costs of acquiring the additional land and the associated infrastructure works costs.
	Item I The construction of a road linkage across the Parks and Recreation Reserve in the Bertram locality reflected on the approved Casuarina Structure Plan.
	Item J Wellard Road upgrade (Bertram Road to Millar Road) to an Integrator A standard, or equivalent, including all associated infrastructure works.
	Item K Bertram Road upgrade (Challenger Avenue to Wellard Road) to an Integrator A standard, or equivalent, including all associated infrastructure works.
Item L Johnson Road provision of a new culvert and road crossing over the Peel Main Drain Reserve connecting Items G and H, to a Neighbourhood Connector A standard, or equivalent, including all associated infrastructure works costs.	
Item M New road culvert and road crossing over the Peel Main Drain linking Lot 661 and Lot 670 Bertram Road (the northern side of Bollard Bulrush Wetland) constructed to an Access Street C standard.	

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) AMD 132 GG 19/03/19; AMD 163 GG 13/02/24
Map reference on scheme map	DCA1
	<p>1.3 Administration cost including:</p> <p>i. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software or hardware for purpose of administering the plan);</p> <p>ii. Costs to prepare Annual Report and monitoring;</p> <p>iii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>and</p> <p>iv. Valuation costs.</p> <ul style="list-style-type: none"> •
Cost Contribution Methodology	<p>2.1 Bridge</p> <p>Landowners within the catchment shown on the figure 'Item A', as contained within the Development Contribution Plan 1 Report are required to contribute towards this item.</p> <p>Item A Bridge</p> <p>The method for determining cost contributions for this item is based on actual lot yield and estimated future lot yield within the catchment.</p> <p>2.2 Roads and Drainage</p> <p>Landowners within the relevant catchment are required to contribute to the following infrastructure items. The relevant catchments are specified below. Associated infrastructure works for upgrades to roads include but are not limited to earthworks, drainage, resurfacing or reconstruction, dual use paths, kerbing, lighting, landscaping, roundabout(s), undergrounding of power (as applicable) and any additional land required for a standard subdivisional road as applicable and where required by the City of Kwinana.</p> <p>Item B Cost contributions in relation to the development of stormwater management infrastructure on the Peel Main Drain are to be made by landowners within the catchment shown on the figure 'Item B', as contained within the Development Contribution Plan 1 Report. Contributions are to be based on actual lot yield and estimated future lot yield.</p> <p>Item C Cost contributions in relation to the upgrade of Bertram/Mortimer Roads between Challenger Avenue and the Kwinana Freeway and Johnson/Bertram Intersection treatments are based on actual lot yield and estimated future lot yield. Landowners within the catchment shown on the figure 'Item C', as contained within the Development Contribution Plan 1 Report, are required to contribute towards this item.</p> <p>Item D Johnson Road upgrade (north of the Peel Lateral Drain)</p> <ul style="list-style-type: none"> • Cost contributions towards the western side (100% share of costs for the road upgrade) are based on actual lot yield and estimated future lot yield and are payable by landowners west of Johnson Road within the catchment shown on the figure 'Item D1', as contained within the Development Contribution Plan 1 Report. • Cost contributions towards the eastern side (100% share of costs) are based on frontage of landholding and are payable by landowners within the catchment shown on the figure 'Item D2', as contained within the Development Contribution Plan 1 Report. <p>Item E Johnson Road upgrade (south of the Peel Lateral Drain)</p>

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) AMD 132 GG 19/03/19; AMD 163 GG 13/02/24
Map reference on scheme map	DCA1
	<ul style="list-style-type: none"> • Cost contributions towards the upgrade of Johnson Road (100% of costs) in this location are based on frontage of landholding. A landowner may, with the agreement of the City, discharge liability for a cost contribution through the provision of physical infrastructure directly in accordance with clause 6.16.5.14.1. • Cost contributions towards roundabouts (2) construction are based on actual lot yield and estimated future lot yield. • Landowners within the catchment shown on the figure 'Item E', as contained within the Development Contribution Plan 1 Report, are required to contribute 100% towards the cost of this item. <p>Item F Construction of a dual use path on the eastern side of Johnson Road from Holden Close to Bertram Road.</p> <ul style="list-style-type: none"> • All landowners participating in the Casuarina Structure Plan, with the catchment as shown on the figure 'Item F', as contained within the Development Contribution Plan 1 Report, are required to contribute 100% towards the cost of this item. Contributions are to be based on actual lot yield and estimated future lot yield. <p>Item G Cost contributions towards the upgrading of Johnson Road south of Bertram Road to the east side of the Peel Main Drain Reserve are based on actual lot yield and estimated future lot yield.</p> <ul style="list-style-type: none"> • Contributions will be sought for earthworks, drainage, resurfacing, resealing, dual use path (eastern side), side kerbing, lighting, undergrounding of overhead powerlines to both sides of Johnson Road including reinstatement of the verge, landscaping and roundabout(s) where required by the City. • Landowners within the catchment shown on the figure 'Item G', as contained within the Development Contribution Plan 1 Report, are required to contribute 100% towards the cost of this item. <p>Item H Cost contributions towards the upgrading of the portion of realigned Johnson Road, extending from the west side of the Peel Main Drain Reserve into the Providence Estate along Irasburg Parade and then directly south along Fairhaven Boulevard to Millar Road, are based on actual lot yield and estimated future lot yield.</p> <ul style="list-style-type: none"> • Contributions will be sought for the difference between a Neighbourhood Connector A road (or a comparable standard as constructed) and an Access Street B in terms of the costs of acquiring the additional land and the associated infrastructure works costs. • Landowners within the catchment shown on the figure 'Item H', as contained within the Development Contribution Plan 1 Report, are required to contribute 100% towards the cost of this item. <p>Item I Cost contributions towards a new road linkage across the Parks and Recreation Reserve in the Bertram locality as shown on the Casuarina Structure Plan, based on actual lot yield and estimated future lot yield.</p> <ul style="list-style-type: none"> • Landowners within the catchment shown on the figure 'Item I', as contained within the Development Contribution Plan 1 Report, are required to contribute 100% towards the cost of this item.

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) AMD 132 GG 19/03/19; AMD 163 GG 13/02/24
Map reference on scheme map	DCA1
	<p>Item J Proportional cost contribution towards the full cost of the upgrade of Wellard Road from the intersection of Bertram Road to Millar Road within the City of Kwinana boundary, based on traffic apportionment in accordance with the traffic modelling report prepared by Cardno dated 31 August 2018, allocated against the actual lot yield and estimated future lot yield for each traffic generation locality.</p> <ul style="list-style-type: none"> • Contributions will be sought for an Integrator A standard road (or equivalent) and the associated infrastructure works costs; • The full cost of this item will be proportionally reduced based on the percentage of traffic from elsewhere in DCA1 and external to DCA1 using this road as calculated from traffic modelling. • The provision of this infrastructure item will be in accordance with the Priority and Timing of Infrastructure as listed in the prevailing DCP Report. • Landowners within the catchment shown on the figure 'Item J', as contained within the Development Contribution Plan 1 Report, are required to contribute towards this item. <p>Item K Cost contribution towards the full cost of the Bertram Road upgrade to an urban standard applies from the intersection of Challenger Avenue to Wellard Road and is based on the traffic volumes in accordance with the traffic modelling report prepared by Cardno dated 31 August 2018, allocated against the actual lot yield and estimated future lot yield for each traffic generation locality.</p> <ul style="list-style-type: none"> • Contributions will be sought for an Integrator A standard road (or equivalent) and the associated infrastructure work s costs. • The full cost of this item will be proportionally reduced based on the percentage of traffic from elsewhere in DCA1 and external to DCA1 using this road as calculated from traffic modelling. • The provision of this infrastructure item will be in accordance with the Priority and Timing of Infrastructure as listed in the Development Contribution Plan 1 Report. • Landowners within the catchment shown on the figure 'Item K', as contained within the Development Contribution Plan 1 Report, are required to contribute towards this item. <p>Item L Cost contributions towards the full cost of the new Johnson Road culvert and road crossing, located within the Peel Main Drain Reserve connecting Items G and H, are based on actual lot yield and estimated future lot yield. The construction of the culvert and road crossing will be to a suitable standard to address, but not affect the flow of the drain and meet the traffic demands of a Neighbourhood Connector B standard road (or as constructed).</p> <ul style="list-style-type: none"> • Unless otherwise constructed to support subdivision works, the provision of this infrastructure item will be in accordance with the Priority and Timing of Infrastructure as listed in the Development Contribution Plan 1 Report. • Landowners within the catchment as shown on the figure 'Item L', as contained within the Development Contribution Plan 1 Report, are required to contribute towards this item. <p>Item M Cost contributions towards the full cost of the new culvert and road crossing over the Peel Main Drain linking Lots 661 and 670 Bertram Road, based on actual lot yield and estimated future lot yield. The</p>

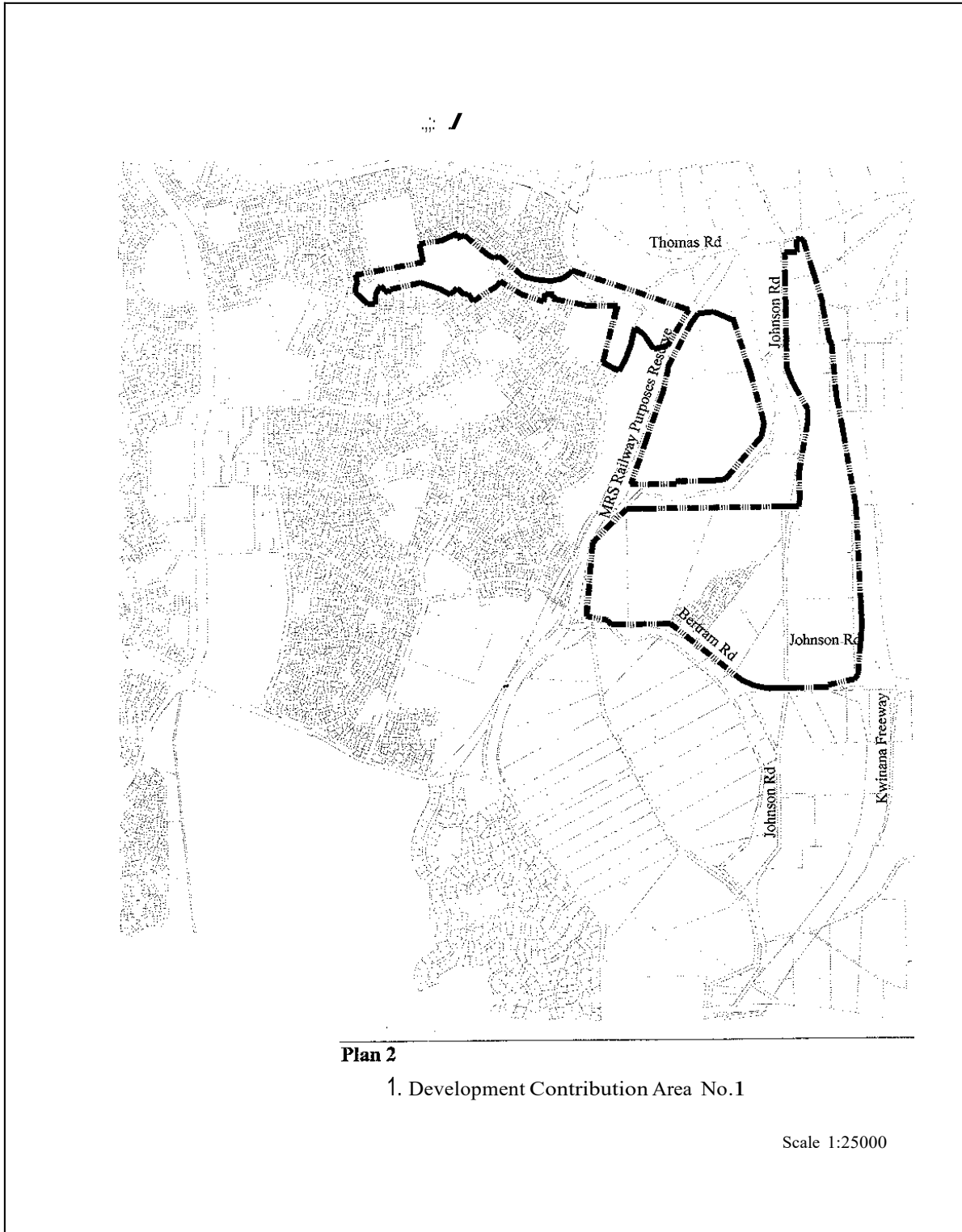
Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) AMD 132 GG 19/03/19; AMD 163 GG 13/02/24
Map reference on scheme map	DCA1
	<p>design and construction of the culvert and road crossing will be to a suitable standard to address the flow of the drain and meet the traffic demands of an Access Street C standard.</p> <ul style="list-style-type: none"> • The exact location of this culvert and road crossing is to be determined via local structure planning of these lots and is to cross the Peel Main Drain to provide a road connection to allow for traffic movement east-west within urban development south of Bertram Road and north of the Bollard Bulrush Wetland and buffer. • This item may be constructed in the initial stages of subdivision for Lot 661 and/or Lot 670, or if this is not the case, construction will be in accordance with the Priority and Timing of Infrastructure as listed in the DCP Report. • Landowners within the catchment as shown on the figure 'Item M', as contained within the Development Contribution Plan 1 Report, are required to contribute towards this item. <p>2.3 Administration Costs</p> <p>As estimated in the DCP report.</p>
Operation	<p>3.1 Land Included</p> <p>Cost contributions from landowners within the applicable Item's catchment are required for residential and non-residential lots (based on Developable Area) created at the time when land in DCA1 became subject to the various amendments pursuant to DCP1 as per Local Planning Scheme No.2.</p> <p>3.2 Traffic Modelling</p> <p>Traffic modelling for Bertram Road and Wellard Road is based on traffic forecasts to 2031 and estimated future lot yields in each of the modelled traffic generation areas within DCA1 in accordance with the traffic modelling report prepared by Cardno dated 31 August 2018.</p> <p>The modelling is designed to identify DCA1 traffic generation areas and quantify the marginal traffic impact of each of these areas on Bertram Road and Wellard Road infrastructure, taking account of existing development in DCA1 and externally-generated traffic.</p> <p>Cost contributions based on traffic modelling will be based on proportional traffic volume, being the percentage of the total volume of traffic using the particular infrastructure item as generated or likely to be generated by the contributing landholdings. This figure, as determined by the traffic modelling undertaken, is generally fixed for the life of the DCP and is based on the estimated lot yield for the catchment. The traffic modelling figures will be included within the initial Cost Apportionment Schedule following the gazettal of Amendment 132 and a full copy of the traffic modelling report will be appended to the Development Contribution Plan 1 Report.</p> <p>Nothing in this proceeding paragraph prevents the City from reviewing the traffic modelling should the densities change within DCA1 to the extent that the proportionate share of the cost of Wellard and Bertram Roads based on the Cardno Traffic Modelling (31 August 2018) becomes inequitable for contributing parties.</p>

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) AMD 132 GG 19/03/19; AMD 163 GG 13/02/24
Map reference on scheme map	DCA1
	<p>3.3 Calculation of cost contribution liability</p> <p>Given that each lot entails a different bundle of items, it is necessary to calculate the cost contribution for each lot, where: IC is the estimated or actual infrastructure cost for each DCA1 item including administration costs; TY is the total actual lot yield / estimated lot yield expected for each infrastructure item. Y is the actual lot yield / estimated future lot yield for a particular lot; CCPL is the estimated cost contribution per lot for each item where CCPL = Y/TY x IC;</p> <p>The amount of an owner's cost contribution is calculated at the time of liability arising under clause 6.16.5.13.2 as follows: Owner's cost contribution = Sum of All CCPL that the lot must pay contributions towards</p> <p>Non-residential uses including commercial and light industrial; 1 hectare of Developable Area = 20 Equivalent Dwellings (ED) demand; i.e. 500m² equates to 1 lot.</p>
	<p>3.4 Definitions</p> <p>Terms used within this Schedule, and not already defined by the Scheme in 6.16.5, or elsewhere in this Schedule, have the following meaning:</p> <ul style="list-style-type: none"> • Access Street B means an Access Street B as defined in Liveable Neighbourhoods (as amended from time to time); • Access Street C means an Access Street C as defined in Liveable Neighbourhoods (as amended from time to time); • Actual lot yield and estimated future lot yield means the actual lots created after 27 June 2012 and the likely lot yield of a defined area estimated from approved local structure plans or, where there are no approved local structure plans, by application of an R25 density yield across remaining net developable land area and further reduced by 30% to account for local infrastructure required to support subdivision, including both residential and non-residential uses; • Catchment means an area within DCA1 relevant to use of an infrastructure item as shown in figures 'Items A to M'; • Developable Area means the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads; • Integrator A means an Integrator A arterial route as defined in Liveable Neighbourhoods (as amended from time to time); Liveable Neighbourhoods means the operational policy entitled 'Liveable Neighbourhoods: a Western Australian Government sustainable cities initiative' dated January 2009 Update 02 (as amended from time to time); • Neighbourhood Connector A means a Neighbourhood Connector A street as defined in Liveable Neighbourhoods (as amended from time to time); • Neighbourhood Connector B means a Neighbourhood Connector B street as defined in Liveable Neighbourhoods (as amended from time to time); • Contribution credit – amount of pre-funding for infrastructure or

Development contribution area name	BERTRAM / WELLARD / PARMELIA (NORTH EAST) / ORELIA (EAST) <i>AMD 132 GG 19/03/19; AMD 163 GG 13/02/24</i>	
Map reference on scheme map	DCA1	
	administration by the local government or landowner less any repayments or cost contribution offsets;	
Period of operation	4.1	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal.
Priority and Timing of Infrastructure Provision	5.1	The Development Contribution Plan 1 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.
Review process	6.1	<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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

DEVELOPMENT CONTRIBUTION PLAN



SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 2
Reference No.	DCP2
Area Name:	Development Contribution Area 2 - Wellard East – Standard Infrastructure
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. Roads</p> <p>1.1 Millar Road – 100% of the full cost of design and construction of Millar Road to a single carriageway urban standard from the Kwinana Freeway to the intersection with the north-south internal collector road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, lighting, kerbing and footpaths).</p> <p>1.2 Mortimer Road – 100% of the full cost of design, realignment, construction and land acquisition of Mortimer Road to a single carriageway urban standard between Kwinana Freeway to Woolcoot Road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, roundabouts, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 2 and Development Contribution Area 3 on a pro rata developable area basis.</p> <p>1.3 Internal collector road:</p> <p style="margin-left: 20px;">a) 100% of the full cost of design, land acquisition and construction of the portion of the main proposed north-south internal collector road between Mortimer Road and Sunrise Boulevard across Lot 28 Mortimer Road to an Access Street C standard as defined by Liveable Neighbourhoods (15.4 wide reservation, 6m wide pavement). Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all structures (including lighting, kerbing and footpaths).</p> <p style="margin-left: 20px;">b) 100% of the full cost of design, land acquisition and construction of the portion of the main proposed north-south internal collector road between Mortimer Road and Sunrise Boulevard across Lot 59 Mortimer Road to an Access Street C standard as defined by Liveable Neighbourhoods (15.4 wide reservation, 6m wide pavement). Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all structures (including lighting, kerbing and footpaths).</p> <p style="margin-left: 20px;">c) 100% of the full cost of design, land acquisition and construction of the portion of the main proposed north-south internal collector road between Mortimer Road and Sunrise Boulevard across Lots 28 and 59 Mortimer Road to a Neighbourhood Connector B standard (19.4m wide reservation, 11.2m wide pavement) as defined by Liveable Neighbourhoods less the infrastructure defined by 1.3(a) and (b). Includes full earthworks, carriageway, drainage, structures (including lighting, kerbing and footpaths).</p> <p>2. Drainage – Peel Sub Drains (as identified by the Water Corporation's "Jandakot Drainage and Water Management Plan 2009")</p> <p>2.1 Peel Sub N Drain – 100% of the cost of the upgrade of the Sub N Drain to an appropriate urban standard. This item applies to the length of Sub N Drain located outside of the Conservation Category Wetland core area.</p> <p>2.2 Peel Sub N1 Drain – 100% of the cost of the upgrade of the Sub N1 Drain to an appropriate urban standard.</p> <p>2.3 Peel Sub N2 Drain - 100% of the cost of the upgrade of the Sub N2 Drain to an appropriate urban standard. This item applies to the length of Sub N2 Drain located outside of the Conservation Category Wetland core area.</p> <p>3. District Sporting Ground</p> <p>3.1 Costs associated with the acquisition, site works and basic servicing of land for a District Sport Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4. Community Facilities</p> <p>4.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be apportioned between Owners in Development Contribution Areas 2-7 inclusive.</p>

	<p>5. Administration costs</p> <p>5.1 Administrative costs including:</p> <ul style="list-style-type: none"> v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software or hardware for purpose of administering the plan); vi. Costs to prepare Annual Report and monitoring; vii. Costs to prepare and review cost estimates and the cost apportionment schedule; <p>And</p> <ul style="list-style-type: none"> viii. Valuation costs.
<p>Method for calculating contributions:</p>	<p>Contributions for items 1.1 and 1.2 will be calculated on a pro rata developable area basis. Developable area is defined as the total site area less areas for schools, , community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads.</p> <p><u>Infrastructure Item per hectare calculation for Developable Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total Developable Area for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Developable Area</u> Developable Area (ha) of land parcel = Total Site Area (ha) of land parcel - (minus/subtract) Deductions for Developable Area (ha).</p> <p><u>Cost Contribution for Developable Area</u> Cost Contribution = Developable Area (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Contribution for item 1.3(a) will be apportioned only to Lot 28 Mortimer Road on Deposited Plan 65245 on a pro rata gross subdivisible area basis.</p> <p>Contributions for item 1.3(b) will be apportioned only to Lot 59 Mortimer Road on Deposited Plan 202645 on a pro rata gross subdivisible area basis.</p> <p>Contributions for items 1.3(c), 2, 3 and 4 will be calculated on a pro rata gross subdivisible area basis.</p> <p>Gross subdivisible area is defined as per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p><u>Infrastructure Item per hectare calculation for Gross Subdivisible Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA /(divide) total GSA for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Gross Subdivisible Area</u> Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p><u>Cost Contribution for Gross Subdivisible Area</u> Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Cost Contribution for Administration Costs</p> <p>As estimated in the DCP report Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u> Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Developable Area + (plus) Cost Contribution for Administration Costs</p>
<p>Period of operation:</p>	<p>10 years from the date of gazettal.</p>
<p>Priority and timing:</p>	<p>The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.</p>
<p>Review process:</p>	<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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 3
Reference No.	DCP3
Area Name:	Development Contribution Area 3 - Casuarina – Standard Infrastructure.
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. Roads</p> <p>1.1 Mortimer Road - 100% of the full cost of design, realignment, construction and land acquisition of Mortimer Road to a single carriageway urban standard between Kwinana Freeway to Woolcoat Road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, roundabouts, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 2 and Development Contribution Area 3 on a pro rata developable area basis.</p> <p>1.2 Thomas Road – 100% of the full cost of design, construction of Thomas Road to an urban standard as approved and required by Main Roads WA between Kwinana Freeway and the boundary of the Urban zone near Bombay Boulevard. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 3 and Development Contribution Area 4 on a pro rata developable area basis.</p> <p>2. Drainage – Peel Sub Drains (as identified by the Water Corporation’s “Jandakot Drainage and Water Management Plan 2009”).</p> <p>2.1 Peel Sub P Drain – 100% of the cost of the upgrade of the Sub P Drain to an appropriate urban standard.</p> <p>2.2 Peel Sub P1 Drain – 100% of the cost of the upgrade of the Sub P1 Drain to an appropriate urban standard and piping under the district open space as per the structure plan.</p> <p>2.3 Peel Sub P1A Drain - 100% of the cost of the upgrade of the Sub P1A Drain to an appropriate urban standard.</p> <p>2.4 Peel Sub O Drain - 100% of the cost of the upgrade of the Sub O Drain to an appropriate urban standard.</p> <p>3. Public open space</p> <p>3.1 100% of the land acquisition costs to acquire public open space in accordance with the structure plan or public open space strategy prepared for the development contribution area, including land for community purposes.</p> <p>3.2 100% of the costs to improve the public open space to an appropriate standard for use in accordance with the structure plan prepared for the development contribution area.</p> <p>3.3 Only creditable public open space as per Liveable Neighbourhoods forms part of items 3.1 and 3.2.</p> <p>4. District Sporting Ground</p> <p>4.1 Costs associated with the acquisition, site works and basic servicing of land for a District Sporting Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>5. Community Facilities</p> <p>5.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>6. Administration costs</p> <p>6.1 Administrative costs including:</p> <p>v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software of hardware for purpose of administering the plan);</p> <p>vi. Costs to prepare Annual Report and monitoring;</p> <p>vii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>And</p>

<p>Method for calculating contributions:</p>	<p>viii. Valuation costs.</p> <p>Contributions for item 1 on a pro rata developable area basis. Developable area is defined as the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads.</p> <p><u>Infrastructure Item per hectare calculation for Developable Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total Developable Area for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Developable Area</u> Developable Area (ha) of land parcel = Total Site Area (ha) of land parcel - (minus/subtract) Deductions for Developable Area (ha).</p> <p><u>Cost Contribution for Developable Area</u> Cost Contribution = Developable Area (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Contribution for items 2, 3, 4 and 5 will be calculated on a pro rata gross subdivisible area basis. Gross subdivisible area is defined a per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p><u>Infrastructure Item per hectare calculation for Gross Subdivisible Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total GSA for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Gross Subdivisible Area</u> Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p><u>Cost Contribution for Gross Subdivisible Area</u> Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Cost Contribution for Administration Costs</p> <p>As estimated in the DCP report Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u> Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Developable Area + (plus) Cost Contribution for Administration Costs</p>
<p>Period of operation:</p>	<p>10 years from the date of gazettal.</p>
<p>Priority and timing:</p>	<p>The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.</p>
<p>Review process:</p>	<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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 4
Reference No.	DCP4
Area Name:	Development Contribution Area 4 - Anketell - Standard Infrastructure.
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. Roads</p> <p>1.1 Thomas Road – 100% of the full cost of design, construction of Thomas Road to an urban standard as approved and required by Main Roads WA between Kwinana Freeway and the boundary of the Urban zone near Bombay Boulevard. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 3 and Development Contribution Area 4 on a pro rata developable area basis.</p> <p>1.2 Anketell Road – 100% of the full cost of design, realignment, construction of Anketell Road to a single carriageway urban standard between Kwinana Freeway and Lyon Road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power, and all treatments (including intersections, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 4 and Development Contribution Area 5 on a pro rata developable area basis.</p> <p>1.3 Internal collector road (Treeby Road) – 100% of the full cost of design, construction and land acquisition of Treeby Road across the Bush Forever Site 270 between the southern and northern portions of Development Contribution Area 4, to a single carriageway urban standard. Includes full earthworks, carriageway, drainage, kerbing, footpaths, lighting, landscaping, intersections and undergrounding of power.</p> <p>2. Public open space</p> <p>2.1 100% of the land acquisition costs to acquire public open space in accordance with the approved structure plan prepared for the northern portion of the development contribution area (between Anketell Road and Bush Forever site 270), including land for community purposes.</p> <p>2.2 100% of the costs to improve the public open space to an appropriate standard for use in accordance with the structure plan prepared for the northern portion of the development contribution area (between Anketell Road and Bush Forever site 270).</p> <p>2.3 Only creditable public open space as per Liveable Neighbourhoods forms part of items 2.1 and 2.2.</p> <p>3. District Sporting Ground</p> <p>3.1 Costs associated with the acquisition, site works and basic servicing of land for a District Sporting Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4. Community Facilities</p> <p>4.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4.2 Costs associated with the acquisition of land for a District Youth Centre as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 4 (northern portion only), 5 and 6.</p> <p>4.3 Costs associated with the acquisition of land for a Local Community Centre as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 4 (northern portion only) and 5.</p> <p>5. Administration costs</p> <p>5.1 Administrative costs including:</p> <p>v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software or hardware for purpose of administering the plan);</p>

	<p>vi. Costs to prepare Annual Report and monitoring;</p> <p>vii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>And</p> <p>viii. Valuation costs.</p>
Method for calculating contributions:	<p>Contributions for items 1.1 and 1.2 will be calculated on a pro rata developable area basis. Developable area is defined as the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads.</p> <p>Infrastructure Item per hectare calculation for Developable Area Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total Developable Area for the total DCA area (ha).</p> <p>Contributions based on pro rata Developable Area Developable Area (ha) of land parcel = Total Site Area (ha) of land parcel - (minus/subtract) Deductions for Developable Area (ha).</p> <p>Cost Contribution for Developable Area Cost Contribution = Developable Area (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Contribution for item 1.3, 3 and 4.1 will be calculated on a pro-rata gross subdivisible area basis. Contributions for items 2, 4.2 and 4.3 will be calculated on a pro rata gross subdivisible area basis for landholdings in the northern portion of the Development Contribution Area (between Anketell Road and Bush Forever site 270). Gross subdivisible area is defined as per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p>Infrastructure Item per hectare calculation for Gross Subdivisible Area Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total GSA for the total DCA area (ha).</p> <p>Contributions based on pro rata Gross Subdivisible Area Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p>Cost Contribution for Gross Subdivisible Area Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Cost Contribution for Administration Costs</p> <p>As estimated in the DCP report Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u> Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Developable Area + (plus) Cost Contribution for Administration Costs</p>
Period of operation:	10 years from the date of gazettal.
Priority and timing:	The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.
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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 5
Reference No.	DCP5
Area Name:	Development Contribution Area 5 - Wandii - Standard Infrastructure
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. Roads</p> <p>1.1 Anketell Road – 100% of the full cost of design, realignment, construction of Anketell Road to a single carriageway urban standard between Kwinana Freeway and Lyon Road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power, and all treatments (including intersections, lighting, kerbing and footpaths). Costs will be shared between Owners in Development Contribution Area 4 and Development Contribution Area 5 on a pro rata developable area basis.</p> <p>1.2 Lyon Road – 100% of the full cost of design and construction of Lyon Road between Anketell Road and Rowley Road to a single carriageway urban standard. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, roundabouts, lighting, kerbing and footpaths).</p> <p>1.3 Internal collector road – 100% of the full cost of design and construction of the main north-south internal collector road between Anketell Road and Rowley Road to a single carriageway urban standard. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, roundabouts, lighting, kerbing and footpaths).</p> <p>2. Public Open Space</p> <p>2.1 100% of the total cost of the land and improvements for public open space in accordance with the adopted structure plans for the development contribution area, including land for community purposes.</p> <p>2.2 Only creditable public open space as per Liveable Neighbourhoods forms part of item 2.1.</p> <p>2.3 100% of the total cost of the land, design and construction of the Wandii Playing Fields (as per the approved Wandii North and South Local Structure Plans) including but not limited to land acquisition, earthworks, landscaping, car parking areas and access roads and a playground.</p> <p>3. District Sporting Ground</p> <p>3.1 Costs associated with the acquisition, site works and basic servicing of land for a District Sporting Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4. Community Facilities</p> <p>4.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandii District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4.2 Costs associated with the acquisition of land for a District Youth Centre as part of a combined community facility to be located within the Wandii District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 4 (northern portion only), 5 and 6.</p> <p>4.3 Costs associated with the acquisition of land for a Local Community Centre as part of a combined community facility to be located within the Wandii District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 4 (northern portion only) and 5.</p> <p>5. Administration costs</p> <p>5.1 Administrative costs including:</p> <p>v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software of hardware for purpose of administering the plan);</p>

	<p>vi. Costs to prepare Annual Report and monitoring;</p> <p>vii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>And</p> <p>viii. Valuation costs.</p>
Method for calculating contributions:	<p>Contribution for item 1.1 will be calculated on a pro rata developable area basis. Developable area is defined as the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads.</p> <p><u>Infrastructure Item per hectare calculation for Developable Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total Developable Area for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Developable Area</u> Developable Area (ha) of land parcel = Total Site Area (ha) of land parcel - (minus/subtract) Deductions for Developable Area (ha).</p> <p><u>Cost Contribution for Developable Area</u> Cost Contribution = Developable Area (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Contribution for item 1.2, 1.3, 2, 3 and 4 will be calculated on a pro-rata gross subdivisible area basis. Gross subdivisible area is defined as per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p><u>Infrastructure Item per hectare calculation for Gross Subdivisible Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total GSA for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Gross Subdivisible Area</u> Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p><u>Cost Contribution for Gross Subdivisible Area</u> Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Cost Contribution for Administration Costs</p> <p>Contributions for item 5 are applicable across all infrastructure items and will be apportioned to each landholding based on 2% of the total infrastructure item costs for that DCP area.</p> <p>Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u> Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Developable Area + (plus) Cost Contribution for Administration Costs</p>
Period of operation:	10 years from the date of gazettal.
Priority and timing:	The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.
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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 6
Reference No.	DCP6
Area Name:	Development Contribution Area 6 - Mandogalup - Standard Infrastructure
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. Roads</p> <p>1.1 Hammond Road Extension – 100% of the full cost of design and construction of Hammond Road Extension Road to a single carriageway urban standard for a distance of approximately 370m south from Rowley Road, or as required to connect with the Internal connector road. Includes full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, lighting, kerbing and footpaths).</p> <p>1.2 Internal connector road to Hammond Road Extension – 100% of the full cost of design and construction of the east-west internal connector road to cross Lot 2 on DP11392 to a single carriageway urban standard. Includes land acquisition, full earthworks, carriageway, drainage, landscaping, undergrounding of power and all treatments (including intersections, roundabouts, lighting, kerbing and footpaths).</p> <p>2. Public Open Space</p> <p>2.1 100% of the total cost of the land and improvements for public open space in accordance with the approved structure plans for the development contribution area, including land for community purposes and Local Sporting Ground as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised.</p> <p>2.2 Only creditable public open space as per Liveable Neighbourhoods forms part of item 2.1.</p> <p>3. District Sporting Ground</p> <p>3.1 Costs associated with the acquisition, site works and basic servicing of land for a District Sporting Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4. Community Facilities</p> <p>4.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>4.2 Costs associated with the acquisition of land for a District Youth Centre as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 4 (northern portion only), 5 and 6.</p> <p>5. Administration costs</p> <p>5.1 Administrative costs including:</p> <p>v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software of hardware for purpose of administering the plan);</p> <p>vi. Costs to prepare Annual Report and monitoring;</p> <p>vii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>And</p> <p>viii. Valuation costs.</p>
Method for calculating contributions:	<p>Contributions for items 1.1 and 1.2 will be calculated on a pro rata developable area basis. Developable area is defined as the total site area less areas for schools, community facilities, dedicated drainage reserves, regional open space, Conservation Category Wetland Areas, transmission and infrastructure corridors, and land for regional roads.</p> <p><u>Infrastructure Item per hectare calculation for Developable Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide)</p>

	<p>total Developable Area for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Developable Area</u> Developable Area (ha) of land parcel = Total Site Area (ha) of land parcel - (minus/subtract) Deductions for Developable Area (ha).</p> <p><u>Cost Contribution for Developable Area</u> Cost Contribution = Developable Area (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Contribution for item 2, 3 and 4 will be calculated on a pro-rata gross subdivisible area basis. Gross subdivisible area is defined as per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p><u>Infrastructure Item per hectare calculation for Gross Subdivisible Area</u> Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total GSA for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Gross Subdivisible Area</u> Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p><u>Cost Contribution for Gross Subdivisible Area</u> Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation.</p> <p>Cost Contribution for Administration Costs</p> <p>Contributions for item 5 are applicable across all infrastructure items and will be apportioned to each landholding based on 2% of the total infrastructure item costs for that DCP area.</p> <p>Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u> Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Developable Area + (plus) Cost Contribution for Administration Costs</p>
Period of operation:	10 years from the date of gazettal.
Priority and timing:	The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.
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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 100A GG 03/10/17; AMD 163 GG 13/2/24	DEVELOPMENT CONTRIBUTION PLAN 7
Reference No.	DCP7
Area Name:	Development Contribution Area 7 - Wellard/Bertram - Standard Infrastructure
Relationship to other planning instruments:	The development contribution plan generally aligns with the district and/or local structure plans prepared for the development contribution area.
Infrastructure and administrative items to be funded:	<p>1. District Sporting Ground</p> <p>1.1 Costs associated with the acquisition and improvement of land for a District Sporting Ground to be located within Casuarina as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between developers of Development Contribution Areas 2-7 inclusive.</p> <p>2. Community Facilities</p> <p>2.1 Costs associated with the acquisition of land for a Branch Library (serves Districts A and B) as part of a combined community facility to be located within the Wandi District Centre as per the City of Kwinana Community Infrastructure Plan 2011-2031 as revised. Costs will be shared between Owners in Development Contribution Areas 2-7 inclusive.</p> <p>3. Administration costs</p> <p>3.1 Administrative costs including:</p> <p>v. Costs to prepare and administer the plan during the period of operation (including legal expenses, valuation fees, proportion of staff salaries, computer software of hardware for purpose of administering the plan);</p> <p>vi. Costs to prepare Annual Report and monitoring;</p> <p>vii. Costs to prepare and review cost estimates and the cost apportionment schedule;</p> <p>And</p> <p>viii. Valuation costs.</p>
Method for calculating contributions:	<p>Contributions for items 1 and 2 will be calculated on a pro rata gross subdivisible area basis. Gross subdivisible area is defined as per Liveable Neighbourhoods (Western Australian Planning Commission).</p> <p><u>Infrastructure Item per hectare calculation for Gross Subdivisible Area</u></p> <p>Infrastructure Item per hectare calculation = Cost of infrastructure item for DCA / (divide) total GSA for the total DCA area (ha).</p> <p><u>Contributions based on pro rata Gross Subdivisible Area</u></p> <p>Gross Subdivisible Area (GSA) (ha) of land parcel = Total Site Area (ha) - (minus/subtract) Deductions for Gross Subdivisible Area (ha).</p> <p><u>Cost Contribution for Gross Subdivisible Area</u></p> <p>Cost Contribution = GSA (ha) of land parcel x infrastructure item per hectare calculation. Cost Contribution for Administration Costs</p> <p>Contributions for item 3 are applicable across all infrastructure items and will be apportioned to each landholding based on 2% of the total infrastructure item costs for that DCP area.</p> <p>Cost Contribution = Sum of the total Capital Infrastructure Costs for the Development Contribution Area x 2%.</p> <p><u>Total Contribution</u></p> <p>Total Contribution = Cost Contribution for Gross Subdivisible Area + (plus) Cost Contribution for Administration Costs</p>
Period of operation:	10 years from the date of gazettal.
Priority and timing:	The development contribution plan report to be prepared as per clause 6.16.5.10.1 will outline the priority and timing of the infrastructure items nominated in the development contribution plan. Generally the priority and timing of the infrastructure items will be determined by the rate of development growth within the development contribution area and will be reviewed when considered appropriate.
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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue</p>

	sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.
--	---

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)



SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 115 GG 19/06/12 AMD 145 GG 3/11/23	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup-Community Infrastructure
Map reference on scheme map	DCA8
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 8 shall make contributions towards the following infrastructure items –</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities – <ul style="list-style-type: none"> • Community Knowledge and Resource Centre (excluding leasable office space and café component) • Multipurpose Sub-regional Park (Calista) • Wells Beach Foreshore Upgrade 2. District A Facilities – <ul style="list-style-type: none"> • District Sporting Ground – Hardcourts (serves Districts A and B) – to be located within District B • District Multipurpose Community Facility (serves Districts A and B) – to be located within District A • District Dry Recreation Centre (serves Districts A and B) – to be located within District A 3. Local Facilities – <ul style="list-style-type: none"> • Local Sporting Ground with Changeroom 4. Administrative Costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> • demand for a facility that is generated by the current population; • demand created by external usage—the proportion of use drawn from outside of the main catchment area; and • future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time). The Development Contribution Plan 8 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.
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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

<p>AMD 115 GG 19/06/12 AMD 145 GG 3/11/23</p>	<p>DEVELOPMENT CONTRIBUTION PLAN 9</p>
<p>Area Name:</p>	<p>Wandi / Anketell – Community Infrastructure</p>
<p>Map reference on scheme map</p>	<p>DCA 9</p>
<p>Relationship to other planning instruments:</p>	<p>The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.</p>
<p>Infrastructure and Administrative Items to be funded:</p>	<p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District A Facilities— <ul style="list-style-type: none"> - District Sporting Ground – Hardcourts (serves Districts A and B) - to be located within District B - District Multipurpose Community Facility (serves Districts A and B) – to be located within District A - District Dry Recreation Centre (serves Districts A and B) – to be located within District A 3. Local Facilities — <ul style="list-style-type: none"> - Local Sporting Ground with Community Facility 4. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
<p>Method for calculating contributions:</p>	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
<p>Period of Operation:</p>	<p>The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.</p>
<p>Priority and timing:</p>	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 9 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
<p>Review Process:</p>	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 115 GG 19/06/12 AMD 145 GG 3/11/23	DEVELOPMENT CONTRIBUTION PLAN 10
Area Name:	Casuarina / Anketell Community Infrastructure
Map reference on scheme map	DCA 10
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District B Facilities — <ul style="list-style-type: none"> - District Sporting Ground - Hardcourts (serves Districts A and B) – to be located within District B - District Multipurpose Community Facility (serves Districts A and B) – to be located within District A - Dry Recreation Centre (serves Districts A and B) – to be located within District A 3. Local Facilities— <ul style="list-style-type: none"> - Local Sporting Ground with Large Community Facility 4. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 10 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

<p>AMD 115 GG 19/06/12 AMD 145 GG 3/11/23</p>	<p>DEVELOPMENT CONTRIBUTION PLAN 11</p>
<p>Area Name:</p>	<p>Wellard (East) Community Infrastructure</p>
<p>Map reference on scheme</p>	<p>DCA 11</p>
<p>Relationship to other planning instruments:</p>	<p>The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.</p>
<p>Infrastructure and Administrative Items to be funded:</p>	<p>Land developers within DCA 11 shall make contributions towards the following infrastructure items —</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District B Facilities — <ul style="list-style-type: none"> - District Sporting Ground - Hardcourts (serves Districts A and B) – to be located within District B - Dry Recreation Centre (serves Districts A and B) – to be located within District A - District Multipurpose Community Facility (serves Districts A and B) – to be located within District A 3. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
<p>Cost Contribution Methodology:</p>	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage — the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
<p>Period of Operation:</p>	<p>The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.</p>
<p>Priority and timing:</p>	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 11 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
<p>Review Process:</p>	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMD 115 GG 19/06/12 AMD 145 GG 3/11/23	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Map reference on scheme map:	DCA 12
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Land developers within DCA 12 shall make contributions towards the following infrastructure items —</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District B Facilities — <ul style="list-style-type: none"> - District Sporting Ground - Hardcourts (serves Districts A and B) – to be located within District B - District Dry Recreation Centre (serves Districts A and B) – to be located within District A - District Multipurpose Community Facility (serves Districts A and B) – to be located within District A 3. Local Facilities – <ul style="list-style-type: none"> - Local Sporting Ground with Large Community Facility. 4. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage — the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 12 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V- DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

<p>AMD 115 GG 19/06/12 AMD 145 GG 3/11/23</p>	<p>DEVELOPMENT CONTRIBUTION PLAN 13</p>
<p>Area Name:</p>	<p>Bertram – Community Infrastructure</p>
<p>Map reference on scheme map:</p>	<p>DCA 13</p>
<p>Relationship to other planning instruments:</p>	<p>The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.</p>
<p>Infrastructure and Administrative Items to be funded:</p>	<p>Land developers within DCA 13 shall make contributions towards the following infrastructure items —</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park - Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) 2. District B Facilities — <ul style="list-style-type: none"> - District Sporting Ground - Hardcourts (serves Districts A and B) – to be located within District B - District Dry Recreation Centre (serves Districts A and B) – to be located within District A - District Multipurpose Community Facility (serves Districts A and B) – to be located within District A 3. Local Facilities – <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Changeroom 4. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
<p>Cost Contribution Methodology:</p>	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage — the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
<p>Period of Operation:</p>	<p>The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.</p>
<p>Priority and timing:</p>	<p>The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.</p>
<p>Review Process:</p>	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

<p>AMD 115 GG 19/06/12 AMD 145 GG 3/11/23</p>	DEVELOPMENT CONTRIBUTION PLAN 14
Area Name:	Wellard / Leda Community Infrastructure
Map reference to scheme map:	DCA 14
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 14 shall make contributions towards the following infrastructure items —</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District C Facilities — <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Thomas Oval/Kelly Park extension/Upgrade) 3. Local Facilities — <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Changeroom 4. Administrative costs <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage — the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 14 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP 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 areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in 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>

SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

<p>AMD 115 GG 19/06/12 AMD 145 GG 3/11/23</p>	DEVELOPMENT CONTRIBUTION PLAN 15
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia) – Community Infrastructure
Map reference in scheme map:	DCA 15
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 15 shall make contributions towards the following infrastructure items —</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities — <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade 2. District C Facilities — <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Thomas Oval/Kelly Park extension/Upgrade) 3. Administrative costs including – <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the —</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage — the proportion of use drawn from outside of the main catchment area; and - future usage — the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 15 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	The DCP 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 areas since the last review and the degree of development potential still existing.

SCHEDULE VI - CLUSTER/COMMUNAL RURAL SETTLEMENT ZONE

AMD 58 GG 2/5/03

LOCATION LOT DESCRIPTION	DEVELOPMENT PLAN NO.	DEVELOPMENT CONDITIONS
1. Lot 89, 379 & 380 Millar and Woolcoat 1 Roads, Wellard.	1	<p>The following Development conditions shall apply:</p> <ol style="list-style-type: none"> 1. Development shall generally be in accordance with the Development Plan approved by the Council and the Western Australian Planning Commission and endorsed by the Chief Executive Officer of the Town of Kwinana. 2. All lots shall be connected to a reticulated water supply. 3. All dwellings are to be connected to reticulated sewer. No dwellings shall be occupied without the prior approval of Council and connection to reticulated sewer. 4. No dwelling house shall be constructed with a floor area (including walls) of less than 120m². 5. Development of the built environment, including dwellings, ancillary buildings, water tanks and other structures shall be in accordance within the design guidelines. 6. No horses shall be permitted unless a Management Plan detailing effluent disposal, stabling, corral areas, vegetation and soil cover is submitted to, and approved by, Council. Council may specify the number of horses and may require the removal of horses if, in its opinion, the number, type of management of the horses is leading to the degradation of the land or the vegetation. 7. The following uses are permitted within the zone in accordance with the adopted Development Plan/s or approved variations thereof: <ul style="list-style-type: none"> Dwelling House; Amenity Building; Grouped Dwelling; Home Occupation; Public Utility; Private Recreation.

LOCATION LOT DESCRIPTION	DEVELOPMENT PLAN NO.	DEVELOPMENT CONDITIONS
1. Lot 89, 379 & 380 Millar and Woolcoat 1 Roads, Wellard (Cont'd).	1	<p>8. The following uses are discretionary, requiring Council approval:</p> <p>Equestrian Uses; Forestry (Selective); Floriculture; Aquaculture; Club; Local Shop; Rural Pursuit;</p> <p>9. All other uses are not permitted.</p> <p>10. Prior to strata subdivision or development, Lots 89, 379 and 380 are to be amalgamated and resubdivided into separate freehold lots comprising one lot for the Om Shanti Marsupial Hospital and one lot for the proposed Cluster Communal rural Settlement.</p> <p>11. Council's written approval is required prior to the construction or alteration of any drain, watercourse, wetland, dam or lake. When making a decision in relation to the above Council shall consult with the Department for Environment, Water and Catchment Protection (DEWCAP) and any other relevant authority.</p>

SCHEDULE VII - ADDITIONAL USES

NO.	LAND PARTICULARS	BASE ZONE	PERMITTED USES	DEVELOPMENT STANDARDS/ CONDITIONS
1.	Lot 339 Hope Valley Road Hope Valley <i>AMD 66 GG 19/11/99</i>	Rural A	Aggregate Crushing	Compliance with Department of Environmental Protection license requirements and Council's Planning Approval Conditions.
2.	Lot 107 Thomas Road Casuarina <i>AMD 80 GG 2/6/06</i>	Special Rural Zone No. 14	Home Business (SA) Industry Cottage (SA) Clubs sporting or Recreation (SA) Civic Building (AA) Community Hall (AA) Farm Stay Accommodation & Rural Chalets (AA) Bed & Breakfast Accommodation (AA)	Approvals subject to Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy published in the Government Gazette 12 th June 1998 (as amended from time to time) and subject to advice of Waters and Rivers Commission.
3.	Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram <i>AMD 144 GG 20/4/18</i>	Residential	Professional Office (AA)	<ol style="list-style-type: none"> 1. The development site directly abuts Johnson Road or Holden Close. 2. The Professional Office land use is provided in a Mixed Use development as defined by the Residential Design Codes of Western Australia. 3. The Professional Office land use is predominantly located on the ground floor level of the development. 4. Vehicle access and parking is coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close..

SCHEDULE VIII – STATIC FEASIBILITY MODEL

AMD 115 GG 19/06/12

STATUTORY STATIC FEASIBILITY ASSESSMENT MODEL

Gross realisation			
Net lot yield @ average market value per lot			
"X" lots @ "\$Y" per lot	\$		(1)
Less GST @ standard / normal rates			
(1) Multiplied by GST rate / (100+GST rate)	\$	(2)	
(1-2)		\$	(3)
Less selling, marketing, advertising & settlement fees			
@ market % multiplied by (1)	\$	(4)	
Add back Input Tax Credit on selling fees			
(4) Multiplied by GST rate / (100+GST rate)	\$	(5)	
(4-5)		\$	(6)
Balance after selling costs etc & Input Tax Credit (3-6)	\$	(7)	
Less adjusted profit & risk allowance as per SPP 3.6			
Market determined profit & risk allowance	%		(8)
Less fixed profit allowance per SPP 3.6	10%		(9)
Risk rate applied (8-9)	=	%	(10)
EXPLANATION: (10) to be expressed as a whole number e.g. 15% = 15 i.e. Risk = (7) multiplied by (10) / ((10) + (100))	\$	(11)	
Balance after profit & risk factor (7-11)	\$	(12)	
Less development costs @ "X" lots multiplied by "\$Z" per lot	\$	(13)	
Add back Input Tax Credit on (13)			
(13) Multiplied by GST rate / (100+GST rate)	\$	(14)	
Development cost after Input Tax Credit (13-14)	\$	(15)	
Add interest on net development costs (15)			
For 1/2 development & 1/2 selling term			
@ Applicable market rates			
(15) Multiplied by % rate	\$	(16)	
(15+16)		\$	(17)
Balance after deduction of development costs & interest (12-17)	\$	(18)	
Less interest on land value, rates & taxes and stamp duty			
Assessed over 1/2 development and 1/2 selling term			
@ Applicable market rates			
(18) Multiplied by % rate / (100+%rate)	\$	(19)	
Balance after interest on the land (18-19)	\$	(20)	
Less rates & taxes		\$	(21)
Balance after rates & taxes (20-21)	\$	(22)	
Less Stamp Duty @ current statutory rates			
(22) Multiplied by stamp duty rate / (100+stamp duty rate)	\$	(23)	
Residual Land Value prior to GST considerations (22-23)	\$	(24)	
Add GST (24) + GST at prevailing statutory rate	\$	(25)	
ASSESSED STATUTORY CONTRIBUTION PER SPP 3.6 (22+23)	\$		
The Static Feasibility Model is based upon:			

- (i) The number of lots yielded from the land will have a gross sale price which, when multiplied by the number of lots created, establishes the Gross Realisation (i).
- (ii) GST will be calculated by the standard/normal method.
- (iii) Selling, marketing, advertising and settlement fees expressed as a percentage shall be added and then expressed as a total percentage against the gross realisation.
- (iv) The adjusted risk component applied in the model is the established market profit and risk at the date of valuation less the fixed 10 per cent profit applied in SPP 3.6.
- (v) Development costs will be established as an appropriate servicing cost per lot at the date of valuation, multiplied by the lots realised from the land.
- (vi) Interest against the development costs will be established by the application of bank lending rates for such projects at the date of valuation.
- (vii) Interest against the land in development will be established by the application of bank lending rates for such development acquisitions at the date of valuation.
- (viii) Rates and taxes will be applied for the full term of acquisition, development and sale.
- (ix) Stamp Duty will be applied at the statutory rate as applicable at the date of valuation.
- (x) GST will be applied at the appropriate rate adopted at the date of valuation.

SCHEDULE IX – PARKING OF COMMERCIAL VEHICLES

AMD 151 GG 15/09/17

The following provisions stipulate the maximum number of commercial vehicles that Council may approve in any application for approval under Clause 6.20 Parking of Commercial Vehicles.

Zone	Lot Size	Maximum number of motorised Commercial Vehicles	Maximum number of non-motorised Commercial Vehicles
All zones	Lot size of 500m ² or less	No commercial vehicles are permitted.	No non-motorised commercial vehicles are permitted.
Residential Special Residential	Lot size of greater than 500m ²	<ol style="list-style-type: none"> 1. One rigid (non-articulated) vehicle not exceeding 7m in length and 2.4m in height. 2. No prime mover will be permitted to be parked on any lot. 	One non-motorised commercial vehicle but not a trailer which exceeds 7 metres in length.
Special Rural Rural Water Resource Rural A Rural B	Lot size of greater than 500m ²	<ol style="list-style-type: none"> 1. One rigid (non-articulated) commercial vehicle or one prime mover. 2. Commercial vehicle with a Gross Vehicle Mass (GVM) in excess of 42 tonnes is prohibited. 	One trailer exceeding 7 metres in length or one other non-motorised commercial vehicle.

APPENDICES

APPENDIX I - BUILDINGS, OBJECTS AND PLACES, THE PRESERVATION OF WHICH SHOULD BE ENCOURAGED

The following is a description of each site or building in the Town of Kwinana which is listed for its historical or aesthetic significance.

KEY COTTAGE

- Location** - Located on the North side of Wellard Road, 500 metres from the Mandurah Road.
- History** - Edward Key built the cottage around 1841, that was named 'Monas Mount'.
- The cottage is constructed from hand hewn blocks of Rockingham limestone. Small sheoak shingle roofing tiles put up by Edward Key have been covered with sheet metal roofing material.
- 'Monas Mount' is one of the best preserved and possibly the oldest houses in the Kwinana District.

WHEATFIELD COTTAGE

- Location** - Located on the golf course, Wellard Road, eastward of Mandurah Road.
- History** - The land was part of the first wheat producing farm in W.A. The first owner of the cottage was Mr. Marshall McDermott, a Justice of the Peace in 1842. In 1899 the cottage was owned by Alexander and Sir John Forrest.
- In 1954, following a number of owners the cottage was revested in Her Majesty as part of her former estate. Shortly after the cottage was restored back to its former dignified appearance. The cottage is one of the oldest and best preserved in Western Australia. It has subsequently been recorded by the National Trust and is referred to as the 'Greenkeepers Cottage'.

LEAHOLM

- Location** - Located off the Mandurah Road, south of the East Rockingham cemetery and east of the railway line.
- History** - 'Leaholm' is the name of the Mead family cottage nestling among gum trees. In 1895, a new house was built west of the original house, which was pulled down in 1965.
- Rockingham honeycomb limestone was the main material used in the original cottage and provided blocks for the walls of the new 'Leaholm'.

SLOAN COTTAGE & SURROUNDS

- Location** - Located on Sloan Reserve, adjacent to Wellard Road and opposite the Kwinana Golf Course. The house was constructed about 1911 by George Samuel Sloan and was restored in the early 1970's by Walter Edward Prockter, J.P., who was a former Deputy Mayor.

The land is classified by the National Trust, nominated in 1982, including Reserve 25132 and Woodlands.

The area classified by the National Trust in June 1986 includes Sloans Reserve, portions of western limestone ridge, World War 2 bunkers, area to the south of Sloans Reserve, Aboriginal archaeological and prior campsites.

POSTANS COTTAGE *AMD 47 GG 18/4/97*

Location Lot 123 Hendy Street, Hope Valley, south of Hope Valley Road.

History The cottage, although in a state of disrepair, is constructed of limestone blockwork. The cottage was constructed at about 1882 by George Postans (1830-1905) one of the early residents of Hope Valley and to whom the naming of Hope Valley is attributed. The land holdings formed part of the original Postans estate recorded as Cockburn Sound Location 241.

SMIRK COTTAGE

Location Located adjacent to the Kwinana Depot and is the second dwelling to bear the same name.

History The original building was built in about 1856 by Thomas Smirk and has long since been demolished. The present cottage is thought to have been built by Thomas Smirk's son in about 1917. Smirk's cottage should be integrated within the adjacent passive recreation spine.

"PARADISE" Thomas's Cottage built by Joseph and Amelia Thomas, 1870. Accessible from Tasker Road between the Pines and Key Cottage.

"THE PINES" Thorpe's Cottage. Built 1855. Owned by Benjamin and Jane Thorpe. The pine trees were planted in 1925 and stand as a landmark. Accessible via Tasker Road east of the railway marshalling yards.

"SCHOOL HOUSE" Mandogalup Cottage/School House - 1921 was the first school at Mandogalup with teacher George Forster. The school house has since been demolished, but remains as a site/place of heritage significance.

APPENDIX II - INTERPRETATIONS

As provided for in Clause 1.9 to this Scheme, the following terms, unless the context otherwise requires, shall have the respective meanings and interpretations set out hereunder:

Absolute Majority of Council	means a total majority of the members for the time being of the Council whether present and voting or not.
Act	means the <i>Planning and Development Act 2005</i> .
Aged and/or Dependent Persons Accommodation <i>AMD 8 GG 16/7/93; AMD 47 GG 18/4/97</i>	<p>means self-contained living accommodation on the same site as a single house and may be attached but without direct internal access to the principal dwelling or detached from the single house existing on the lot and subject to the following requirements:</p> <ul style="list-style-type: none"> (a) Comprises a habitable area of no greater than 40 square metres. (b) Is located no more than 10 metres from the principal dwelling. (c) Is not rented, leased or sold to persons other than aged or dependent persons or relatives of the same family as the owners of the principal residence for commercial gain. (d) Does not comprise more than 1 bedroom, 1 dining/living room, 1 kitchen and ablution facilities. (e) Does not contain a laundry and the laundry facilities are shared between the principal residence and the additional accommodation. (f) Is to be of an appearance and style similar to the main dwelling and appear as a single residence and not a grouped dwelling. (g) A statutory declaration to be signed by the owners and each persons for whom the ancillary accommodation is intended and submitted to Council with the building licence application.
Aggregate Crushing <i>AMD 66 GG 19/11/99</i>	<p>means the crushing or breaking up or reduction to smaller particles of earthen materials such as rock, stone, limestone, brick, concrete, clay, shale and coal, or other similar materials using machinery.</p> <p>May also include the temporary storage of these materials only on-site.</p>
Amenity Building	means a building or part of a building that employees or persons engaged in a industry or business use for their personal comfort, convenience or enjoyment of leisure as distinct from the work of the industry or business.
Amusement Centre	means a building or part of a building or land used or adopted for use as a commercial enterprise where slot, pinball and other machines and facilities are available to the public for amusement.
Application for Planning Approval	means an application for approval to commence development or change in the use of land made pursuant to Part II of the Scheme.
Approved Plan	means any plan forming part of an application for Planning Approval endorsed with the approval of the Council.

Aquaculture	means any fish farming operation for which a fish farm licence issued pursuant of the provisions of Part V of the <i>Fisheries Act 1905</i> (as amended) and the Fisheries Regulations 1938 (as amended) is required.
Arcade	means a covered pedestrian way which is designed or used as the principal means of pedestrian access to shops or commercial or civic buildings.
Art & Craft Centre AMD 62 GG 27/4/99	means any land or buildings used to manufacture, display, and sell, works of art or craft.
Awning	shall have the same meaning as is given to it in the by-law relating to verandahs and awnings over streets, Government Gazette No. 103, of 10th December, 1964.
Bed and Breakfast AMD 80 GG 2/6/06	means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast.
Boatel	means a building, or group of buildings or place used or intended to be used to accommodate patrons in a manner similar to a hotel or guest house but in which special provision is made for the accommodation of patrons with boats.
Boat Sales	means a building or part of building or land used for the sale of boats and ancillary equipment and includes servicing and minor repairs thereto.
Building	means any structure or appurtenance thereto whether fixed or movable, temporary or permanent, and includes a stall, fence, wall, barrier, hoarding, outbuilding and swimming pool.
Building Line	means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.
Bulky Goods Showroom AMD 156 GG 1/2/19	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; or

	<p>(b) used to sell by retail goods and accessories by retail if –</p> <p>(i) a large area is required for the handling, display or storage of the goods; or</p> <p>(ii) vehicular access is required to the premises for the purpose of collection of purchased goods.</p>
Bus Station	means land and buildings designed or adapted for use as a public transport bus terminal or transfer station, but does not include associated bus depot facilities.
Caravan Park	means an area set aside for the parking of caravans in conformity with the <i>Health Act (Caravan Park and Camping Grounds) Regulations 1974</i> , made under the provisions of the <i>Health Act, 1911</i> (as amended) and the Local Government Model By-law (Caravan Parks and Camping Grounds) No. 2 made pursuant to the powers conferred by the <i>Local Government Act, 1960</i> (as amended) and any amendments to those Regulations or to that Model By-law.
Caretaker's House	means a building used as a residence by the proprietor or manager of an industry carried on upon the same site or by a person having the care of the building or plant of the industry.
Car Park	means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale.
Chicken Farm	means a caged system of poultry housing as defined in Section V of Part IX Offensive Trade of the Health Act By-laws Series A. Poultry Farm shall have the same meaning.
Child Care Centre AMD 47 GG 18/4/97	means land and buildings used for the purpose of a Child Care Centre in accordance with the " <i>Community Services Act 1972</i> ", a Day Care Centre in accordance with the Community Services (Child Care) Regulations 1988 but does not include a Family Day Care Centre.
Civic Building	means a building designed, used or intended to be used by Government Departments, statutory bodies representing the Crown, or by the Council as offices or for administrative or other like purposes.
Club	means a building or premises used or designed for use or adapted for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the <i>Liquor Act 1970</i> as amended or re-enacted or not and which building or premises are not otherwise classified under the provisions of the Scheme.
Clubs Sporting and Recreation AMD 80 GG 2/6/06	means premises designed and constructed to accommodate indoor sporting and associated club activities of a commercial nature.
Colonnade	means a covered pedestrian way adjoining a public space which is open to the sky.

Commercial Hall	means any building which is used or designed for use or adapted for use primarily for the purpose of hiring the same for use by others or in respect of the use of which an admission charge is made and which building is not otherwise classified under the provisions of the Scheme.
Commercial Vehicle AMD 151 GG 15/09/17	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes and/or which is greater than 7 metres in length and 2.4 metres in height, 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).
Commission	means the State Planning Commission constituted under the <i>State Planning Commission Act 1985</i> .
Community Hall AMD 80 GG 2/6/06	means a hall for the use by the public with or without charge wherein which occasional public meetings or indoor informal sports are accommodated.
Consulting Rooms	means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur, a chiropractor, a chiropodist, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments.
Control of Access	has the same meaning as given to it in the <i>Main Road Act No. 5 of 1930</i> as amended as follows: in relation to any road means that a section or part of that road is intended for use by prescribed traffic without avoidable hindrance, whether from traffic from an intersecting road or otherwise, and that such section or part of the road has been declared by proclamation to be subject to control of access and may be entered or departed from at specified places only.
Courtyard	means pedestrian space enclosed or substantially enclosed by buildings and open to the sky.
Development	means in accordance with the Act the use including a material change in the use of development of any land and includes the erection, construction, alteration or carrying out as the case may be, of any building, excavation, filling or other works on any land.
Dog Kennels	means land and buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.
District	means the Municipality of the Town of Kwinana.
Drive-in Takeaway Food Shop	means any building or part thereof which is used or is adapted for use for the sale of cooked food for consumption off the premises and which provides driveways and car parking spaces for customers.

Drive-In Theatre	means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles.
Dry Cleaning Premises	means land and buildings used for the cleaning of garments and other fabrics by chemical processes.
Dwelling	<i>DELETED BY AMD 152 GG 09/02/2021</i>
Eating House	means any house, building or structure or any part thereof in which meals are served to the public for gain or reward. The term does not include: <ul style="list-style-type: none"> (a) any premises in respect of which an hotel licence, a limited hotel licence, a tavern licence, a restaurant licence or winehouse licence has been granted under the Liquor Act. (b) any boarding house, lodging house or hostel, or (c) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races or other public sports, games or amusements.
Educational Establishment	means a school, college, university, technical institute, kindergarten, academy or other educational centre or a lecture hall but does not include a reformative institution or institutional home.
Effective Frontage	means the width of the lot at the minimum distance from the street alignment at which buildings may be constructed.
Equestrian Use <i>AMD 18 GG 19/3/93</i>	means buildings, facilities and land designed and used for equestrian activities whether or not for commercial gain and includes but is not limited to riding instruction, horse breeding, horse training, agistment, show jumping and dressage.
Existing Use	means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme, in accordance with the conditions set out in Part VIII Non-Conforming Use of Land.
Extractive Industry	includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto.
Factory Unit	means each portion of a factory tenement building which is designed or adapted for occupation as a separate undertaking and factoryette shall have the same meaning.
Family Day Care Centre <i>AMD 47 GG 18/4/97</i>	means land and buildings used for the purpose of providing a child care service to a child in a private dwelling in a family or domestic environment in accordance with the <i>Community Services (Child Care) Regulations 1988</i> .

<p>Farm Stay Accommodation Rural Chalets</p> <p>AMD 80 GG 2/6/06</p>	<p>means purpose built units for the short term (overnight) accommodation of tourists and holiday makers, on a lot able to accommodate a single dwelling and subject to the following requirements –</p> <ul style="list-style-type: none"> (a) the total number of persons accommodated on the lot shall not exceed 10 persons; (b) the total floorspace for each unit shall not exceed 40 square metres; and (c) should comprise no more than 2 bedrooms each, and may only include kitchen, laundry and/or ablution facilities where compliance with the “Single Residential Equivalent” of the Government Sewerage Policy, for the whole lot can be demonstrated.
<p>Fish Shop</p>	<p>means a shop where the goods kept exposed or offered for sale include wet fish or fish cooked on the premises for consumption off the premises.</p>
<p>Floor Area</p>	<p>means the aggregate superficial area of so many horizontal sections of a building as there are floors or storeys in that building and the horizontal section of each floor shall be made at the point of its greatest surface dimensions, inclusive of external walls and of such portions of the party walls as belong to the building and also of all verandah and balcony floors, covered ways and light courts, but does not include the area of any part of the building used exclusively for the parking of wheeled vehicles.</p>
<p>Flora Culture</p> <p>AMD 58 GG 2/5/03</p>	<p>means land or buildings used for the cultivation of flowers for commercial purposes.</p>
<p>Forestry (Selective)</p>	<p>means the use of land for the purposes of planting, growing and felling of timbers nominated by Council for commercial gain.</p>
<p>Frontage</p>	<p>means the boundary line between a site and the street which that site abuts, and when the site abuts on more than one street, then the boundary line between the site and the street to which the main building erected thereon, fronts. If no building has been erected, or if the building appears to front on to more than one street, then the frontage shall be the boundary line between the site and the street nominated by the Council.</p>
<p>Fuel Depot</p>	<p>means a depot for the storage or sale in bulk of solid or liquid gaseous fuel, but does not include a service station.</p>
<p>Funeral Parlour</p>	<p>means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation.</p>
<p>Gazettal Date</p>	<p>means the date on which notice of the approval of the Minister to this Town Planning Scheme is published in the Government Gazette.</p>
<p>General Industry</p>	<p>means any industry other than a hazardous, light, noxious, rural, extractive or service industry.</p>
<p>Gross Leasable Area</p>	<p>means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.</p>

Hazardous Industry	means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced requires isolation from other buildings.
Health Centre	means a maternal or X-Ray centre, a district clinic, a masseur's establishment, or a medical clinic.
Health Studio	means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if especially approved by Council.
Holiday Accommodation	means buildings constructed in accordance with the provisions of Model By-law No. 18 (Holiday accommodation) and used for the short term accommodation of tourists and holiday makers and includes convention centres, halls and other buildings for the amenity of the residents but does not include an Hotel or a Motel.
Home Business AMD 80 GG 2/6/06; AMD 158 GG 05/02/2021	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 50 m ² ; 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 of 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 AMD 158 GG 05/02/2021	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 20 m ² ; and (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m ² ; 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 of 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;
Hospital	means any building or part of a building whether permanent or otherwise, in which persons are received and lodged for medical treatment or care.
Hotel	means premises in respect of which there is granted an hotel licence under the <i>Liquor Act 1970</i> as amended or re-enacted.
Industry	<p>means the carrying out of any process for and incidental to:</p> <ul style="list-style-type: none"> (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or breaking up or demolition of, any article or part of any article; (b) the winning, processing or treatment of minerals; (c) the generation of electricity or the production of gas, and (d) the manufacture of edible goods for human or animal consumption, being a process carried on in the course of trade of business for gain, other than operations connected with: <ul style="list-style-type: none"> (i) the carrying out of agriculture; (ii) site work on buildings, work or land; and (iii) in the case of the manufacture of goods referred to in sub-paragraph (d) above, the preparation on the premises of a shop of food for sale; <p>and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process.</p>
Industry – Cottage <i>AMD 80 GG 2/6/06</i>	<p>means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which –</p> <ul style="list-style-type: none"> (a) does not cause injury to or adversely affect the amenity of the neighbourhood; (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household; (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put; (d) does not occupy an area in excess of 50 square metres; and (e) does not display a sign exceeding 0.2 square metres in area.
Intensive Agriculture	<p>means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks, normally associated with the following:</p> <ul style="list-style-type: none"> (a) The production of grapes, vegetables, flowers, exotic and native plants, fruit, and nuts; (b) The establishment and operation of plant and fruit nurseries. (c) The development of land for irrigated fodder production and irrigated pasture (including turf farms);

	<p>(d) The development of land for the keeping, rearing or fattening of pigs, poultry (for egg or meat production), rabbits (for meat or fur production), and livestock in feedlots;</p> <p>(e) Dairy milking sheds;</p> <p>(f) The development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by the Department of Agriculture for the applicable pasture type in consultation with surrounding.</p>
Land	includes air stratum titles, messuages, tenements and hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land.
Landscaped Area	means any area developed with, or by the planting of lawns, garden beds, shrubs and trees and includes any portion of a site developed with rockeries, ornamental ponds, swimming pools, barbecue areas or children's playgrounds and any area approved of by the Council as landscaped area.
Laundry (Industrial)	means land or buildings used for the cleaning of garments and other fabrics using water and solvents and wherein customer service is rendered.
Laundry (Laundrette)	means land or buildings wherein machines used for the cleaning of garments and other fabrics are available for public use.
Licensed Restaurant	means a premises in respect of which there is granted a restaurant licence under the <i>Liquor Act 1970</i> as amended or re-enacted.
Light Industry	<p>means an industry:</p> <p>(a) in which the processes carried on, the machinery used, and the carriage of goods and commodities to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; and</p> <p>(b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.</p>
Liquor Store	means premises in respect of which a liquor store licence has been granted under the <i>Liquor Act 1970</i> .
Local Shop	means a shop with or without an attached dwelling wherein the only goods offered for sale are foodstuffs, normally available from a delicatessen, toiletries, stationery or goods of a similar domestic nature intended for day to day consumption or use by persons living or working in the locality of the shop. Corner store shall have the same meaning.

Lodging House	means a building or structure permanent or otherwise in which provision is made for boarding or lodging more than four persons, exclusive of family members of the keeper thereof, for hire or reward but the terms do not include: (a) a motel; (b) premises used as a boarding school approved under the <i>Education Act 1928</i> ; or (c) a building containing flats.
Lot	shall have the same meaning as is given to it in and for the purposes of the Act and allotment has the same meaning.
Marina	means a safe anchorage for small boats, at which provisions, supplies etc may be obtained.
Medical Clinic	means premises in which facilities are provided for the practice of more than one medical practitioner or dental practitioner, physiotherapist, chiropractor or masseur.
Minister	means the Minister for Planning or such other member of Executive Council as is for the time being charged by the Governor with the administration of the Act.
Motel	means a building, group of buildings or place used or intended to be used, designed or adapted for use to accommodate patrons in a manner similar to a hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles.
Motor Racing Track	means land or buildings used, whether indoors or outdoors, for the purposes of racing, or competitions and trials involving, any motor vehicles, motor cycles, go carts or any other motorised vehicle either for hire to members of the public or for the purposes of public spectating, with or without an admission charge.
Motor Repair Station	means land and buildings used for or in connection with mechanical repair and overhauls including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.
Museum	means a place preserving and exhibiting works of nature, art, curiosities, etc., also any collection of such objects.
Non-Conforming Use	means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme.
Non-Residential Health Centre	means a health centre which is not used or adapted for use for residential purposes.
Noxious Industry	means an industry in which the processes involved constitute an offensive trade within the meaning of the <i>Health Act 1911</i> (as amended) or a scheduled premises within the meaning of the <i>Clean Air Act</i> (as amended) but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, chicken farm, piggery or the carrying out of agriculture for the growing, rearing or producing of animal, bird, fish or vegetable matter for human or animal consumption being a process carried out in the course of trade or business for gain.

Office	means the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature, or where not conducted on the site thereof, the administration of or the accounting in connection with an industry.
One-Way Access	means a driveway or accessway within a car parking area which is used or intended to be used by motor vehicles in one direction only.
Open Air Display	means the use of land as a site for the open air display and/or sale of goods and equipment.
Open Air Storage Yard	means land and buildings used for the storage of materials in the open air.
Owner	<i>DELETED BY AMD 152 GG 09/02/2021</i>
Parking Angle	means the angle of less than ninety degrees, which the long side of a car parking bay makes with the centreline of the driveway or accessway of a car parking area.
Petrol Filling Station	means land and buildings used for the supply of petroleum products and automotive accessories.
Piggery	means any building, enclosure or yard in which one or more pigs are kept, bred, reared or fattened for the purpose of trade.
Predominant Use	means the primary use of land and to which all other uses carried on the land are subordinate, incidental or ancillary.
Private Hotel	means land and buildings in respect of which a limited hotel licence has been granted under the provisions of the <i>Liquor Act 1970</i> .
Private Recreation <i>AMD 17 GG 4/6/93</i>	means the use of land for parks, gardens, playgrounds, sports arenas whether intended for public participation in sport or spectating, or other grounds for recreation which are not normally open to the public without charge but does not include a Motor Racing Track.
Private Utility <i>AMD 88 GG 19/4/05</i>	means any works or undertaking constructed or maintained by a private organization as may be required to provide water, sewerage, electricity, gas, drainage, or other similar services.
Professional Office	means a building used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiroprapist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature.
Public Amusement	means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium or for games.

Public Assembly - Place of	means any building or land set aside, designed or intended for use by the public for the purpose of amusement, entertainment or recreation not being a building or land which is otherwise classified under the provisions of the Scheme.
Public Authority	means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility, and any other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility.
Public Recreation	means the use of land for a public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge.
Public Utility	means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
Public Worship - Place of	means land or buildings used primarily for the religious activities of a Church but does not include an institution for primary, secondary, or higher education, or a residential training institution.
Recreational Facilities	means land or buildings designed, used or adapted for use for the purpose of public tennis courts, public or private swimming pools, squash courts or centres, basketball centres, gymnasias and skating rinks and for all other similar purposes in respect of which a charge is made for the use thereof.
Redevelopment	means revision or replacement of an existing land use according to a controlled plan.
Residential Building	<i>DELETED BY AMD 152 GG 09/02/2021</i>
Restricted Premises	<p>means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of;</p> <p>(a) Publications that are classified as restricted publications pursuant to the <i>Indecent Publications and Articles Act 1902</i> (as amended); or</p> <p>(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.</p>
Retail Plant Nursery <i>AMD 20 GG 19/7/94</i>	<p>means land or buildings used for:</p> <p>(a) the purposes of propagation and rearing of plants; and</p> <p>(b) the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of pre-fabricated garden buildings;</p> <p>but does not include:</p>

	<p>(c) the sale, storage, or handling of any manure other than in packages approved by the Council; or</p> <p>(d) the sale, storage, packaging, handling or processing of any manure in bulk.</p>
Rural Industry	means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.
Rural Produce Stalls <i>AMD 20 GG 19/7/94</i>	means land or buildings used or adapted for use for the purposes of retail of produce grown on the subject lot only and should generally not exceed 50m ² of retail floor area.
Rural Pursuit <i>AMD 58 GG 2/5/03</i>	<p>means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:</p> <p>(a) the rearing or agistment of goats, sheep, cattle, or beasts of burden;</p> <p>(b) the stabling, agistment or training of horses;</p> <p>(c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens;</p> <p>(d) the sale of produce grown solely on the lot;</p> <p>but does not include intensive agriculture.</p>
Service Industry <i>AMD 57 GG 1/6/99</i>	<p>means a light industry carried out on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.</p> <p>In the case of the Mixed Business Zone No. 1 the land use comprises only those land use activities listed in Appendix 5 and the operational characteristics of such land use activities shall comply with the meaning afforded to Service Industry.</p>
Service Station	means land and buildings used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs, and minor mechanical repairs.
Shop	means any building wherein goods are kept exposed or offered for sale by retail, a receiving depot, a bank, a hairdresser's premises and an estate agency, but does not include a local shop, corner store, pet meat shop, pet shop, eating house, fuel depot, a market, service station, milk depot, marine store, timber yard, vehicle sales premises, or land and buildings used for any purpose falling within the definition of industry.
Showrooms <i>AMD 57 GG 1/6/99</i>	means any building or part of a building used or intended for use for the purposes of displaying or offering for sale by wholesale or retail, automotive spare parts, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature.
Stables	means land and buildings used or adapted for use for the keeping of horses.

Street Alignment	means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment so prescribed.
Tailings Ponds	means an area of land excavated, banded and otherwise developed to secure the tailings liquid or by products of an industry or works.
Tavern	means premises in respect of which there is granted a tavern licence under the <i>Liquor Act 1970</i> as amended or re-enacted.
Telecommunications Infrastructure <i>AMD 88 GG 19/4/05</i>	means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network.
Trade Display	means the controlled and moderate display of goods for advertisement as approved by Council.
Transport Depot <i>AMD 151 GG 15/09/17</i>	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, but does not include the parking or garaging of one or more commercial vehicles approved pursuant to clause 6.20 of the Scheme.
Vehicle Sales	means land and buildings used for the display, sale and/or hiring of vehicles other than bicycles, whether new or second-hand, but does not include a workshop.
Vehicle Wreckers	means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.
Veterinary Clinic	means any premises used or designed or adapted for use in the practice of his profession by a registered veterinary surgeon other than for the purpose of the hospitalisation or boarding of animals.
Veterinary Hospital	means any premises used or designed or adapted for use in the practice of his profession by a registered veterinary surgeon which premises include provision for the hospitalisation or boarding of animals whilst receiving treatment.

<p>Warehouse</p> <p>AMD 57 GG 1/6/99</p>	<p>means any building or enclosed land, or part of a building or enclosed land, used for, designed or adapted for use for the storage of goods whether or not commercial transactions involving the sale of such goods by wholesale are carried out in or on such building or land.</p> <p>In the case of the Mixed Business Zone No. 1 the land use comprises only those land use activities listed in Appendix 5 and the operational characteristics of such land use activities shall comply with the meaning afforded to Warehouse.</p>
---	---

APPENDIX III - NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

**TOWN OF KWINANA
TOWN PLANNING SCHEME NO. 2**

Notice of Public Advertisement of Development Proposal

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder:

LAND DESCRIPTION

Lot No..... Street.....

Proposal

.....

.....

Details of the proposal are available for inspection at the Council office. Comments on the proposal may be submitted to the Council in writing on or before the day of19.....

.....
TOWN CLERK

.....
DATE

**APPENDIX IV - MIXED BUSINESS ZONE NO. 1 - LAND USE CLASSES AND
SUBSET LAND USE ACTIVITIES**

LAND USE CLASS	LAND USE ACTIVITIES
<p>Service Industry</p> <p><i>AMD 57 GG 1/6/99</i></p>	<p>Building Trades Services Carpentry and Wood Flooring Services Catering and Functions Services Ceiling Installations Services Cleaning Services Dental Laboratories Services Electrical Repair Services Fencing Services Funeral and Crematory Services Gardening Services Insulation Installation Services Laboratory Services Laundering, Dry-Cleaning and Dyeing Services Lawn Mower Repair Services Linen Supply and Industrial Laundry Services Machinery Repair Services Marine Machinery Repair Services Masonry, Stonework, Tile Setting, and Plastering Services Motor Cycle Repair Services Motor Vehicle, Electrical, Clutch, Brake, Radiators, Air Conditioning, Trimming, Windscreen Replacement, Window Tinting, Tyre Repair and Detailing Services Motor Vehicle Towing Services Office Equipment Repair Services Pest Control services Photographic Film Processing services Plumbing, Heating and Air Conditioning Services Painting, Paper Hanging and Decorating Services Radio and Television Repair Services Roofing and Sheet Metal Services Special Construction Trades Services Water Well Drilling, Irrigation and Reticulation Services Window and Door Treatments Installation Construction Trades Services Window Cleaning Services</p>
<p>Warehouse</p>	<p>Agricultural/Horticultural Products Wholesale Air Conditioning, Refrigeration Equipment and Supplies Wholesale Aircraft and Accessories Wholesale Alcoholic Beverages Wholesale Building Material Machinery and Equipment Retail/Wholesale Business Machines and Computers Wholesale Clothing - Wholesale Cold Storage and Wholesale Confectionery - Wholesale Construction Materials Wholesale Dairy Products - Wholesale</p>

LAND USE CLASS	LAND USE ACTIVITIES
	Drugs, Chemical Pharmaceutical Goods and Allied Products Wholesale Wholesale Dry Goods and Apparel Wholesale Electrical Appliances, Electrical Apparatus Wholesale Electrical Goods - Wholesale Electronic Parts and Equipment Wholesale Farm Machinery and Equipment Wholesale Floor Coverings - Wholesale Footwear - Wholesale Fruits and Vegetables (Fresh) Wholesale Groceries and Related Products Wholesale Groceries (General Line) Wholesale Hardware - Wholesale Hardware, Plumbing, Heating Equipment and Supplies Wholesale Home Furnishings Wholesale Machinery, Equipment and Supplies Wholesale Machinery, Industrial Equipment Wholesale Marine Craft and Accessories Wholesale Medical and Dental Equipment Wholesale Milk Vendors Wholesale Motor Vehicle Equipment Wholesale Motor Vehicles and Automotive Equipment Wholesale Other Groceries and Related Products Wholesale Paint and Varnishes Wholesale Paper and Paper Products Wholesale Plumbing and Heating Equipment and Supplies Wholesale Poultry and Poultry products Wholesale Professional and Scientific Equipment Wholesale Red Meat and Red Meat Products Wholesale Seafood - Wholesale Sporting, Recreational Entertainment Equipment Wholesale Storage Services Textile and Yarn Goods Wholesale Timber and Other Building Material Retail and Wholesale Timber Yards Retail and Wholesale Tobacco Products Wholesale Toiletries Wholesale Transportation Equipment, Tyres Wholesale

APPENDIX V - EXEMPTED ADVERTISEMENTS PURSUANT TO DIVISION 11

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings	One professional name-plate as appropriate	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed	Each advertisement sign not to exceed 5m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	Not Applicable
Industrial and Warehouse Premises	<p>A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building.</p> <p>Advertisement greater than six metres in height and 30 metres in length applied to or affixed to the wall of a building.</p> <p>A maximum of two free-standing advertisement signs not exceeding 5 metres in height above ground level.</p>	<p>Total area of any such advertisements shall not exceed 15m².</p> <p>Area of sign shall be no more than one third of the height of the wall and two thirds of the length of the wall.</p> <p>Maximum permissible total area shall not exceed 10m² and individual advertisement signs shall not exceed 6m².</p>
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	N/A
Public Places and Reserves	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government, a public authority or Council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body; and</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a government department, public authority or the Council of a municipality; and</p>	N/A

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area.
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
<p>All classes of buildings other than single family dwellings.</p> <p>Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows):</p> <p>(i) Dwellings</p> <p>(ii) Multiple Dwellings, Shops, Commercial & Industrial projects</p> <p>(iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height</p>	<p>One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.</p> <p>One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.</p> <p>One sign as for (i) above.</p> <p>One sign as for (i) above.</p> <p>One additional sign showing the name of the project builder.</p>	<p>0.2m²</p> <p>2m²</p> <p>5m²</p> <p>10m²</p> <p>5m²</p>
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m ²
<p>Property Transactions</p> <p>Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows:</p> <p>(a) Dwellings</p> <p>(b) Multiple dwellings, shops, Commercial and Industrial Properties.</p> <p>(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.</p>	<p>One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.</p> <p>One sign as for (a) above.</p> <p>One sign as for (a) above.</p>	<p>Each sign shall not exceed an area of 2m²</p> <p>Each sign shall not exceed an area of 5m²</p> <p>Each sign shall not exceed an area of 10m²</p>

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
<p>Display Homes</p> <p>Advertisement signs displayed for the period over which homes are on display for public inspection</p>	<p>(i) One sign for each dwelling on display</p> <p>(ii) In addition to (i) above, one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.</p>	<p>2m²</p> <p>5m²</p>

APPENDIX VI - CONTROL OF ADVERTISEMENTS

ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL

(to be completed in addition to Application for Approval to Commence Development)

- 1. Name of Advertiser (if different from owner):

- 2. Address in full:

- 3. Description of Property upon which advertisement is to be displayed, including full details of its proposed position within that property:

- 4. Details of Proposed Sign:
Height: Width: Depth:
Colours to be used:
Height above ground level (to top of Advertisement):
(to Underside):
Materials to be used:
Illuminated: Yes/No
If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating etc:
If yes, state intensity of light source:
- 5. State period of time for which advertisement is required:

- 6. Details of signs, if any, to be removed if this application is approved:
.....
.....
.....

N.B. Application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 6 above.

Signature of Advertiser(s):
(if different from land owners)
Date:

ADOPTION

Adopted by Resolution of the Council of the Town of Kwinana at the Meeting of the Council held on the 20th day of May 1986.

.....
MAYOR

.....
Date 22/10/1992

.....
TOWN CLERK

.....
Date 22/10/1992

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Town of Kwinana at the Ordinary Meeting of the Council held on the 22nd day of July 1992 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

.....
MAYOR

.....
TOWN CLERK

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which formal approval was given by the Hon. Minister for Planning on the date shown below.

2. Recommended/submitted for final approval by the State Planning Commission.

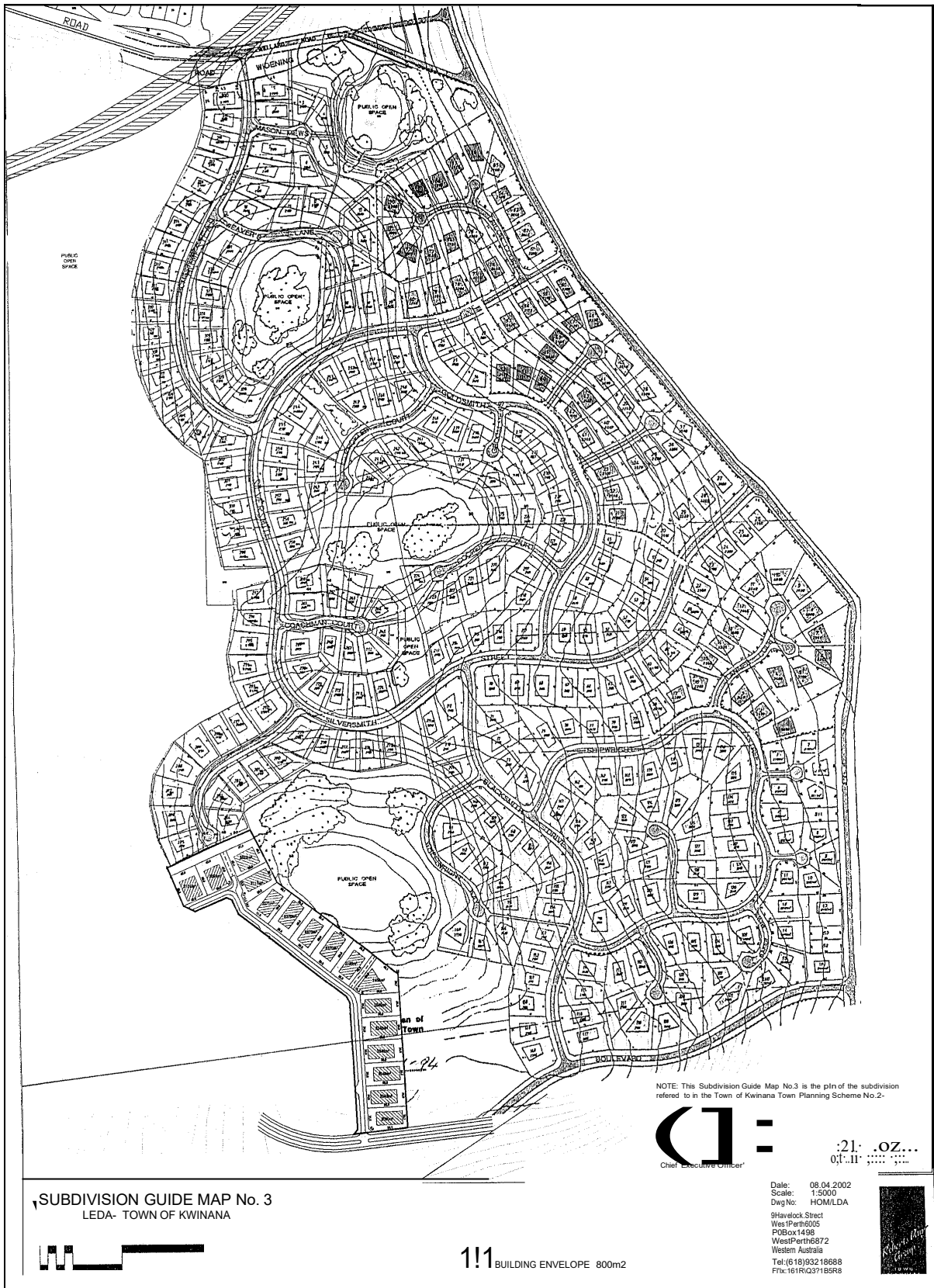
.....
For Chairman State Planning Commission

.....
Date 26/10/1992

3. Final approval granted.

.....
MINISTER FOR PLANNING

.....
Date 28/10/1992



SUBDIVISION GUIDE MAP No. 3
LEDA- TOWN OF KWINANNA



1:1 BUILDING ENVELOPE 800m2

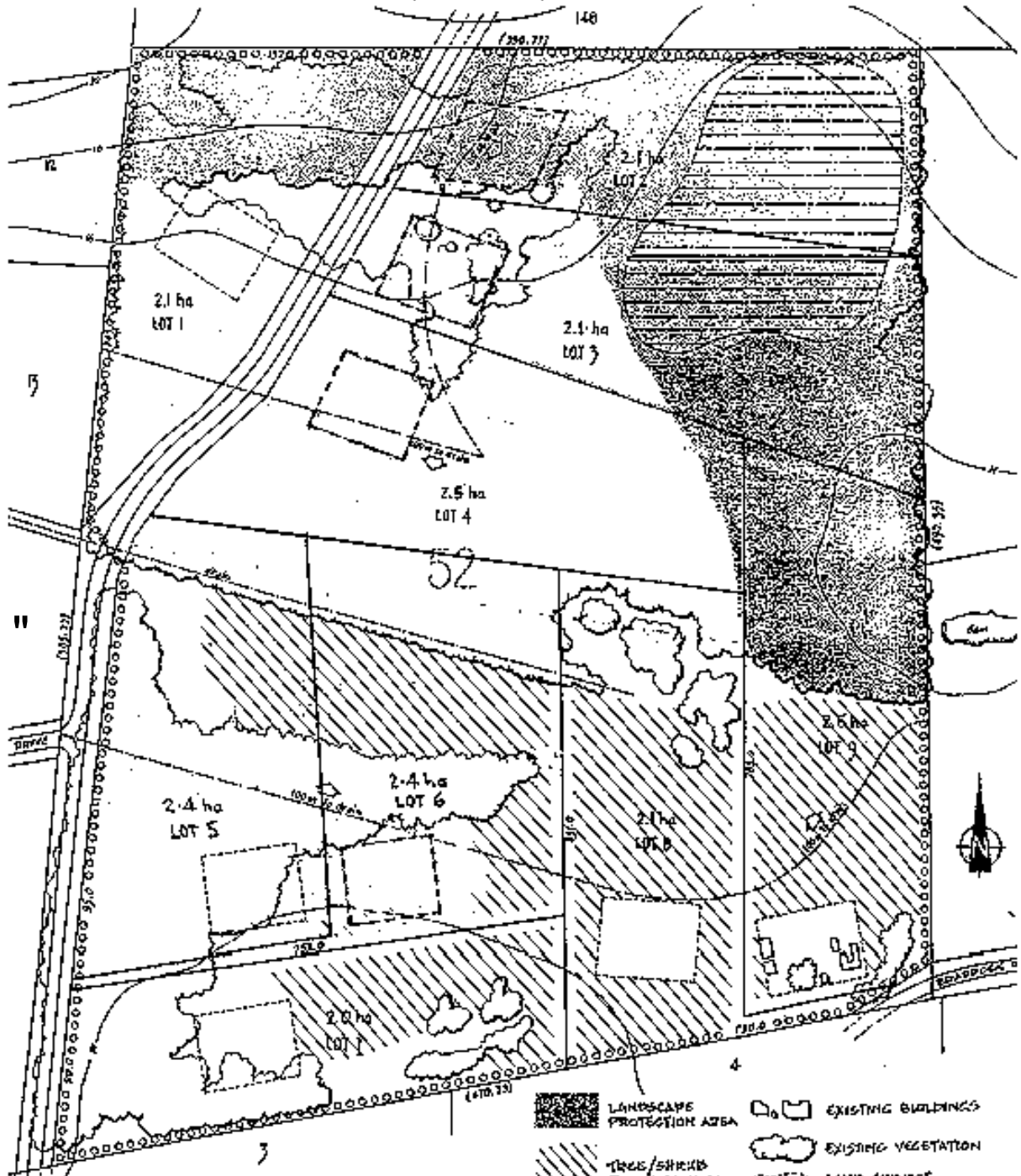
C
Chief Executive Officer

0:1:11 0Z...

Date: 06.04.2002
Scale: 1:5000
Dwg No: HOM/LDA
9Havlock Street
West Perth 6005
PO Box 1498
West Perth 6147
Western Australia
Tel: (618) 932 18688
Frx: 161RQ371B5R8



SUBDIVISION GUIDE MAP No. 3A LOT 52 JOINT ST WELLARD



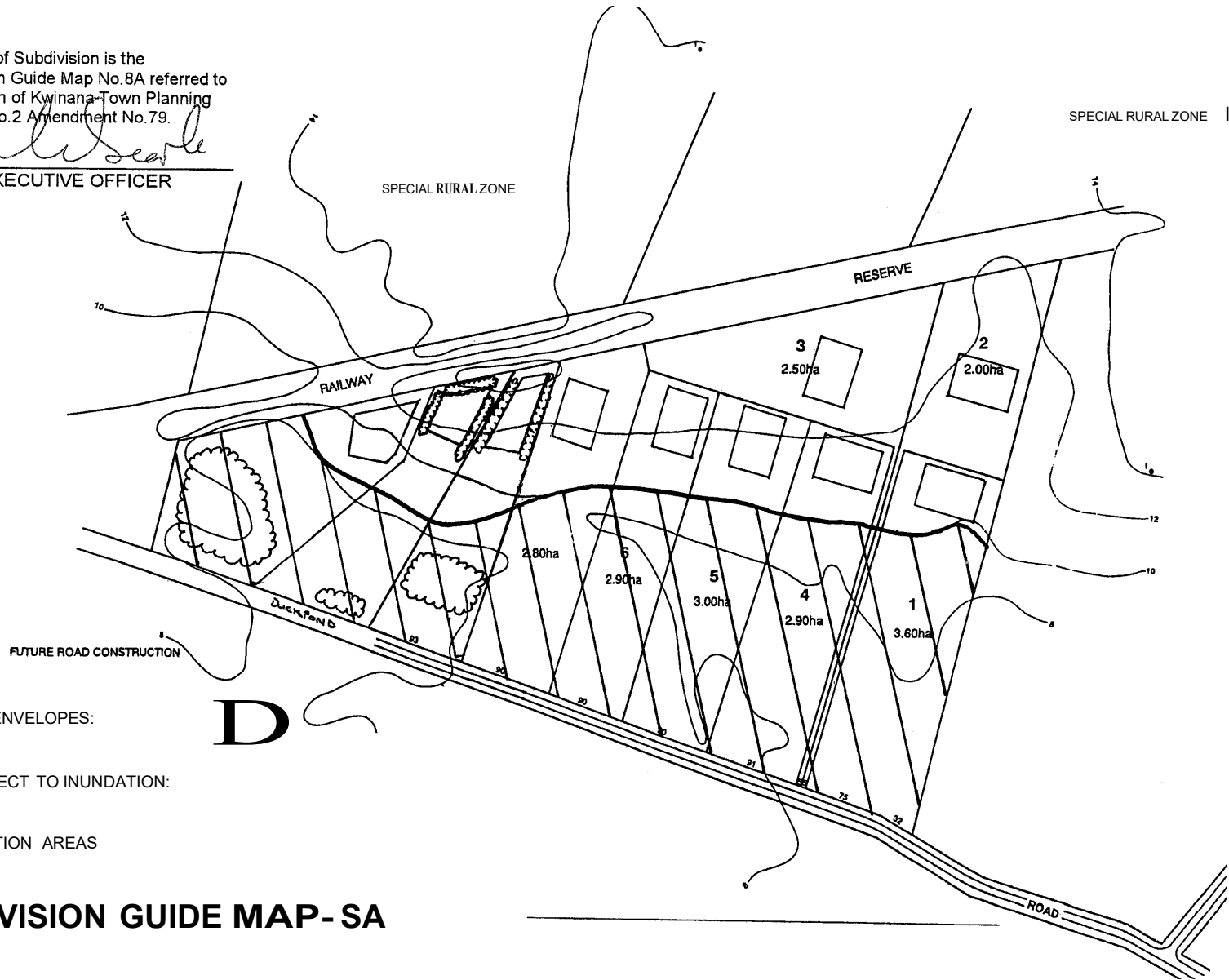
SUBDIVISION GUIDE MAP
 LOT 52 BRADDOCK ROAD
 SPECIAL ZONING ZONE 15
 APPROVED BY COUNCIL ON 15th SEPTEMBER 2011
[Signature]
 Date of issue: _____

	LANDSCAPE PROTECTION AREA		EXISTING BUILDINGS
	TREES/SHRUBS PLANTING AREA		EXISTING VEGETATION
	BUILDING ENVELOPE		LAND SUBJECT TO INUNDATION (STI)
			DRAINAGE DEPRESSION

NO FENCING OR FIREBREAKS IN THE WETLAND

This Plan of Subdivision is the Subdivision Guide Map No 8A referred to in the Town of Kwinana Town Planning Scheme No.2 Amendment No.79.

[Signature]
CHIEF EXECUTIVE OFFICER



G)
G)
II)

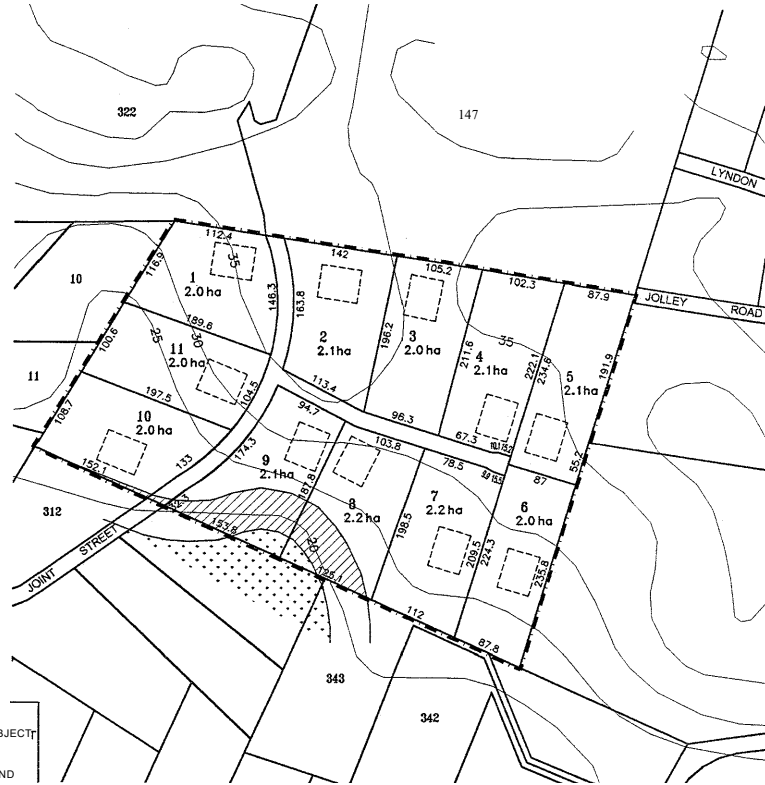
W

BUILDING ENVELOPES:

AREA SUBJECT TO INUNDATION:

REVEGETATION AREAS

SUBDIVISION GUIDE MAP- SA



LEGEND

- B** SUBJECT SITE
- LANDSCAPE PROTECTION AREA
- 1 CONSERVATION CATEGORY
- WETLAND
- ==== 2000m² BUILDING ENVELOPES

NOTE:

- 1) THE KEEPING OF SOME STOCK MAY BE PERMITTED SUBJECT TO THE PROVISIONS OF THE SCHEME.
- 2) THE CONSTRUCTION AND/OR ERECTION OF FENCING AND FIREBREAKS IS RESTRICTED WITHIN THE WETLAND. THE CLEARING, FILLING, DRAINAGE OR ANY OTHER DEVELOPMENT IS NOT PERMITTED WITHIN THE 50 METRE BUFFER AROUND THE WETLAND.
- 3) LANDSCAPE PROTECTION AREA AS IDENTIFIED BY TPS2.
- 4) DIMENSIONS SUBJECT TO SURVEY.
- 5) ALL DWELLINGS REQUIRED TO BE CONSTRUCTED TOWARDS THE CENTRE OF EACH SITE.
- 6) ALL SITES TO CONTAIN AT LEAST 30% VEGETATION COVER. RE-VEGETATION TO SATISFY REQUIREMENT MAY BE REQUIRED.

©COPYRIGHT RESERVED
 This document is and remains the property of Greg Rowe and Associates and may not be copied, reproduced or in any way without the written consent of Greg Rowe and Associates. My discrepancies are to be drawn to the attention of the designer immediately.
 ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY

SUBDIVISION GUIDE MAP No.17
 r=GL RURAL ZONE No.15
 PEEL ESTATE LOT 148
 WELLARD

| FIGURE 6j



#. j
GREG ROWE & ASSOCIATES
 #. #.

E:\marg15\c\o\ac\ac.r u
 Web: ICT: gnr@gnr.com

SUBDIVISION GUIDE MAP NO. 1(:)

Lot 153 WOOLCOOT ROAD WELLARD



- (---) Lonscope Protection Area
- (---) Area Subject to Winter Inundation
- (O) Man Made Dam
- (=) Existing Buildings
- (60) Areas to be Revegetated
- (---) Proposed Strategic fire Break
- (---) Building Envelope (to be defined at time of subdivision)

Areas and dimensions are subject to survey

N

Scale 1: 5000 (A4)
1: 3000 (A3)
18 April 2005