CONTENTS

SHIRE OF AUGUSTA-MARGARET RIVER

Local Planning Scheme No. 1

Updated to include AMD 71 GG 17/04/2026

GOVERNMENT OF WESTERN AUSTRALIA

Department of **Planning, Lands and Heritage**

Original Town Planning Scheme Gazettal
24 September 2010

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Shire of Augusta-Margaret River LPS 1 – Text Amendments

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
5	25/11/11	27/11/18	NM	Lot 254 Le Souef Street, Margaret River Rezoned from Public Purposes reserve to Residential Zone with an applied R Code of R30/40.
4	10/08/12	15/08/12	NM	Lot 8 St Alouarn Place, Margaret River Deleting reference to Lot 8 from Schedule 2 – Additional Uses (A37) Insert provisions into Schedule 11 – Rural Residential Zone (R-R25) Modify map by deleting 'Additional Uses' zone and 'A37' symbol from Lot 8 and replace with 'RR25'.
9	14/09/12	25/09/12	NM	Inserted T19 into Schedule 16 – Special Conditions relating to Tourist Zones.
1	09/11/12	27/11/12	NM	Inserted or modified the following definitions into Schedule 1 – • Permanent Streams and Watercourses • Intermittent Streams and Watercourses • Laundromat/Drycleaner • Height • Small Bar • Lunch Bar • Tavern • Brewery • Rural Works accommodation Made minor adjustments throughout Schedule 1. Made minor adjustments to the following clauses – • 4.2.2.2(d) • 4.2.3.1 • 4.16.2 • 4.17.8(c) • 4.21.5(a) • 4.27.2(d) • 4.32.2 • 6.2.6.4(c) • 6.2.8.1(a) • 6.2.10.1(c) • 6.4.2.1 • 5.13.1(g) • 6.2.6.1 • 4.20.3(b)(iv) • 4.20.4(b)(iv) • 6.2.8.1 • 4.20.2(f) • 4.24 • 5.19 • 8.2. Made changes to Schedule 10 RR6 and RR11. Replaced reference to clause 9.14 with 4.15 within Schedule 12. Modified T16, T4 and T14 within Schedule 16. Added structure plans numbered 15 – 20 within Schedule 17. Modified the following use classes within Table 1 – • Grouped Dwelling • Laundromat/Drycleaner • Brewery • Cinema/Theatre • Exhibition Centre • Markets • Reception Centre • Child Care Premises • Family Day Care Deleted 'Factory Unit' from Table 1 and Schedule 1 – Definitions. Modified the 'Restricted use' provision for RU2 within Schedule 3. Inserted 'A55' and 'A56' into Schedule 6 – Additional Uses. Modified Schedule 11. Modified SPA 20 within Schedule 15.

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
3	11/01/13	14/01/13	NM	Inserted Areas 22 and 23 into Schedule 15 – Structure Plan Areas.
7	22/03/13	02/04/13	NM	Inserted Rural Residential Zone 27 into Schedule 11.
10	22/03/13	15/04/13	NM	Inserted R-R28 into Schedule 11 – Special provisions relating to development on land zoned Rural Residential. Inserted column 'Bushland protection' into table 1. Inserted clause 4.2.1.4 Bushland Protection Zone. Inserted clause 4.15 Development in the Bushland Protection Zone. Modified clause 5.20 Land Clearing. Inserted clause 4.16.1(g) and 4.16.5(f). Inserted Balance lot, conservation lot and conservation lot subdivision into schedule 1 – general definitions.
14	7/03/14	16/04/14	ML	Schedule 11 – modified to include R-R29 – Lots 72 & 73 Kevill Road, Margaret River
17	07/03/14	17/04/14	ML	Schedule 11 – Special provisions - inserted R-R29 Lot 74 Kevill Road West, Margaret River
11	08/08/15	12/10/15	LD	Schedule 2 - Additional Uses - Including No. A57 Lot 104 Ellenbrook Road Cowaramup
15	08/08/14	29/10/14	LD	Schedule 16 – Special conditions tourism zones – Location 3718 Rowcliffe Road, Warner
22	08/08/14	29/10/14	LD	Maps only – Lot 5 Todhunter Place Margaret River
19	19/12/14	10/02/15	LD	Schedule 15 – Structure Plan Area - Including SPA 28, Lot 100 Brockman Hwy Karridale
12	19/12/14	13/02/15	LD	Schedule 15 – Structure Plan Area – Including SPA 25, Lot 1 Kudardup Road Kudardup
21	16/01/15	31/03/15	LD	Schedule 11 – Special Provisions – inserted R-R 30 Lots 1-12 Matthews/Diana Road, Augusta
30	28/08/15	17/09/15	LD	Schedule 16 - Removing provisions for T15 Modifying Schedule 16 to include T15 - Lot 3 Bussell Hwy Forrest Grove provisions
24	18/09/15	25/09/15	LD	Schedule 15 - Modifying Schedule 15 SPA-14 associated provisions
25	27/11/15	05/01/16	LD	Schedule 2 - Deleting text relating to Additional Use 39 Adding T21 to Schedule 16 Lot 118 Orchid Ramble Margaret River
34	22/01/16	29/01/16	LD	Schedule 12 - Inserting content relating to 'Commercial Uses' following on from existing content Adding clause 5.8.9 - Active Transport
26	18/03/16	21/04/16	LD	Schedule 2 - Amending 'Additional Uses' applicable to Part Location 410 Caves Road Margaret River Schedule 1 - Modifying the land use definition of Holiday House
31	18/03/16	30/03/16	LD	Schedule 11 - Including reference to Lots 12, 18 & 19 Kevill Road East Margaret River Schedule 11 - Replacing Condition No. 1 from the Specific Conditions and Requirements column.
33	18/03/16	30/03/16	LD	Schedule 11 - Including R-R33, Lots 2 & 3 West Bay Creek Road Augusta
37	24/03/16	07/04/16	LD	Maps only
29	24/03/16	13/06/16	LD	Various technical amendments
8	03/05/16	13/06/16	LD	Schedule 15 - Structure Plan Area. Modifying to include SPA 26 Portion of Lot 102 and Lots103, 104 and 2 Bussell Highway and Bushby Road Karridale
41	01/07/16	20/01/17	LD	Deleted the following clauses and renumbered subsequent clauses: • 2.2 to 2.5 inclusive • 6.2.2 to 6.2.11.2 inclusive • 7.0 to 11.7.2 inclusive • Schedule 6, 7, 8 and 9

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
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41 Cont'd				Remove the following clauses from the Scheme Text and inserting them into Schedule A: • 8.2 (h), (i) and (j) Delete the following definitions from Schedule 1: • Advertisement • Amenity • Cultural heritage significance • Local Government • Local Planning Strategy • Owner • Premises • Residential Design Codes • Substantially commenced Amend the following clauses by removing the cross reference to the clause or schedule deleted by the amendment and replace with correct cross reference • 3.4.2 (a) • 3.5.1 (e) and (g) • 4.2.7.1 (c) • 4.3.2 • Note 3 of Clause 4.3 • 4.4.2 (b) • 4.8(c) • 4.9.2 • 4.17.5 • 4.17.6 (n) • 4.18.3 • 4.18.4 • 4.19.4 • 4.20.7 • 4.22 • 4.22.5 (a) • 4.22.7 (a) • 4.28.1 (b) • 4.29 (a) and (c) • 4.33.2 • 5.4.2 • 5.5.2 (a) • 5.5.3 (a) • 5.6.1 • 5.8.1 • 5.8.2 • 5.8.3 • 5.10.2 • 5.11.1 • 5.12.1 • 5.13.3 • 5.17.2 • 5.18.1 • 5.18.4 • 5.20.3 (j) • 6.1.1 (a) and (b) • 6.2.1 • 6.3.1 'development contribution area' • 6.3.4 • 6.4.1.2 (c) • 6.4.3.2.1 (c) • 6.4.3.2.3 • 6.4.4.2 (e) • Schedule where necessary Delete all reference to 'planning approval' and replace with 'development approval' Modifying entries within Schedules to correctly reference the need for either:

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
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41 Cont'd				• Local Development Plan approved by the local government, in accordance with the process set out in Part 6 of the Deemed Provisions; and/or • Structure Plan approved by the Commission, in accordance with the process set out in Part 4 of the Deemed Provisions Modifying where necessary provisions which require that subdivision and development 'comply with' a Structure plan and replacing with 'have due regard for' Modifying entries within Schedules to remove reference to ability of the local government to approve or refuse minor modifications to Structure Plans and reference to the Structure Plan preparation process and renumbering subsequent provisions as required. Deleting text contained within Clause 1.4 of the Scheme and replacing it with text contained within Clause 7 of Schedule 1 Part 1 of *the Planning and Development (Local Planning Scheme) Regulations 2015.* Amending Clause 3.5 to state: "Where the local government is consulted under Part 1 section 6 of the *Planning and Development Act 2005*, it shall have regard to the matters outlined in clause 67 of the Deemed Provisions in providing comments about the public work the subject of the consultation."
38	26/07/16	11/08/16	LD	Maps only
43	26/07/16	20/01/17	LD	Deleting Schedule 13 Modifying Text applicable to SPA5 in Schedule 11 Adding SPA30 - SPA33 to Schedule 11
6	05/08/16	23/01/17	LD	Schedule 3 - Modifying Restricted Uses by including No.17 Modifying Schedule 11 Structure Plan Areas by including No.24
2	30/09/16	23/01/17	LD	Including SPA 23 in Schedule 11 Structure Plan Area
42	09/12/16	23/01/17	LD	Including SPA 29 within Schedule 11 Structure Plan Area
35	09/12/16	23/01/17	LD	Introducing Developer Contribution Plans into Schedule 10 and removing existing text
39	13/01/17	21/02/17	GM	Amended the Local Planning Scheme No. 1 maps to rezone Lot 112 Caves Road, Gracetown from 'Caravan Park' to 'Rural Residential'. Amended Schedule 16 by removing conditions 2 and 9 at reference T13 and substituting new condition 2. Introduced the specific provision applicable to Lot 112 Caves Road, Gracetown under reference number 'RR34' of Schedule 7. Included reference 'A58" Lot 112, Caves Road, Gracetown in Schedule 2. Scheme maps amended accordingly.
40	02/06/17	08/06/17	GM	Amended Schedule 4 – Special Use Zones by: Adding 'Telecommunications Infrastructure' as an 'A' land use at point 4 of the Special Use column. Modifying the use class symbols applicable to permissible uses listed at point 4 of the 'Special Use' column such that they reflect those set out at clause 4.3 of the scheme. Adding to Special Provision No. 2 of the 'Conditions' column circumstances in which the 8m height limit may be varied.
28	29/08/17	11/09/17	GM	Rezoned Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe from 'Priority Agriculture' to 'Future Development' and modifying the scheme map accordingly. Amended the scheme map by including Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe in a Structure Plan Area (SPA) designated SPA 34 as depicted on the scheme amendment maps. Modified 'Schedule 11 - Structure Plan Area' by including SPA 34.
32	29/08/17	11/09/17	GM	Schedule 7 – Special provisions relating to development of land zoned "Rural-Residential Zone" – included reference to Lots 56, 57 and 58 Kevill Road East, Margaret River at RR-15. Schedule 9 – Community infrastructure development contribution plan for development contribution areas – modified the 'Priority and Timing' section of DCP2c. Amended the Scheme map to include lots 56, 57 and 58 Kevill Road

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
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32 Cont'd				East Margaret River within the area referenced as 'RR-15'. Amended the Scheme map to include lots 56, 57 and 58 Kevill Road East Margaret River within Developer Contribution Area 2C ('DCA2c').
48	03/10/17	10/10/17	GM	Introduced the following land uses into the Bushland Protection Zone of the Land Use Table No. 1 as 'A' uses – Cabin, Chalet, Camping Ground, Bed and Breakfast and Guesthouse. Introduced new clause 4.16.3 (f) under the Priority and General Agriculture Zones. Introduced new clause 4.15.8 under the Bushland Protection Zone: Introduced additional use A61 into Schedule 2 of LPS1 for Lot 102 (80) Rickett Road, Cowaramup. Rezoned the following lots from Priority and General Agriculture to the Bushland Protection Zone: a) Lot 101 (89) Rickett Road, Cowaramup b) Lot 101 and Lot 102 (11214-16) Bussell Highway, Forrest Grove c) Lot 402 (463/429) Ellen Brook Road, Cowaramup d) Lot 181 (272) Stevens Road, Witchcliffe e) Lot 31 and Lot 32 (53) Oldfield Road, Treeton f) Lot 602 (350) Bessell Road, Rosa Glen g) Lot 112 (134) Brockman Highway, Karridale h) Lot 111 (271) Redgate Road, Witchcliffe i) Lot 102 (106) Gnarawary Road, Margaret River j) Lot 12 (427) Fifty-One Road, Cowaramup k) Lot 100 (587) Coostien Road, Scott River l) Lot 232 Manear Road, Rosa Brook m) Lot 11 and Lot 12 (40-98) Bramley River Road, Margaret River n) Lot 102 (80) Rickett Road, Cowaramup.
46	16/02/18	19/02/18	MLD	Rezoning Lot 27 Greenhill Road Augusta from Public Purpose (Shire Purposes) Reserve to Rural Residential. Amend the Scheme Maps accordingly.
16	13/04/18	14/04/18	HB	Rezone Lot 9000 Brockman Road, Cowaramup from 'General Agriculture' to 'Future Development' by amending the Scheme map accordingly. Include Lot 9000 Brockman, Cowaramup within a 'Structure Plan Area' into Schedule 11 of the Scheme and amend the maps. (SPA 34).
54	10/08/18	23/08/18	MLD	Modify clause 4.16.2(a)(v) Add clause 4.16.2(c) Delete clause 4.21.2 (a) and (e) relating to Residential zoned lots with a R2.5 and R5 density code. Delete clause 4.22.6(g)(x). Delete clause 4.24.2. Relocate clause 4.23.5 to clause 4.24.4 Include a new clause 4.23.5. Modify clause 5.10.2. Remove clause 5.13.1(a). Modify clause 5.19. Delete clauses 5.19.1 - to 5.19.4. Modify clause 5.20.1 Land clearing – replace (ii) wording, modify (iii), (iv), (viii), (ix). Delete (x) and (xiii). Add a new clause 5.20.3 Disposal of Vegetation. Modify clause to read 5.22.2. new clause in the scheme - 5.29 Grouped Dwellings in the Rural Residential zone. Modify Clause 6.1.3 by changing 6.1 in the paragraph to read 6.1.1(c). Delete (a) and (f) in 6.4.3.2.1 Residential Zone. Modify the 'Special Conditions and Requirements' column of Schedule 7 applicable to RR17. Delete 'specific conditions and requirements' No. 10 relating to R-R9 at Schedule 7. Add a parking requirement applicable to 'Holiday House' at Schedule 8. Modify Schedule 11 by removing the entry at SPA23 relating to portion of Lot 300 Salter Street, Gracetown from SPA23 and relocating the text so removed at SPA27. Modify all references in the scheme from 'ancillary accommodation' to 'ancillary dwelling'. Renumber all clauses and cross references where the need arises as

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54 Cont'd				an outcome of the amendments. Change 'Grouped Dwelling' from an 'X' to a 'D' use in the 'Rural Residential' zone in Table 1 - Zoning Table. Change 'Ancillary Dwelling' from a 'D' to a 'P' use in the Residential and Rural Residential zones in Table 1 - Zoning Table. Change 'Park Home Park' from a 'D' to an 'X' use in the General Agriculture and Priority Agriculture zones in Table 1 - Zoning Table. Rezone Lot 203 and 8001 Cowaramup Bay Road, Gracetown from 'Leeuwin Naturaliste Ridge Conservation' to 'National Parks and Nature Reserves'. Rezone Lot 108 Rosa Brook Road, Rosa Brook from 'State Forest' to 'General Agriculture'. Change the SPA designation applicable to Lot 300 Salter Street, Gracetown from 'SPA23' to 'SPA27'. Rezone Lots 1-30 Brookside Boulevard and Copse Way Cowaramup, Reserve 52546 and the respective road reserves from 'Future Development' to 'Residential', 'Parks and Recreation' and 'Local Roads' respectively. Rezone Lots 200-267 and 306-312 in the vicinity of Roy Earl Drive Cowaramup, Reserves 52273, 50457 and 50458 and the respective road reserves from 'Future Development' to 'Residential', 'Parks and Recreation' and 'Local Roads' respectively. Rezone Lots 7-79 and Lots 3000 and 3001 in the vicinity of Greenwood Avenue Margaret River, and the respective road reserves from 'Future Development' to 'Residential', 'Parks and Recreation' and 'Local Roads' respectively. Rezone Lot 50 Bussell Highway, Witchcliffe (Reserve 28074) from 'Road Reserve' to 'Parks and Recreation'. Rezone portion of Lot 900 Old Ellen Brook Road, Gracetown from 'Road Reserve' to 'Leeuwin Naturalise Ridge Conservation' zone and 'A13'.
47	7/09/18	11/9/18	HB	Modify 'Schedule 11 - Structure Plan Areas' - to include - SPA 13 - Ashton Street Lots 11-15, 431-433, 18-20 and 22 - Rural Residential Land Use.
50	7/9/18	11/9/18	HB	Modify Schedule 12 - Special Conditions relating to Tourist Zones 'T4'.
44	17/8/18	20/9/18	HB	Rezone Lot 122 Bussell Highway, Witchcliffe from 'Priority Agriculture' to 'Future Development' and amending the Scheme Maps accordingly. Amend the Scheme Maps by including Lot 122 Russell Highway, Witchcliffe in a Structure Plan Area (SPA) designated SPA 35 as depicted on the Scheme amendment Maps. Modifying Schedule 11 - Structure Plan Areas for SPA 35.
57	17/8/18	20/9/18	HB	Remove the 'Intensive Agriculture Cluster Area (IAC1)' applying to all lots on Survey-Strata Plan 45225, Cowaramup Bay Road, Cowaramup. Rezone portions of Lots 1 – 20 and Common Property (CP) 21, 22 and 23 on Survey-Strata Plan 45225, Cowaramup Bay Road, Cowaramup from 'Cluster Farm' to 'Priority Agriculture', as depicted on the scheme amendment map. Rezone portions of Lots 1 – 20 on Survey-Strata Plan 45225, Cowaramup Bay Road, Cowaramup from 'Cluster Farm' to 'Residential' and applying an 'R-Code' of 'R5', as depicted on the scheme amendment map. Apply a 'Restricted Uses' designation to portions of CP 23 and all of CP 22 on Survey Strata Plan 45225, Cowaramup Bay Road, Cowaramup, as depicted on the scheme amendment map. Amend Schedule 3 'Restricted Uses' of the Scheme Text to insert RU18.
45	18/1/19	21/1/19	HB	Insert the following into Schedule 7 - Special Provisions Relating to Development on Land Zoned 'Rural - Residential Zone': RR35 for Lots 3, 4, 5, 6, 7, 8, 9, 10 & 11 Doyle Place, Margaret River. Amend the Scheme map to include Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11 Doyle Place Margaret River within the Rural Residential Designation R-R35.
56	18/1/19	21/1/19	HB	Rezone a portion of Lot 9000 Ashton Street, Margaret River from 'Parks and Recreation' Reserve to 'Residential' and apply an R5 density coding to it; and Amend the Scheme maps accordingly.

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51	26/04/19	02/05/19	GM	Modified Schedule 7 as it relates to 'RR17', Lots 9, 10, 37,1238, 391 and 392 Devon Drive and 36 Kevill Road, Margaret River.
49	8/5/2020	12/05/2020	MLD	Rezone Lot 21 Caves Road, Hamelin Bay from the General Agriculture Leeuwin Naturaliste Ridge Conservation and Leeuwin Naturaliste Ridge Landscape Amenity Zones to National Parks and Natural Reserves and Rural Residential Zone, and amending the scheme maps accordingly. Amend the scheme map by including portion of Lot 21 in Rural Residential Area designated RR36 as depicted on the scheme amendment map. Modify 'Schedule 7 – Special provisions relating to land zoned Rural Residential' by including – SPA 36 Lot 21 Caves Rd, Hamlin Bay.
58	14/08/2020	20/08/2020	GM	Inserting the following into Schedule 7: R-R 38 - Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lots 110 & 111 Waller Place; and Lots 104, 105, 106, 107 & 108 Boodjidup Road. Amending the Scheme map to designate Lots 1, 2, 4, 101, 102, & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lots 110 & 111 Waller Place; and Lots 104, 105, 106, 107 & 108 Boodjidup Road, Margaret River as Rural Residential 'RR-38'.
60	14/08/2020	20/08/2020	GM	Modifying Schedule 7 as it relates to 'RR39' as follows: R-R 39 - Lots 20, 231,232,233,243, 252, 253 Merino Way, Lots 16, 26, 151, 152, 213, 221, 222, 241, 242, 251, 271, 272, 273, 281, 282, 283, 291, 292, 293, 351, 352, 353, 361, 362, 363, 380, 403 Illawarra Avenue, Lots 153, 161, 162, 170, 171, 181, 182, 191, 192, 193, 211, 212 Hereford Place, Lots 371, 372, 373, 374, 375, 376, 377, 378, 379 Percheron Place and Lots 401 & 402 Clydesdale Place, Margaret River. Amending the Scheme Map to incorporate Lots 20, 231, 232, 233, 243, 252, 253 Merino Way, Lots 16, 26, 151, 152, 213, 221, 222, 241, 242, 251, 271, 272, 273, 281, 282, 283, 291, 292, 293, 351, 352, 353, 361, 362, 363, 380, 403 Illawarra Avenue, Lots 153, 161, 162, 170, 171, 181, 182, 191, 192, 193, 211, 212 Hereford Place, Lots 371, 372, 373, 374, 375, 376, 377, 378, 379 Percheron Place and Lots 401 & 402 Clydesdale Place, Margaret River with the RR-39 designation.
64	16/10/2020	27/10/2020	GM	Rezoning Lot 4 (35) Bussell Highway, Cowaramup from 'Residential' to 'Tourism'. Amend the Local Planning Scheme Map to Rezone the following lot from R15 Residential to Tourism zone.
63	20/11/2020	23/11/2020	MLD	Amend the Scheme maps by applying a 'Tourism' ('T22') designation to the land. Insert the following into Schedule 12: - T22 Strata Lots 3, 4, 5, 6 and 7, Lot 300, Blackwood Avenue, Augusta.
66	04/12/2020	07/12/2020	GM	Delete current Restricted Use 17 provisions and insert the following into Schedule 3: Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River • RU 17A 'Buffer Industry' • RU 17B 'Light Industry' • RU 17C 'General Industry' Amending the Scheme map to separate Lot 32 Darch Road, Margaret River into three Restricted Use precincts as follows: • RU 17A 'Buffer Industry' • RU 17B 'Light Industry' • RU 17C 'General Industry'
62	02/07/2021	09/07/2021	MLD	Insert into schedule 2 – A62 – Lot 5 (3) Old Ellen Brook Rd, Gracetown Amend the scheme map accordingly.
67	20/08/2021	06/09/2021	MLD	Replacing the existing T5 Conditions in Schedule 12 – Special Conditions Relating to Tourist Zones in the Scheme Text.

<table>
<tr><th rowspan="2">AMD NO</th><th rowspan="2">GAZETTAL DATE</th><th colspan="2">UPDATED</th><th rowspan="2">DETAILS</th></tr>
<tr><th>WHEN</th><th>BY</th></tr>
<tr><td>61</td><td>5/4/2022</td><td>5/4/2022</td><td>MLD</td><td>Insert R-R40 into Schedule 7 – Special Provisions Relating to Development on Land Zoned ‘Rural – Residential Zone - Lot 48 Treeton Road and Lot 49 Frieslan Street Cowaramup.

Amend the Scheme map to designate Lot 48 Treeton Road and Lot 49 Frieslan Street Cowaramup as Rural Residential ‘R-R 40’.</td></tr>
<tr><td>69</td><td>23/05/2023</td><td>25/05/2023</td><td>GL</td><td>Amend the scheme map to incorporate a portion of Lot 30 Peake St, Cowaramup with the ‘Tourism’ designation.</td></tr>
<tr><td>73</td><td>28/07/2023</td><td>24/08/2023</td><td>HB</td><td>Amend the scheme map by including Lots 23 and 24 Eucalyptus Court, Margaret River Witchcliffe in a Rural Residential Area designated R-R 41 as depicted on the scheme amendment map.
Insert Schedule 7 – R-R 41 for Lots 23 and 24 Eucalyptus Court Marg River with specific conditions and requirements.</td></tr>
<tr><td>72</td><td>19/09/2023</td><td>28/09/2023</td><td>HB</td><td>Amend the scheme maps by rezoning Lot 102 Bussell Highway, Karridale from ‘Priority Agriculture’ to ‘Future Development’ zone as depicted on the scheme amendment maps.
Amend the scheme maps by including Lot 102 Bussell Highway, Karridale in a Structue Plan Area (SPA) designated SPA37 as depicted on the scheme amendment maps.
Adjust the ‘DCA6’ area to accord with the boundary of Lot 102 correctly.
Modify ‘Schedule 11 – Structure Plan Area 37, Lot 102 Bussell Highway, Karridale.</td></tr>
<tr><td>74</td><td>15/09/2023</td><td>30/10/2023</td><td>HAB</td><td>Rezone Lot 9000 Bussell Highway, Margaret River from ‘General Agriculture’ to ‘Future Development’ zone.</td></tr>
<tr><td>79</td><td>6/02/2024</td><td>15/02/2024</td><td>GL</td><td>Amend the Scheme Map by including Lot 80 Burnside Rd, Burnside in a Rural Residential Area designated R-R 44 as depicted on the scheme amendment map.
Insert R-R 44 into Schedule 7 for Lot 201 Burnside Rd, Burnside with specific conditions and requirements..</td></tr>
<tr><td>75</td><td>17/05/2024</td><td>11/06/2024</td><td>GL</td><td>Rezone Lot 38 Willmott Ave, Margaret River from ‘Public Purposes – Public Utilities’ to ‘Residential’ with a density code of R40/60;
Insert a new clause 4.21.5.
Update Scheme Map accordingly.</td></tr>
<tr><td>76</td><td>24/05/2024</td><td>11/06/2024</td><td>GL</td><td>Rezone Lot 500 Wirring Rd from ‘General Agriculture’ to ‘Future Development’.
Include Lot 500 Wirring Rd within Schedule 11 – Structure Plan Areas, with provision;
Update the Scheme Maps accordingly.</td></tr>
<tr><td>80</td><td>11/04/2025</td><td>15/04/2025</td><td>HAB</td><td>Introduce the following uses into the ‘Restricted Use’ column and adding a specific condition relating to retail activity and Caretaker’s Dwelling size in the ‘Conditions’ column pertaining to RU 17A, under Schedule 3 of the Scheme Text:

<table>
<tr><th>No.</th><th>Description of Land</th><th>Restricted Use</th><th>Conditions</th></tr>
<tr><td>RU 17A</td><td></td><td>Farm Supply Centre (D)
Landscape Supplies (D)
Motor Vehicle, Boat, Caravan Sales (A)
Motor Vehicle Repair (D)
Plant Nursery (D)
Service Station (D)
Caretaker’s Dwelling (A)</td><td>Retail activity is limited to that which is incidental to the predominant land use occurring on the site.

The maximum Caretaker’s Dwelling size shall be 150m2.</td></tr>
</table>

Modify the symbols in the RU17A column in Schedule 3 of the Scheme Text for the following use classes:</td></tr>
</table>

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<tr><th rowspan="2">AMD NO</th><th rowspan="2">GAZETTAL DATE</th><th colspan="2">UPDATED</th><th rowspan="2">DETAILS</th></tr>
<tr><th>WHEN</th><th>BY</th></tr>
<tr><td></td><td></td><td></td><td></td><td>a) Storage – (D) to be deleted and replaced with (P)
b) Warehouse – (D) to be deleted and replace with (P)

Delete ‘Warehouse (P) from the RU 17B list of uses in Schedule 3 of the Scheme Text.

Insert the following in the Restricted Use column for RU17B:
Uses permitted in RU17A with the exception of Caretaker’s Dwelling.

Insert the following condition in the conditions column for RU17B and RU17C.

Retail activity is limited to that which is incidental to the predominant land use occurring on the site.</td></tr>
<tr><td>77</td><td>28/10/2025</td><td>31/10/2025</td><td>HAB</td><td>Rezone Lot 2 Fisher Road Kudardup from ‘General Agriculture’ to ‘Rural Residential’.
Update the Scheme Maps accordingly.
Amend Schedule 7 – Special provisions relating to development on land Zoned ‘Rural Residential Zone’ by inserting specific conditions and requirements.:

<table><tr><th>Scheme Map Ref No.</th><th>Site Description</th><th>Specific Conditions and Requirements</th></tr><tr><td>R-R42</td><td>Lot 2 Fisher Road, Kudardup</td><td>1. The minimum lot size is to be no less than 1.0 hectare.</td></tr></table></td></tr>
<tr><td>71</td><td>17/04/2026</td><td>21/04/2026</td><td>HAB</td><td>Rezone Pt Lot 4 and Lots 31 & 5 Darch Road, Margaret River from ‘General Agriculture’ and ‘Priority Agriculture’ to ‘Future Development’ zone.
Delete ‘Additional Use 55’ from Schedule 2 of the Scheme Text and amend the Scheme Map accordingly.</td></tr>
</table>

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PART 1 - PRELIMINARY

1.1 Citation

1.1.1 The Shire of Augusta-Margaret River Local Planning Scheme No. 1 (the Scheme) comes into operation on its Gazettal date.

1.1.2 The following local planning schemes are revoked:

(a) Shire of Augusta-Margaret River Town Planning Scheme No. 11 – District Zoning Scheme, gazetted on 26 April 1985;

(b) Shire of Augusta-Margaret River Town Planning Scheme No 16 – (Portions not previously revoked by other Schemes), gazetted on 26th April 1985;

(c) Shire of Augusta-Margaret River Town Planning Scheme No. 17 – Margaret River Townsite, gazetted on 9 August 1991;

(d) Shire of Augusta-Margaret River Town Planning Scheme No. 18 – Sussex Locations: 815, Prevelly Park, gazetted on 30 June 1995;

(e) Shire of Augusta-Margaret River Town Planning Scheme No. 19 – Augusta Townsite, gazetted on 13 October 1998; and

(f) Interim Development Order No.16.

1.2 Responsible Authority

1.2.1 The Shire of Augusta-Margaret River is the Responsible Authority for implementing the Scheme.

1.3 Scheme area

1.3.1 The Scheme applies to the Scheme area, which covers the entire local government district of the Shire of Augusta-Margaret River as shown on the Scheme Map.

1.4 Contents of Scheme

1.4.1 In addition to the provisions set out in this document (the scheme text), this Scheme includes the following:

(a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2); and

(b) the Scheme Map. (Sheets 1 – 25 inclusive).

1.4.2 The Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

1.5 Purposes of Scheme

1.5.1 The purposes of the Scheme are to:

(a) set out the local government's planning aims and intentions for the Scheme area;

(b) set aside land for public purposes;

(c) zone land within the Scheme area for the purposes defined in the Scheme;

(d) control and guide land use and development;

(e) set out procedures for the assessment and determination of planning applications;

(f) make provisions for the administration and enforcement of the Scheme; and

(g) address other matters set out in the Schedule 7 to the *Planning and Development Act 2005*;

1.6 The aims of the Scheme

The aims of the Scheme are:

1.6.1 *Biodiversity and Environmental Values*

The South-West Region of Western Australia has been identified as Australia's only biodiversity hotspot, to acknowledge that the municipal district of the Shire forms a significant part of this internationally recognised, global biodiversity hotspot with its forests, rivers and creeks, ocean foreshores and areas of remnant vegetation.

To the extent possible under the Scheme, to ensure, that biodiversity values are protected and, where possible, enhanced and to arrest any further biodiversity decline by ensuring that future land use and development do not cause biodiversity loss or diminish its environmental values for present and future generations and, where there is uncertainty, to apply the precautionary principle.

1.6.2 *Landscape and Visual Qualities*

To permit development that maintains the overall rural and natural landscape and visual qualities of the Scheme Area and its visual environs.

1.6.3 *Lifestyle and Community Identity*

To provide for the expansion of established settlements, the development and consolidation of tourism, and the preservation of prime agricultural land for a range of broad acre and intensive production purposes all within a broad objective of promoting a strong sense of community identity and sense of place.

1.6.4 *Conservation and Heritage*

To provide, where appropriate, for the preservation and protection, conservation and enhancement of areas, places and objects of cultural and natural heritage significance.

1.6.5 *Agriculture and Rural Land Use*

To ensure the protection of Priority and General Agricultural Land as identified within the Scheme by discouraging any land uses and developments which would detract from the principal function of the land for productive agricultural purposes and ad hoc fragmentation of rural land which could lead to the establishment of non-rural uses and developments; and

To provide for the sustainable use of rural land for diverse agricultural production, which encourages and promotes best practice agriculture and sustainable land use change, and which accommodates ancillary and complementary rural activities.

1.6.6 *Tourism*

To provide for, and foster a diverse tourist industry (which builds on the global market demand for nature based, wilderness, environmentally friendly and indigenous based learning experiences) with particular support for unique local niche products and services, which complements the natural, cultural, social and man-made environment, strengthens the local sense of place and promotes sustainable economic support for the Shire.

1.6.7 *Shire Economy*

To provide for an overall pattern of land use and development which will diversify and improve the Shire's economic base with an emphasis on value-adding to the Shire's agricultural production; and

To promote and facilitate the development of the region as a centre for education, agriculture, tourism and small innovative business.

1.6.8 *Residential Development and Strategic Land Supply*

To provide for a variety of housing settlement options and lifestyle choices within the Shire and to provide for the expansion and consolidation of all settlements within the Scheme Area, but with emphasis on the expansion of smaller settlements to remove the pressure for development that has occurred on the principal towns.

1.6.9 *Sustainable Land Use and Development*

To ensure that new land use and development are consistent with the principles of sustainability, and to approve only those development proposals that are also consistent with those principles.

1.6.10 *Community Services and Infrastructure Provision*

To provide affordable and sustainable, physical infrastructure and human social services commensurate with the needs of the local and broader community.

1.6.11 *Public Works*

To provide an overall planning framework whereby proposals for land uses and developments, which are public works undertaken by State and local government or other authorised agencies, may be assessed against the provisions of the Scheme.

1.6.12 *Transport*

To promote reduction in the use of fossil fuels and improvement in human health by transport strategies that, where possible, reduce reliance on motor vehicles, employ best practice parking strategies, encourage pedestrian and cycling activities, integrate public transport, encourage mixed use development and minimise the impact of trucks (and other large vehicles) on the Shire's present and future infrastructure; and the Scheme Area's local amenity.

1.7 Definitions

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

(a) in the *Planning and Development Act 2005*; or

(b) if they are not defined in that Act:

i) in the Dictionary of defined words and expressions in Schedule 1; or
ii) in the Residential Design Codes.

1.7.2 If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the Residential Design Codes:

(a) in the case of a residential development, the definition in the Residential Design Codes prevails; and

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

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

1.8 Relationship to Local Laws

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

1.9 Relationship with other Schemes

1.9.1 There are no other Schemes of the Shire of Augusta-Margaret River which apply to the Scheme area.

1.10 Relationship with State Planning Policies

1.10.1 The provisions of the Scheme shall be read in conjunction with any relevant State Planning Policies which shall apply to the Scheme except to the extent of any inconsistency with the Scheme in which the Scheme shall prevail.

PART 2 - LOCAL PLANNING POLICY FRAMEWORK

2.1 Scheme determinations to conform to the Local Planning Strategy

2.1.1 Except to the extent that the Local Planning Strategy is inconsistent with the Scheme, determinations of the local government under the Scheme are to be consistent with the Local Planning Strategy. *AMD 41 GG 1/7/16*

2.2 Transitional provisions relating to Local Planning Policies.

2.2.1 Town Planning Scheme Policies prepared and adopted by the local government under the provisions of a revoked Scheme or Schemes shall be taken to be Local Planning Policies made in accordance with this scheme.

PART 3 - RESERVES

3.1 Reserves

3.1.1 Certain lands within the Scheme Area are classified as “State Reserves” or “Local Reserves”.

3.2 State Reserves

3.2.1 Areas of State land are shown on the Scheme Map as State Reserves. A person shall not use a State Reserve for any other purpose other than for what the land is reserved for.

3.3 Local Reserves

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

3.4 Use and development of Local Reserves

3.4.1 A person must not:

(a) use a Local Reserve; or

(b) commence or carry out development on a Local Reserve,

without first having obtained development approval under clause 68 of the Deemed Provisions.

3.4.2 In determining an application for development approval, the local government is to have due regard to:

(a) the matters set out in clause 67 of the Deemed Provisions;

(b) the ultimate purpose intended for the Local Reserve.

3.4.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval.

3.4.4 The local government may enter into arrangements with public authorities to determine those proposals that should, and those that need not form the subject of consultation for the purpose of clause 3.4.3

3.4 Public Works

3.5.1 Where the local government is consulted under Part 1 clause 6 of the *Planning and Development Act 2005*, it shall have regard to the matters outlined in clause 67 of the Deemed Provisions in providing comments about the public work the subject of the consultation:

(a) the purposes of the Scheme;

(b) the Local Planning Strategy;

(c) any relevant Local Planning Policies;

(d) the relevant classifications, under Parts 3 and 4 of the Scheme, for the land upon which the public work is to be developed;

(e) any relevant requirements affecting the character or amenity of an area under Part 4 of the Deemed Provisions;

(f) any relevant Special Control Area objectives under Part 6 of the Scheme; and

(g) any structure plan adopted under Part 4 of the Deemed Provisions.

PART 4 - ZONES AND THE USE OF LAND

4.1 Zones

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

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

4.2 Purpose and objectives of the zones

4.2.1 *Conservation and landscape protection*

4.2.1.1 *Leeuwin-Naturaliste Ridge Conservation Zone*

Purpose of the Leeuwin-Naturaliste Ridge Conservation Zone:

To recognise areas identified in the LNRSPP as having significant conservation and/or landscape value along the Leeuwin-Naturaliste Ridge and to protect those areas from development and subdivision that may have any significant adverse impact.

Objectives of the Leeuwin-Naturaliste Conservation Zone:

(a) To implement the objectives and policies of the LNRSPP in particular those relating to the Principal Ridge Protection Area as defined by the LNRSPP, which provides for the protection and conservation of landscape values;
(b) To recognise and protect the scenic qualities of the Leeuwin-Naturaliste Ridge which enhance the visual amenity of the Ridge area and the Scheme area as a whole;
(c) To promote the preservation, conservation and enhancement of major landscape features and areas of ecological significance along the Leeuwin-Naturaliste Ridge;
(d) To protect against development and to oppose proposals for the subdivision of land that are likely to have a detrimental effect on the habitat and/or landscape qualities of the Leeuwin-Naturaliste Ridge;
(e) To recognise land with visual and ecological significance that also has potential for private development to ensure that future development is compatible with the preservation, conservation and enhancement of significant landscape and ecological features of the Leeuwin-Naturaliste Ridge;
(f) To identify development proposals that may be inconsistent with the objectives of the LNRSPP and that may require referral to, and consideration by State Agencies in order to ensure that State planning objectives and priorities are maintained;
(g) To limit future land uses and developments to those which are consistent with objectives (a) to (f) inclusive; and
(h) To restrict subdivision proposals that are likely to lead to development and land uses that would be detrimental to the purpose of the Zone.

4.2.1.2 *Leeuwin-Naturaliste Ridge Landscape Amenity Zone*

Purpose of the Leeuwin-Naturaliste Ridge Landscape Amenity Zone:

To recognise the importance of the area shown in the LNRSPP as being within an area of high landscape value and vital to the preservation of the visual and landscape amenity of the Ridge.

Objectives of the Leeuwin-Naturaliste Ridge Landscape Amenity Zone:

(a) To implement the objectives and policies of the LNRSPP in particular those relating to the Ridge Landscape Amenity Area as defined by the LNRSPP, which provides for the protection and conservation of landscape values;
(b) To make provision for only very limited forms of development and only to support subdivision having minimal impact both upon the land to be developed and nearby land within the Zone, the Leeuwin-Naturaliste-Ridge Conservation Zone or the Regional Environmental Corridors of the LNRSPP; and
(c) To protect against land uses and development and to oppose subdivision proposals that are likely to have a detrimental effect on the habitat and/or landscape qualities of the Leeuwin-Naturaliste Ridge.

4.2.1.3 *Southern Ocean Foreshore Protection Zone*

Purpose of the Southern Ocean Foreshore Protection Zone:

To ensure that the sensitive area of coastline and its environs are protected from land uses and development that would have a deleterious effect on the integrity of existing land forms and ecosystems but to permit land uses which will maintain those characteristics.

Objectives of the Southern Ocean Foreshore Protection Zone:

(a) To encourage land uses and development which will result in the retention, and where practicable the enhancement of areas of existing natural vegetation and the establishment of compatible uses of existing cleared land; and
(b) To protect against land uses and development and to oppose subdivision proposals that are likely to have a detrimental effect on the habitat and/or landscape qualities of the Southern Ocean Foreshore.

4.2.1.4 *Bushland protection Zone*
AMD 10 GG 22/3/13

Purpose of the Bushland Protection Zone:

(a) To encourage the protection of natural area on privately owned properties within rural localities which are considered to have high environmental, conservation, and biodiversity values.
(b) To restrict the type, scale and distribution of land uses and development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values.
(c) In some instances, provide for the opportunity for subdivision as an incentive for the protection of special biodiversity values in perpetuity.

Objectives of the Bushland Protection Zone:

(a) Ensure the preservation and protection of significant natural areas on private land by -
    (i) minimising the clearing of natural areas;
    (ii) encouraging the retention and protection of existing natural areas;
    (iii) encouraging the rehabilitation of natural areas where appropriate;
    (iv) encouraging the development and protection of corridors/linkages on private land as well as rehabilitating these areas where appropriate;
    (v) controlling the introduction and spread of alien species of flora and fauna;
    (vi) protecting aboriginal heritage and cultural and historical values;
    (vii) retaining visual amenity and landscape values; and
    (viii) ensuring the protection of water features, karst, acid sulphate soils, sensitive landforms etc.
(b) To give the preservation of natural area an economic value by providing a limited subdivision incentive in some instances, through the creation of conservation lots, in exchange for protecting natural areas.
(c) To encourage land owners to include significant natural areas within the Bushland Protection zone and have these areas protected in perpetuity via the provisions of the zone and a conservation covenant which is to be applied as a condition of subdivision.
(d) To ensure development and subdivision has due regard for a Structure Plan (where appropriate) adopted by the WAPC.
(e) To support subdivision only where there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land, where the objective of retention of these values in perpetuity will be achieved, and where further protection will be ensured by way of enabling the application of a restrictive covenant to the land.

4.2.2 *Rural*

4.2.2.1 *Priority Agriculture Zone*

Purpose of the Priority Agriculture Zone:

(a) To identify and protect land within the Scheme area having high production capability for all agriculture in the Shire with such other incidental, compatible and complementary non-rural activities in accordance with the provisions of the Statement of Planning Policy No 2.5 - Agricultural and Rural Land Use Planning and the Local Planning Strategy;
(b) Notwithstanding the zoning of land having high production capability as priority agricultural land, to provide for the retention and, where practicable, the protection of portions of land within that Zone that are not cleared and that are valuable to the high landscape values and ecological systems of the Scheme area;
(c) To provide that development activities that generate incompatible land use proposals are not permitted; and
(d) To establish that the local government will not support applications for the subdivision of land within the Zone unless it is consistent with the provisions of 4.16.5.

Objectives of the Priority Agriculture Zone:

(a) To provide for a strong sustainable agricultural industry that is sufficiently flexible in response to changing industry circumstances by protecting the long term availability of suitable land for a diverse range of agricultural purposes;
(b) To oppose subdivision proposals which would adversely affect the utility of existing agricultural land for productive purposes through specific subdivision criteria to ensure long term agricultural sustainability and appropriate lot sizes;
(c) To manage land use changes so that the rural productivity and the rural character and amenity of land within the zone is preserved;
(d) To maintain and enhance the environmental qualities of the landscape and attractive rural scenery of land within the zone, and to promote sustainable environmental management practices;
(e) To minimise the clearing of land;
(f) To ensure that areas of indigenous vegetation are carefully evaluated before any clearing proposals are approved and to encourage the provision of replacement plantings of native vegetation to maintain and preferably enhance the Shire's biodiversity and landscape values; and
(g) To allow for the provision of sustainable low impact tourist development such as chalet development but only where there is an established and continued agricultural, horticultural, viticultural or other similar rural production, or significant tracts of native vegetation that can be protected on the land holding and where such uses will be incidental and complementary to that established use or protection of the significant native vegetation.

4.2.2.2 *General Agriculture Zone*
AMD 1 GG 9/11/12

Purpose of the General Agriculture Zone:

(a) To provide for a more general classification of rural land, other than that identified as being of State or Regional agricultural significance as set out in Local Planning Strategy, used, or capable of being used for a range of agricultural activities complemented by other ancillary uses which do not detract from the primary use of the land for agricultural purposes;
(b) To provide that subdivision and development activities that generate alternative and incompatible land use proposals should not be permitted; and
(c) Notwithstanding the zoning of land, to provide for the retention and protection of portions of land within that Zone that are not cleared and that are valuable to the high landscape values and ecological systems of the Scheme area.

Objectives of the General Agriculture Zone:

(a) To provide for the broad range of potential extensive agricultural activities, and, where appropriate, some intensive agricultural and horticultural uses of land notwithstanding that some of the activities might also be appropriate to the Priority Agriculture Zone;

(b) To preserve the established rural character and amenity of the land within the Zone consistent with the ongoing use and development of that land for productive agricultural purposes;
(c) To oppose subdivision proposals which would adversely affect the utility of agricultural land for productive purposes through specific subdivision criteria to ensure long term agricultural sustainability and appropriate lot sizes as set out at clause 4.15.5; and
(d) To allow for the provision of sustainable low-impact tourist development such as chalet development but only where an established and continued agricultural, horticultural, viticultural or other similar rural production, or significant tracts of native vegetation that can be protected on the land holding and where such uses will be incidental and complementary to that established use or protection of the significant native vegetation.

4.2.2.3 *Cluster Farm Zone*

Purpose of the Cluster Farm Zone

To establish opportunity for forms of land uses and development involving combinations of agriculture-intensive uses and residential development in which the residential components are clustered on the same land holding as the agriculture-intensive activity.

Objective of the Cluster Farm Zone

To provide for clusters of dwellings in rural locations whereby:

(a) To provide limited opportunities for clustered residential living in association with intensive agriculture production, in close proximity to and as an extension of an established townsite.
(b) To ensure the primacy of agriculture, including the protection of environmental and rural landscape values of the land and surrounding areas.
(c) To recognise strata subdivision (or alternative mechanisms which achieve the same objectives and levels of planning and management controls as supported by the Local government and the Western Australian Planning Commission) as a vehicle for cooperative management of Intensive Agriculture Clusters and a legitimate method of encouraging investment in intensive agriculture in appropriate circumstances.

4.2.3 *Tourism*

4.2.3.1 *Tourism Zone*
AMD 1 GG 9/11/12

Purpose of the Tourism Zone:

To provide quality tourist accommodation and associated uses that are generally compatible with the surrounding area and generally located within or in close proximity to established settlements. *AMD 29 GG 24/3/16*

Objectives of the Tourism Zone:

(a) To make provision for the development of a range of tourist accommodation such as hotels, guest-houses, chalets, motels, residential building, caravan parks and camping grounds in locations and areas of tourism interest;
(b) To control the location, form, character and density of any development or land use so as to prevent conflict with surrounding land uses, and to complement the natural and built features of development within the Scheme area;
(c) To ensure that developments within the zone are principally for short-stay holiday accommodation purposes, and provide for associated uses, infrastructure and services appropriate to the needs of the development; and
(d) To provide for the development and retention of land suitable for hotels, motels and resort development.

4.2.3.2 *Caravan Park Zone*

Purpose of the Caravan Park Zone:

To make provision for sites that may be developed and thereafter maintained as caravan parks, including camping grounds and limited chalet development as distinct from other forms of tourist accommodation to maintain the range of tourist accommodation types within the Scheme area.

Objectives of the Caravan Park Zone:

(a) To provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire; and
(b) To confine the type of permissible development within the zone to caravan parks, camping grounds and limited chalet development to protect such sites from the prospect that other higher order tourist accommodation uses might be promoted to the detriment of retaining the range of holiday accommodation types throughout the Scheme area.

4.2.3.3 *Chalet and Camping Zone*

Purpose of the Chalet and Camping Zone:

To establish various forms of low impact tourist development capable of being combined with other uses having a minimal impact upon the existing amenity and landscape character of the land.

Objectives of the Chalet and Camping Zone:

(a) To provide for sustainable low-impact tourist development that is of a high standard in terms of design and amenity, and which is sympathetic to and integrated with the rural and/or natural attributes of the surrounding area so as to ensure that all land uses and development:

i) have a minimal adverse impact upon the ecological and landscape values of the land and the environmental qualities of the locality; and
ii) are of a high standard in terms of design and amenity, and which are sympathetic to and integrate with the natural landscape attributes of the surrounding area.

4.2.4 *Residential*

4.2.4.1 *Residential Zone*

Purpose of the Residential Zone:

To provide for a range of urban residential environments within established settlements in the Scheme area and to conserve and enhance the amenity and sense of place of those residential areas.

Objective of the Residential Zone:

(a) To designate land within the Scheme area suitable for residential purposes; and
(b) To apply to land included within the Residential Zone differing Residential Design Codes densities providing for:
    i) the preservation of established residential areas where limited redevelopment is envisaged and densities are to be maintained; and
    ii) sustainable redevelopment at higher densities for localities where such development is considered to assist in the provision of a wider range of residential accommodation options.
(c) To preserve the local amenity against uses detrimental to the predominant residential use of the land. *AMD 29 GG 24/3/16*

4.2.4.2 *Rural Residential Zone*

Purpose of the Rural-Residential Zone:

To provide and recognise established rural-residential lifestyle development opportunities in strategic rural locations but to confine any further such development to land where such activities are consistent both with the provisions of the LNRSPP, the conservation of the significant landscape values and environmental attributes of the land and with appropriate fire management.

Objectives of the Rural-Residential Zone:

(a) To limit the extent of land set aside for rural-residential use to that consistent with the objectives and policies of the LNRSPP;
(b) To recognise that the conservation of the physical, environmental and landscape characteristics of the land is paramount;
(c) To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land;
(d) To facilitate the conservation of native vegetation and to promote revegetation with suitable indigenous species consistent with sound bushfire management practices; and

(e) To require adequate bushfire management consistent with the objective of preserving environmental and landscape values.

4.2.5 *Commercial*

4.2.5.1 *Town Centre Zone*

Purpose of the Town Centre Zone:

To establish focal centres comprising retail, commercial, professional, entertainment and community activities together with residential accommodation to service the populations of surrounding areas.

Objectives of the Town Centre Zone:

(a) To allow for the establishment of a range of activities and the associated affordable infrastructure and services required to fulfil the social, retail, commercial and administrative requirements for the surrounding area;
(b) To establish efficient and vibrant commercial and tourism centres through a high level of business integration and civic focus;
(c) To ensure that town centre land uses and development together with open space areas are of high quality, compatible with the general character of established development in the town centre and maintain the present streetscape character and values complemented by landscaping and other features which thereby enhance the appearance of the central area and provide a sense of identity;
(d) To encourage residential accommodation within the town centre area compatible with commercial uses to enhance the safety, vitality and diversity of town centres; and
(e) To provide focal points within the central locations of the major settlements within the Scheme area for the promotion and conduct of higher order business and economic activities.

4.2.5.2 *Village Centre Zone*

Purpose of the Village Centre Zone:

To provide for the expansion and consolidation of accessible, small-scale community and retail focal points which serve the immediate needs of a local population catchment in a manner that will preserve the individual character and ambience of each settlement.

Objectives of the Village Centre Zone:

(a) To identify appropriate locations for the orderly and sustainable development of compact local centres including the provision of community facilities where possible;
(b) To make provision for a range of convenience goods and service facilities whilst excluding activities which may adversely impact upon the residential amenity, generate large traffic volumes, or detract from the predominance of the commercial functions of principal centres;
(c) To ensure that the scale and design of development promotes village character and atmosphere;

(d) To guide and control development to achieve optimum levels of safety and accessibility to village centres in terms of both vehicle and pedestrian movement and provide strategic pedestrian and open space linkages to other centres;
(e) To ensure that village centre land uses and developments together with open space areas are of high quality, achieve a unified theme, and preserve and enhance the present streetscape character and values of each village centre; and
(f) To ensure that the village centre, land uses and developments are complemented by landscaping and other features which enhance the appearance and provide a sense of identity consistent with the village's established character.

4.2.5.3 *Service Commercial Zone*

Purpose of the Service Commercial Zone:

To provide for a wide range of uses including industry-light and industry-service, service commercial, warehousing, bulky goods, wholesale, showrooms, and trade display, which, by reason of their scale, character, operational and/or land requirements, cannot conveniently or economically be accommodated within the Town Centre, Village Centre or Industry Zones.

Objectives of the Service Commercial Zone:

(a) To identify appropriate locations for the orderly development of service commercial activities, having due regard to vehicle and pedestrian movement, car parking and the appearance of buildings and works;
(b) To provide for uses which combine the need for showrooms and facilities involving warehousing, wholesaling and distribution;
(c) To encourage the provision of landscaped areas in a manner that complements and enhances the natural setting of the surrounding area; and
(d) Provide for uses that will not compete with the Town Centre Zone uses.

4.2.6 *Industry*

4.2.6.1 *Industry Zone*

Purpose of the Industry Zone:

To provide for general and light, service industries, the storage and distribution of goods and associated uses and other uses, which by the nature of their operations should be separated from, and not have an adverse impact on residential and other sensitive land uses.

Objectives of the Industry Zone:

(a) To identify and designate land suitable for a range of industrial activities, so as to provide for sustainable economic opportunities within the Shire;
(b) To allow for the development of industry, and associated development, or activity primarily intended to service employees of an industry, in a manner compatible with surrounding development and general environmental standards; and

(c) To create industrial areas that are pleasant to work in, safe and efficient in terms transportation, land utilisation and infrastructure provision.

4.2.6.2 *Composite Industry Zone*

Purpose of the Composite Industry Zone:

To provide for lifestyle choice and employment opportunity by the facilitation of a wide variety of low-key light, service and cottage industries and home business opportunities in discrete residential areas.

Objectives of the Composite Industry Zone:

(a) To provide opportunities for the establishment of small scale, commercial enterprises which are incidental to and compatible with residential uses consistent with recent social and economic trends;
(b) To facilitate sustainable business opportunities for small scale, commercial enterprises within high quality residential environments; and
(c) To establish a transitional use between areas set aside for residential purposes and other land developed or to be developed for industrial purposes so as to preserve the amenity of the residential areas.

4.2.7 *Future development*

4.2.7.1 *Future Development Zone*

Purpose of the Future Development Zone:

To provide for additional sustainable urban development within and around existing settlements within the Scheme area.

Objectives of the Future Development Zone:

(a) To designate land considered to be generally suitable for future urban development and to prevent such land being used or developed in a manner which could prejudice its possible future use for planned urban development;
(b) To provide for the sustainable development of land in an orderly manner with appropriate levels of physical infrastructure and human services;
(c) To require, as a pre-requisite to the local government's support for subdivision proposals and approval to development for urban purposes, the preparation and approval by the local government together with endorsement by the Western Australian Planning Commission of a Structure Plan in accordance with the provisions of Part 4 of the Deemed Provisions; and
(d) To guide and control the development so as to achieve compact urban areas linked by open space, natural areas and functional open space consistent with the objectives of attaining sustainable development.

4.2.8 Special Use Zone

Purpose of the Special Use Zone:

To provide for areas of special use designation that cannot be accommodated within any other zone within the Scheme.

4.3 Zoning Table

4.3.1 The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross-reference between the list of Use Classes on the left hand side of the Zoning Table and the list of Zones at the top of the Zoning Table.

4.3.2 The symbols used in the cross reference in the Zoning Table have the following meanings:

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

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

"A" means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions; and

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

4.3.3 A change in the use of land from one use to another is permitted if:

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

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

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

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

Notes:

1. *The development approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.*
2. *The local government will not refuse a "P" use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.*

3. *In considering a "D" or "A" use, the local government will have regard to the matters set out in clause 67 of the Deemed Provisions.*
4. *The local government must refuse to approve any "X" use of land. Approval to an "X" use of land may only proceed by way of an amendment to the Scheme.*

4.4 Interpretation of the Zoning Table

4.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:

(a) determine that the use is consistent with the objectives of the particular zone and is, therefore, permitted;

(b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the Deemed Provisions in considering an application for development approval; or

(c) determine that the use is not consistent with the objectives of the particular zone and is, therefore, not permitted.

4.5 Additional uses

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

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

TABLE 1 - ZONING TABLE

AMD 29 GG 24/03/16

	Residential Zones			Commercial Zones			Industry Zones		Tourist Zones			Rural Zones			Conservation Zones				
Use Class	Future Development	Residential	Rural Residential	Service Commercial	Town Centre	Village centre	Industry	Composite Industry	Chalet and Camping	Caravan Park	Tourism	Priority Agriculture	General Agriculture	Cluster Farm	Leeuwin-Naturaliste Ridge Landscape Amenity	Leeuwin-Naturaliste Ridge Conservation	Southern Ocean Foreshore Protection	Bushland Protection	Special Use Zone
Residential Uses																			
Single House *AMD 29 GG 24/3/16* *AMD 10 GG 22/3/13*	P	P	P	X	D	P	X	P	D	X	X	P	P	P	P	P	P	P	
Grouped Dwellings *AMD 1 GG 9/11/12* *AMD 54 GG 10/8/18*	D	D	D	X	D	D	X	X	X	X	A	X	X	X	X	X	X	X	
Multiple Dwellings	D	A	X	X	D	D	X	X	X	X	A	X	X	X	X	X	X	X	
Rural Worker's Accommodation	X	X	X	X	X	X	X	X	X	X	X	D	D	A	X	X	X	X	
Caretaker's Dwelling	X	X	X	D	D	D	X	X	D	D	D	X	X	X	X	X	A	X	
Residential Building	A	A	X	X	D	A	X	X	A	A	A	X	X	X	X	X	X	X	
Community Home	A	A	X	X	A	A	X	X	X	X	X	X	X	X	X	X	X	X	
Park Home Park AMD 54 GG 10/8/18	D	D	X	X	D	D	X	X	X	A	X	X	X	X	X	X	X	X	
Ancillary Residential Uses																			
Ancillary Dwelling *AMD 10 GG 22/3/13* *AMD 29 GG 24/3/16* *AMD 54 GG 10/8/18*	D	P	P	X	D	D	X	A	X	X	X	D	D	P	A	A	A	A	
Home Business	D	A	A	X	P	P	X	P	A	A	A	D	D	D	A	A	A	X	
Home Occupation *AMD 10 GG 22/3/13*	P	P	P	X	P	P	X	P	A	A	A	P	P	P	A	A	A	A	
Home Office	P	P	P	X	P	P	X	P	P	P	P	P	P	P	P	P	P	X	
Display Home	A	A	A	X	X	X	X	A	X	X	X	X	X	X	X	X	X	X	
Tourism Uses																			REFER TO SCHEDULE 4 – SPECIAL USE ZONES
Bed and Breakfast *AMD 48 GG 03/10/17*	D	D	A	X	D	D	X	X	D	X	A	D	D	X	A	A	A	A	
Camping Ground *AMD 48 GG 03/10/17*	A	X	X	X	X	X	X	X	P	P	P	A	A	X	A	A	A	A	
Caravan Park	A	X	X	X	X	X	X	X	D	P	D	A	A	X	X	X	X	X	
Chalet *AMD 48 GG 03/10/17*	A	X	X	X	X	X	X	X	P	D	P	A	A	X	A	A	A	A	
Guest House *AMD 48 GG 03/10/17*	A	A	A	X	D	D	X	X	D	X	A	A	A	X	A	A	A	A	
Holiday House *AMD 10 GG 22/3/13*	A	A	A	X	A	A	X	X	A	X	A	A	A	X	A	A	A	A	
Motel	A	X	X	X	D	D	X	X	X	X	D	X	X	X	X	X	X	X	
Resort	A	X	X	X	D	D	X	X	X	X	D	X	X	X	X	X	X	X	
Serviced Apartment	A	X	X	X	D	D	X	X	X	X	D	X	X	X	X	X	X	X	
Licensed Premises																			
Brewery *AMD 1 GG 9/11/12*	X	X	X	A	X	X	A	X	X	X	A	A	A	X	X	X	X	X	
Hotel	A	X	X	X	D	D	X	X	X	X	A	X	X	X	X	X	X	X	
Liquor Store	A	X	X	D	P	P	X	X	X	X	A	X	X	X	X	X	X	X	
Licensed Restaurant	A	X	X	A	P	P	X	X	A	A	D	A	A	X	X	X	X	X	
Night Club	X	X	X	X	A	X	X	X	X	X	X	X	X	X	X	X	X	X	
Small Bar	A	X	X	D	P	P	X	X	A	X	A	X	X	X	X	X	X	X	
Tavern	A	X	X	D	D	D	X	X	A	X	A	X	X	X	X	X	X	X	
Winery	X	X	X	X	X	X	D	X	A	X	X	P	P	A	X	X	X	X	

	Residential Zones			Commercial Zones			Industry Zones		Tourist Zones			Rural Zones			Conservation Zones				
Use Class	Future Development	Residential	Rural Residential	Service Commercial	Town Centre	Village centre	Industry	Composite Industry	Chalet and Camping	Caravan Park	Tourism	Priority Agriculture	General Agriculture	Cluster Farm	Leeuwin-Naturaliste Ridge Landscape Amenity	Leeuwin-Naturaliste Ridge Conservation	Southern Ocean Foreshore Protection	Bushland Protection	Special Use Zone
Commercial Uses																			
Amusement Parlour	X	X	X	D	D	D	X	X	X	X	A	X	X	X	X	X	X	X	
Betting Agency	X	X	X	X	P	D	X	X	X	X	A	X	X	X	X	X	X	X	
Bus Depot	X	X	X	X	X	X	D	X	X	X	X	X	X	X	X	X	X	X	
Café	A	X	X	A	P	P	X	X	D	D	D	A	A	D	X	X	X	X	
Car Park	D	X	X	P	P	P	P	D	A	P	P	X	X	X	X	X	X	X	
Place of Assembly *AMD 1 GG 9/11/12* *AMD 29 GG 24/3/16*	A	X	X	X	D	A	X	X	A	X	A	A	A	X	X	X	X	X	
Consulting Rooms	A	X	X	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
Contractor's Yard	X	X	X	A	X	X	D	X	X	X	X	X	X	X	X	X	X	X	
Convenience Store	A	A	A	D	P	P	D	X	A	A	A	X	X	X	X	X	X	X	
Farm Supply Centre	X	X	X	D	A	A	D	A	X	X	X	X	X	X	X	X	X	X	
Fast Food Outlet	X	X	X	P	A	A	X	X	X	A	A	X	X	X	X	X	X	X	
Funeral Parlour	X	X	X	D	D	D	D	X	X	X	X	X	X	X	X	X	X	X	
Home Store	A	A	X	X	D	D	X	X	A	A	A	X	X	X	A	A	A	X	
Landscape Supplies	A	X	X	D	X	X	D	A	X	X	X	A	A	X	X	X	X	X	
Laundromat/Drycleaner *AMD 1 GG 9/11/12*	D	X	X	D	D	D	D	D	X	X	X	X	X	X	X	X	X	X	
Lunch Bar	A	X	X	D	P	P	D	X	X	X	X	X	X	X	X	X	X	X	
Market *AMD 1 GG 9/11/12*	A	X	X	D	D	D	A	X	A	A	A	D	D	X	X	X	X	X	
Medical Centre	A	X	X	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
Motor Vehicle, Boat, Caravan Sales	X	X	X	D	X	X	A	D	X	X	X	X	X	X	X	X	X	X	
Office	A	X	X	P	P	P	X	X	A	A	A	X	X	X	X	X	X	X	
Reception Centre *AMD 1 GG 9/11/12*	A	X	X	P	P	P	X	X	x	D	D	A	A	X	X	X	X	X	
Restaurant	A	X	X	A	P	P	X	X	A	A	D	A	A	X	X	X	X	X	
Restricted Premises	X	X	X	X	X	X	A	X	X	X	X	X	X	X	X	X	X	X	
Plant Nursery *AMD 10 GG 22/3/13*	X	X	X	D	D	D	D	D	X	X	X	D	D	X	X	X	X	X	
Service Station	A	X	X	D	D	D	D	X	X	X	X	X	X	X	X	X	X	X	
Shop	A	X	X	D	P	P	X	A	A	A	A	X	X	X	X	X	X	X	
Showroom	A	X	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
Storage	A	X	X	P	X	X	P	D	X	X	A	A	A	X	X	X	X	X	
Trade Display	X	X	X	P	A	A	P	X	X	X	X	X	X	X	X	X	X	X	
Warehouse	X	X	X	P	X	X	P	A	X	X	X	X	X	X	X	X	X	X	
Industrial Uses																			
Fuel depot	X	X	X	X	X	X	D	X	X	X	X	X	X	X	X	X	X	X	REFER TO SCHEDULE 4 – SPECIAL USE ZONES
Industry – General	X	X	X	X	X	X	D	X	X	X	X	X	X	X	X	X	X	X	
Industry - Light	A	X	X	A	X	A	P	A	X	X	X	X	X	X	X	X	X	X	
Industry – Cottage	A	D	A	A	A	A	P	D	A	X	X	D	D	D	X	X	X	X	
Industry – Extractive	X	X	X	X	X	X	X	X	X	X	X	A	A	X	X	X	A	X	
Industry – Service	X	X	X	A	X	A	A	A	X	X	X	A	D	X	X	X	X	X	
Motor Vehicle Repairs	A	X	X	D	D	D	D	D	X	X	X	X	X	X	X	X	X	X	
Salvage/Wrecking Yard	X	X	X	X	X	X	A	X	X	X	X	X	X	X	X	X	X	X	
Saw Mill	X	X	X	X	X	X	A	X	X	X	X	A	A	X	X	X	X	X	
Saw Mill- Portable	X	X	A	X	X	X	A	X	X	X	X	A	A	X	X	X	A	X	
Transport Depot	X	X	X	X	X	X	D	X	X	X	X	A	A	X	X	X	X	X	
Wind Farm	X	X	X	X	X	X	X	X	X	X	X	A	A	X	X	X	A	X	
Rural Uses																			
Abattoir	X	X	X	X	X	X	A	X	X	X	X	A	A	X	X	X	X	X	
Animal Establishment	X	X	X	X	X	X	X	X	X	X	X	A	A	X	X	X	X	X	
Animal Husbandry	X	X	X	X	X	X	X	X	X	X	X	D	D	X	X	X	X	X	

	Residential Zones			Commercial Zones			Industry Zones		Tourist Zones			Rural Zones			Conservation Zones				
Use Class	Future Development	Residential	Rural Residential	Service Commercial	Town Centre	Village centre	Industry	Composite Industry	Chalet and Camping	Caravan Park	Tourism	Priority Agriculture	General Agriculture	Cluster Farm	Leeuwin-Naturaliste Ridge Landscape Amenity	Leeuwin-Naturaliste Ridge Conservation	Southern Ocean Foreshore Protection	Bushland Protection	Special Use Zone
Agriculture – Extensive *AMD 10 GG 22/3/13*	A	X	P	X	X	X	X	X	A	X	X	P	P	D	A	X	X	A	
Agriculture –Intensive *AMD 10 GG 22/3/13*	A	X	A	X	X	X	X	X	A	X	X	P	P	D	A	X	X	A	
Dam	A	X	A	X	X	X	A	A	A	A	A	P	P	P	A	A	A	X	
Plantation	X	X	X	X	X	X	X	X	A	X	X	D	D	D	X	X	X	X	
Rural Pursuit	D	X	X	X	X	X	X	X	A	X	X	P	P	D	A	X	X	X	
Industry - Rural	X	X	X	D	X	A	D	X	A	X	X	D	D	X	X	X	X	X	
Rural Stall	X	X	X	X	X	X	X	X	D	D	X	P	P	A	A	A	A	X	
Rural Produce Sales *AMD 29 GG 24/3/16*	X	X	X	X	X	X	X	X	D	X	X	D	D	A	A	X	X	X	
Stockyards	X	X	X	X	X	X	D	X	X	X	X	P	P	X	X	X	X	X	
Veterinary Centre	X	X	X	D	D	D	D	D	X	X	X	D	D	X	X	X	X	X	
Community Uses																			
Child Care Premises *AMD 1 GG 9/11/12*	D	A	A	D	D	D	X	D	X	X	A	X	X	X	X	X	X	X	REFER TO SCHEDULE 4 – SPECIAL USE ZONES
Civic Use	D	A	X	A	D	D	X	D	A	A	A	X	X	X	X	X	X	X	
Club Premises	A	X	X	D	D	D	A	D	A	A	A	X	X	X	X	X	X	X	
Community Purpose	D	A	X	D	D	D	D	D	A	A	D	X	X	X	X	X	X	X	
Corrective Institution	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Educational Establishment	A	X	X	A	A	A	D	A	A	A	X	X	X	X	X	X	X	X	
Exhibition centre *AMD 1 GG 9/11/12*	A	X	X	D	D	D	D	D	A	A	D	A	A	X	X	X	X	X	
Family Day Care *AMD 1 GG 9/11/12 AMD 10 GG 22/3/13*	D	A	A	D	D	D	X	A	X	X	X	A	A	X	A	A	A	A	
Hospital	A	X	X	X	A	X	X	X	X	X	X	X	X	X	X	X	X	X	
Place of Worship	A	A	X	D	D	D	A	D	X	X	A	X	X	X	X	X	X	X	
Recreation (Private)	A	A	X	D	D	D	X	A	A	A	A	A	A	A	A	A	A	X	
Telecommunications Infrastructure	D	D	D	D	D	D	D	D	D	D	D	D	D	X	X	X	X	X	
Zoological Gardens	X	X	X	X	X	X	X	X	A	X	A	X	X	X	X	X	X	X	

4.6 Restricted uses

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

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

4.7 Special use zones

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

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

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

4.8 Non-conforming uses

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

(a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;

(b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or

(c) subject to clause 80 of the Deemed Provisions the continued display of advertisements which were lawfully erected, placed or displayed immediately prior to the Gazettal date.

Note: "land" has the same meaning as in the Planning and Development Act 2005 and includes houses, buildings and other works and structures.

4.9 Extensions and changes to a non-conforming use

4.9.1 A person must not:

(a) alter or extend a non-conforming use;

(b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or

(c) change the use of land from a non-conforming use to another non-conforming use,

without first having applied for and obtained development approval under the Scheme.

4.9.2 An application for development approval under this clause is to be advertised in accordance with clause 64 of the Deemed Provisions.

4.9.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the purpose and objectives of the zone.

4.10 Discontinuance of non-conforming use

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

4.11 Termination of a non-conforming use

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

Note: Part 11 Division 4 of the Planning and Development Act 2005 enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a local planning scheme, subject to Part 9 of the Land Administration Act 1997, that section and the Scheme.

4.12 Destruction of non-conforming use buildings

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

4.13 Development in the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones

4.13.1 All development within the Leeuwin-Naturaliste Ridge (LNR) Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones requires the approval of the local government.

4.13.2 Development shall have due regard for any approved Structure Plan or similar guide plan, approved Landscape Plan and approved Fire Management Plan.

4.13.3 Every application for development approval for any development must, in addition to the other provisions of the Scheme, be accompanied by additional information setting out details of the impact that the proposed development is likely to have on the visual and rural character and landscape values of the area and describing the manner in which the proposed development will be consistent with the purpose and objectives of the Zones and the policies of the LNRSPP. In the Leeuwin-Naturaliste Ridge Conservation Zone this information is to be presented as a Visual Impact Assessment, prepared by a suitably qualified person, to demonstrate to the satisfaction of the local government that the proposal meets the policies of the LNRSPP, the Scheme and the Local Planning Strategy.

4.13.4 Development within the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones shall be low impact in conformity with the objectives of these Zones and the LNRSPP.

4.13.5 On receipt of any application for development approval within the LNR Conservation and LNR Amenity Zones, the local government may, where it believes the proposal may conflict with the purpose or objectives of the Zone or the provisions of the LNRSPP, refer for comment copies of the application to the Department of Planning and the Department of Environment and Conservation.

4.13.6 In addition to other provisions of the Scheme, the local government shall only grant its approval for development of land affected by clause 4.13.1 where it is satisfied that:

(a) the material referred to in clause 4.13.3 accompanying the application addresses the issues set out in that clause;

(b) the development proposed will be compatible with the purpose and objectives of the zone; and

(c) the development proposed will not have an adverse impact on the values identified in the Land Use Strategy Policies of the LNRSPP, having particular regard for:

(i) land use restrictions specified under the LNRSPP;
(ii) any subdivision incentive previously obtained under the LNRSPP;
(iii) conservation and landscape values;
(iv) visual amenity;
(v) fire hazards;
(vi) impact of stock and/or domestic pets on the subject site and surrounding land;
(vii) impact of weed invasion on the subject site and surrounding land;
(viii) impact on native flora and/or fauna;
(ix) the impact on sites of cultural significance; and
(x) any other material impact.

4.13.7 Tourism development within the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones shall be low impact in conformity with the objectives of the zones, shall comply with the definition of Low Impact Tourist Development; and

(a) the number of chalets/cabins or guest house accommodation permitted on lots having areas less than 20 hectares shall not exceed two chalets/cabins or 4 guest bedrooms;

(b) the number of chalets/cabins or guest house accommodation permitted on lots having areas 20 hectares or greater shall not exceed 6 chalets/cabins or 12 guest bedrooms; and

(c) shall include an on-site manager.

4.13.8 Notwithstanding the Zoning Table, only one dwelling is permitted on any lot within the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones.

4.13.9 Notwithstanding that Low Impact Tourist Development may be permitted on land within the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones, no such development will be permitted where a subdivision incentive under the LNRSPP has been obtained.

4.13.10 Subdivision within the Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones will only be supported by the local government where a proposal is in accordance with the requirements, objectives and policies of the LNRSPP. Where a subdivision is proposed, the following information is to be submitted by the applicant for consideration by the local government to enable it to provide comment to the Western Australian Planning Commission:

(a) Fire Management Plan;

(b) Building Envelope Plan;

(c) Visual Impact Assessment;

(d) Written confirmation that a recognised covenanting agency will be party to a conservation covenant;

(e) Land Rehabilitation Plan where appropriate;

(f) Weed and Pest Management Plan, where appropriate;

(g) Flora and Fauna survey; and

(h) Any other studies considered relevant by the local government.

4.14 Development in the Southern Ocean Foreshore Protection Zone

4.14.1 Consistent with the objective of this zone, development shall:

(a) provide for the protection of remnant vegetation, where practicable;

(b) provide for the rehabilitation of cleared and degraded areas;

(c) be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality;

(d) not impact on any sensitive dune structures.

4.14.2 Development shall have due regard for any approved Structure Plan, approved Landscape Plan and approved Fire Management Plan.

4.14.3 Tourism development within the Southern Ocean Foreshore Protection Zone shall be low impact in conformity with the objectives of the zone, shall comply with the definition of Low Impact Tourist Development; and

(a) the number of chalets/cabins or guest house accommodation permitted on lots having areas less than 20 hectares shall not exceed 2 chalets/cabins or 4 guest bedrooms;

(b) the number of chalets/cabins or guest house accommodation permitted on lots having areas greater than 20 hectares shall not exceed 6 chalets/cabins or 12 guest bedrooms; and

(c) shall include an on-site manager.

4.14.4 Setbacks from boundaries for land uses and developments will be assessed based on the likely Impact on the dune structures on the land, the likely impact of the use or development on adjoining properties and the objective of retaining the native vegetation on the land.

4.14.5 Notwithstanding the provisions of the Zoning Table, only one dwelling is permitted on any lot within the Southern Ocean Foreshore Protection Zones.

4.14.6 Geotechnical reports are required to be submitted with an application for development approval and are to determine suitability of the land to accommodate development or land uses.

4.14.7 Subdivision within the Southern Ocean Foreshore Protection Zone will only be considered when the proponent can demonstrate that the proposal is consistent with the objectives and policies of the Augusta-Walpole Strategy.

4.15 Development in the Bushland Protection Zone

AMD 10 GG 22/3/13

4.15.1 Development shall be contained within the approved building envelope designated for each lot on any approved Structure Plan or plan of subdivision. Building envelopes may be subject to relocation following the procedure set out at Part 5.10 of the Scheme. Each building envelope is to be located to the satisfaction of the local government which shall, in determining such ensure -

(a) where available, a cleared area is used for the location of the building envelope;

(b) the preservation of remnant vegetation is maximised;

(c) that the envelope is not located within an area of poorly represented vegetation and will not impact on any declared rare flora and fauna;

(d) there is no adverse or potential impacts on watercourses, wetlands, river or estuary systems or groundwater; and

(e) maintenance of landscaping values of the site and the general area.

4.15.2 Consistent with the purpose and objectives of this zone, development shall –

(a) provide for the protection of remnant vegetation, where practicable;

(b) provide for the rehabilitation of cleared and degraded areas;

(c) be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality; and

(d) not impact any sensitive dune structures.

4.15.3 Development shall have due regard for any approved Structure Plan, approved Landscape Management Plan and Fire Management Plan which will –

(a) provide for the protection of remnant vegetation, where practicable;

(b) provide for the rehabilitation of cleared and degraded areas;

(c) be sited and designed so as to minimise impact upon the rural character, amenity, and the landscape elements of the locality; and

(d) not impact any sensitive dune structures.

4.15.4 No agriculture or grazing shall be undertaken within the vegetated or wetland areas of a lot within the Bushland Protection Zone.

4.15.5 In considering applications for Agriculture Intensive or Extensive in the Bushland Protection Zone the local government shall ensure –

(a) there are no adverse or potential impact on watercourse, wetlands, river or estuary systems or groundwater;

(b) the proposal does not conflict with any restrictive covenant applying to the land; and

(c) adequate buffers are provided between the agricultural use and vegetated areas, wetlands or watercourses. Where Threatened Flora is present, advice from the Department of Environment shall be sought in determining an adequate buffer separation distance.

4.15.6 No wetlands on any lot in the Bushland Protection Zone may be filled, drained, cleared or excavated.

4.15.7 Subdivision of land included in the Bushland Protection zone will only be considered in accordance with a subdivision incentive as may be provided for in an applicable Local or State Government Policy. Where such an incentive has already been applied and a restrictive covenant applied to the land, further subdivision will not be supported.

4.15.8 (a) Tourism development within the Bushland Protection Zone shall be low impact in conformity with the objectives of the zone, shall comply with the definition of Low Impact Tourist Development, and

(b) the number of chalets/cabins or guest house accommodation permitted on any lot shall not exceed 2 chalets/cabins or 4 guest bedrooms. Tourist development shall include an on-site manager. *AMD 48 GG 03/10/17*

4.16 Development in Priority Agriculture and General Agriculture Zones

4.16.1 Notwithstanding the provisions of the Zoning Table, use of any land within these Zones for agriculture-intensive use may only be carried out where:

(a) for land in the Ten Mile Brook Priority 3 Water Catchment Special Control Area it can be demonstrated, to the satisfaction of the local government, that the use will not adversely affect water quality within the Water Catchment Area;

(b) except as otherwise provided, there shall be a setback of 20 metres between the agricultural-intensive and any common boundary with adjoining land and 10 metres of that setback shall be heavily landscaped to minimise the prospect of spray drift. Where intensive agricultural activities have already been established on an adjoining property without compliance with the foregoing setbacks or where it is mutually agreed between adjoining land owners that reduced or no setbacks of this kind are required, the local government may agree to waive or reduce the requirements of this clause. Where no such landscaped strip exists, or is proposed, the setback shall be 100 metres;

(c) there is a setback of 100 metres from the edge of any permanent stream or water course on or near the property or 30 metres from any natural water course that flows intermittently;

(d) any such proposal, involving an intention to clear or remove existing remnant native vegetation on the land, may be considered by the local government to be acceptable, where revegetation of other land, especially near creek lines is proposed;

(e) it can be demonstrated by reports prepared by suitably qualified persons that:

(i) the use and/or development proposed can be sustained with appropriate quantities of water without detriment to others reliant upon the same water resource;

(ii) where the land is within the catchments of rivers and waterways in which rare and endangered amphibians, molluscs and crustaceans are known to exist, that the proposed land use or development will not adversely affect the habitat of those creatures; and

(iii) where the land is affected by caves and other limestone structures, the proposed land use or development will not have an adverse impact on those features;

(f) where a proposal for the change of use of land within these zones to agriculture-intensive affects only part of a lot, the local government may have regard to the impact of the proposed development both on all of the land the subject of the application and on its neighbouring properties and on the future development of those land areas.

(g) Where a conservation lot and balance lot has been created through subdivision for conservation, land uses shall be limited to uses consistent with any conservation covenants that might apply to the land. *AMD 10 GG 22/3/13*

4.16.2 Dwellings and Rural Worker's Accommodation on land within Priority Agriculture and General Agriculture Zones. *AMD 54 GG 10/8/18*

(a) On land within the Priority Agriculture and General Agriculture Zones, one dwelling for each lot is permitted subject to the provisions of the Scheme. Where the local government is satisfied that, having due regard to the particular use being made of any lot, sufficient justification exists, one Rural Worker's Accommodation may be considered to accommodate a rural worker(s), provided that:

(i) the lot, excluding any lots created under the *Strata Titles Act 1985* (as amended), has an area of not less than 40 hectares;

(ii) the total number of dwellings on the lot (excluding any Ancillary dwelling but including all Dwellings and rural worker's accommodation) will not exceed 2;

(iii) the local government is satisfied that adequate provision can be made for the supply of domestic water and for the disposal of sewage and stormwater from the Rural Worker's Accommodation;

(iv) the Rural Worker's Accommodation will not adversely affect the rural landscape or conflict with agricultural production on the subject lot or on adjoining land;

(v) The Rural Worker's Accommodation should generally be clustered together with the principal dwelling in one location on the property with all relevant services shared; and

(vi) The local government is satisfied that any Rural Worker's Accommodation on a lot should not have a significant negative impact on the productive capability of the land.

(b) The fact that approval may have been sought and obtained for more than one dwelling on any lot shall not be regarded by the local government or the Western Australian Planning Commission as justification for support for the subdivision of the land.

(c) Ancillary dwellings should generally be clustered together with the principal dwelling in one location on the property with all relevant services shared.

4.16.3 Chalets, Cabins, Caravan Parks and Guest House Facilities in the Priority and General Agriculture Zones.

(a) Notwithstanding the provisions of the Zoning Table, chalets, cabins, caravan parks or guest houses are not permitted on lots having an area of less than 5 hectares.

(b) The number of chalets/cabins, caravan/camping bays or guest house accommodation permitted on lots having areas between 5 hectares and 20 hectares within the Priority Agriculture and General Agriculture Zones shall not exceed 2 chalets/cabins, 4 caravan/camping bays or 4 guest bedrooms.

(c) The number of chalets/cabins or guest house accommodation permitted on lots having areas greater than 20 hectares within the Priority Agriculture and General Agriculture Zones shall not exceed 6 chalets/cabins, 12 caravan/camping bays or 12 guest bedrooms.

(d) No chalets/cabins or caravan/camping bays are to be constructed over Class 1 and 2 soils or where the land occupied by the chalets/cabins or caravan/camping bays reduces the land area for agricultural uses.

(e) Prior to any approvals being granted for the development referred to in clauses 4.16.3(b) and 4.16.3(c), the applicant(s) will be required to demonstrate to the satisfaction of the local government that the development proposed satisfies the definition of Low Impact Tourist Development under this Scheme and that:

(i) it will not have any adverse effect on rural production activities on the subject land or nearby land and that the proposed development will be incidental to the principal use of the land for agricultural purposes; or
(ii) in the case of properties covered, or substantially covered by native vegetation, the proposal will result in the retention and enhancement of existing vegetation on the land and that the visual and rural character of the property will not be adversely affected.

(f) Where tourism development is proposed on conservation lots prior to rezoning to the Bushland Protection Zone, development shall be in accordance with the objectives set out in the Bushland Protection Zone. *AMD 48 GG 03/10/17*

4.16.4 Restaurants in the Priority Agriculture and General Agriculture Zones.

(a) Notwithstanding that the Zoning Table provides that licensed restaurants and restaurants may be established within the Priority Agriculture and General Agriculture Zones, such facilities may only be permitted where the primary use of the land will remain for agricultural pursuits and the licensed restaurant or restaurant is incidental to that primary use.

4.16.5 Subdivision in Priority Agriculture and General Agriculture Zones.

(a) In the absence of the planned provision of closer settlement and more intensive agricultural uses, existing large rural lots are to be retained for broad acre and traditional forms of farming and the fragmentation of rural land and loss of rural character through piecemeal, unplanned subdivision is not permitted.

(b) Notwithstanding clause 4.16.5 (a), subdivisions proposing lot sizes of 80 hectares or more will be considered.

(c) Subdivisions proposing lots of less than 80 hectares will not be supported except where the lot is a minimum of 40 hectares and all of the following criteria are met:

(i) an agronomist's report or similar demonstrates that each new lot will contain a minimum of 30 hectares of land with high capability rating (class 1 or 2) for annual or perennial horticultural production;
(ii) a hydrologist's report or similar demonstrating that each new lot has long term secure access to a supply of water of sufficient quantity and quality as applicable to the potential agricultural production on the land, and the Department of Water is prepared to agree that the capture of that water is within the limits of an endorsed water allocation management plan or is within the sustainable yield for that sub-catchment;
(iii) the total lot area incorporates the minimum area of 30 hectares of high capability of land, plus the water capture and/or storage area (as necessary), plus an area for farm infrastructure and buildings with sufficient setback from adjoining properties so as not to restrict potential agricultural productivity on those properties, setbacks from watercourses and wetlands. Plus the retention of any remnant vegetation that should be protected from clearing;
(iv) in order to demonstrate agricultural sustainability and suitability of a proposed lot (i.e. adequate water and soil provision), the applicant will need to demonstrate that the lot can accommodate a wide range of crops.
(v) Applicants should address the matters raised in the Western Australian Planning Commission's Development Control Policy DC 3.4 Subdivision of Rural Land, Section 6 "Additional Information to Support Subdivision" where applicable.

(d) For proposals located within the area covered by the LNRSPP, due regard shall be given to the relevant objectives and specific policies of the SPP. Notwithstanding, the minimum rural lot sizes and subdivision criteria prescribed by the Scheme shall prevail.

(e) Minimum lot sizes are subject to the constraints and capability of the land, and larger lot sizes may be required to ensure the ongoing agricultural sustainability of the lots.

(f) Notwithstanding 4.16.5 (a) subdivisions will be considered where the significant conservation values of land are protected in perpetuity through conservation covenants consistent with criteria set out in an applicable Policy endorsed by Council and the Western Australian Planning Commission. *AMD 10 GG 22/3/13*

4.17 Development in the Cluster Farm Zone

4.17.1 The local government will only support the limited development of Cluster Farms, consisting of clustered residential development that is combined with adjoining intensive agriculture, where they meet the purpose, objectives and provisions of the Cluster Farm zone.

4.17.2 Cluster Farm proposals will only be considered as part of, or on the fringe of, an established townsite where the land has been identified within an endorsed Local Planning Strategy, Townsite Strategy or specific local government Policy, endorsed by the local government and the Western Australian Planning Commission.

AMD 1 GG 9/11/12

4.17.3 A proposal must demonstrate that there is a proven use and management link between the perennial intensive agriculture component and the proposed residential component on the land. Further, the proposal needs to demonstrate that the subject land has the land capability to support the proposed landuse in a sustainable manner, including the protection of the rural landscape and remnant vegetation.

4.17.4 Local government support for zoning, subdivision and development to facilitate a Cluster Farm will be based on being satisfied that development and ongoing management of the residential and agricultural components of the Cluster Farm, will occur in an integrated manner where a direct and permanent link between them is demonstrated. This is likely to be required through the residential and agricultural components being identified as portions of the same strata lot (or an alternative mechanism supported by the local government and the Western Australian Planning Commission), with the appropriate management statements to ensure the ongoing nexus between these uses and the cooperative management arrangements, particularly in relation to the intensive agriculture use being retained in perpetuity.

4.17.5 Specific subdivision and development provisions

Specific subdivision and development provisions relating to specified Cluster Farm proposals are set out in Schedule 13 and are in addition to the Zoning Table and Clause 4.17.2.

4.17.6 General rezoning requirements

Prior to consideration of rezoning land to the Cluster Farm Zone, the local government shall be satisfied that the proposal satisfies the following:

(a) A proposal shall demonstrate that the land has been strategically identified for a Cluster Farm within an endorsed Local Planning Strategy, Townsite Strategy or specific Local Planning Policy, endorsed by the local government and the Western Australian Planning Commission and satisfies the purpose, objectives and provisions of the zone.

(b) The proposal will need to demonstrate that intensive agriculture forms an integral component with the residential component through suitable land tenure, farm management and ongoing implementation. Residential development unrelated to any agricultural component will not be supported in this zone, with the exception of a maximum of one Caretaker's Dwelling to service the intensive agricultural component. *AMD 1 GG 9/11/12*

(c) A proposal shall demonstrate that land has suitable land capability for intensive agriculture through a site specific land capability assessment and that the residential component will not adversely affect any agricultural area of State or regional significance.

(d) A proposal shall demonstrate a proven water supply for intensive agricultural and residential use through a site specific hydrological assessment. Where properties are located in close proximity to a reticulated water supply, connection of the residential component to this supply will be required.

(e) Where connection to reticulated sewerage services cannot be provided a proposal shall demonstrate that the land has suitable capacity for on-site effluent disposal either through the use of conventional or alternative effluent disposal systems or package treatment plants to the satisfaction of the local government and Department of Health WA. Appropriate setbacks to watercourses and dams to ensure protection of the environment and public health are to be demonstrated for all onsite effluent disposal systems.

(f) The location of the Cluster Farm is to be based on an ability to demonstrate suitable buffers to adjoining landuses in order to avoid potential landuse conflicts arising from agricultural activities.

(g) The subject land is to be part of, or on the fringe of an established townsite and have an area not less than 40 hectares, in order to:

(i) ensure that the property is of sufficient area to enable a productively sustainable level of intensive agricultural land use being established; and
(ii) allow adequate capacity within the property for appropriate setbacks between the residential component and adjoining agricultural activities.

(h) The area of land to be set aside for the intensive agriculture component of a Cluster Farm shall be of a size considered to encourage efficient and sustainable agricultural use. A minimum of 10 hectares of arable land with soils of a high capability for perennial intensive agriculture shall be demonstrated.

(i) The minimum residential component is 5 dwellings and the maximum residential component is 20 dwellings, with one dwelling only per lot.

(j) Each residential component of the allotment shall not exceed a prescribed maximum of 2000 square metres by 10%, unless a minor increase is supported by the local government and the Western Australian Planning Commission in the interest of remnant vegetation protection, provided that all other matters are generally complied with, including the principle of retaining the residential development in a consolidated cluster.

(k) A residential component to intensive agriculture component ratio shall not exceed one residential component for every 2 hectares of land developed for intensive agriculture purposes.

(l) The proposal is capable of accommodating fire protection measures and facilities to the satisfaction of Fire and Emergency Service Authority of Western Australia, the Western Australian Planning Commission and the local government.

(m) The Cluster Farm is to be serviced by sealed access roads (both to and within the property) to the specifications and satisfaction of the local government.

(n) Ensure, through a provision in Schedule 13, that notwithstanding any other provision of the Scheme the local government shall not issue a development approval or building licence for a Dwelling or associated residential development on the designated residential portion of any lot within the Cluster Farm until the directly linked agricultural part of the lot is fully planted with intensive agriculture.

(o) Demonstrate that the proposal will have a minimal impact on landscape, rural character and environmental values of the locality, with minimal clearance of existing remnant vegetation and modification of the existing landscape.

(p) Demonstrate onsite water catchment and drainage management, which maintains water quality and protects the environmental values of the land.

(q) Any proposal to rezone land shall be accompanied by a Structure Plan referenced to Schedule 13 which clearly details, in particular, the subdivision design, the residential and intensive agriculture components of each lot and identifies any proposed discretionary uses ("D" and "A" uses) as indicated in the Zoning Table.

4.18 Development in Tourism Zone

AMD 29 GG 24/03/16

4.18.1 Despite anything contained in the zoning table, the land specified in Schedule 12 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 12 with respect to that land.

4.18.2 Development proposals will be considered by the local government in accordance with the provisions of clause 67 of the Deemed Provisions with particular regard to the impact of the proposed development on visual and natural amenity, the availability of reticulated sewerage and/or the suitability of the land for on-site effluent disposal, the provision of sufficient landscape buffers and the density of the development.

4.18.3 The subdivision of land, including strata titling, included within the Tourism Zone will only be supported by the local government where it can be demonstrated that the resultant lots will be capable of being used for at least one of the uses identified in the purpose of the zone.

4.18.4 In strategic tourism sites, no residential use is permitted and all development is to be subject to length of occupancy restrictions and managed and designed to promote operation as a tourism facility.

4.18.5 In non-strategic tourism sites a specified portion of the tourism development or redevelopment of the site up to 25% inclusive may be permitted without imposition of a residential occupancy restriction subject to the site being located to provide adequate access to residential services and amenities.

4.18.6 The maximum percentage of residential-no occupancy restriction units/development on site shall comply with the following at all stages of the development:

(a) The proportion of residential-no occupancy restriction units relative to the total number of accommodation units on the site shall be equal to or less than the approved percentage.

(b) The site area occupied by the residential-no occupancy restriction units, and any areas designated for the specific use of occupiers of those units, relative to the area occupied by the short-stay development shall be equal to or less than the approved percentage. In calculating the area occupied by the two development categories, those facilities available for common use shall be excluded from the calculation.

(c) That any individual residential-no occupancy restriction unit and as a whole any residential-no occupancy restriction component of such a development shall be of a design and scale that is clearly subsidiary to the tourism component of the development such that the tourism component remains dominant in all aspects.

AMD 1 GG 9/11/12

4.18.7 Proposals for offices and reception centres in the Tourism Zone will only be considered where they are incidental to, and support the proposed tourism use on the site.

4.18.8 Tourism development that incorporates accommodation and/or reception facilities shall include provision for an onsite manager.

4.19 Development in the Caravan Park Zone

4.19.1 Development shall have due regard for any approved Structure Plan, approved Landscape Plan and approved Fire Management Plan.

4.19.2 Proposals for offices in the Caravan Park Zone will only be considered where they are incidental to and support the approved tourism use on the site.

4.19.3 Proposed development shall include provision for an on-site manager.

4.19.4 Despite anything contained in the zoning table, the land specified in Schedule 12 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 12 with respect to that land.

4.20 Development in the Chalet and Camping Zone

4.20.1 The local government will only approve development within the Chalet and Camping Zone if it is satisfied that the development will:

(a) not adversely impact the environmental or landscape qualities of the locality;

(b) maximise the retention of any native vegetation on the site;

(c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features;

(d) be located to minimise any adverse impacts on existing native vegetation, watercourses, soil and existing adjacent land uses including agricultural land uses;

(e) have a minimum setback of 100 metres from any adjoining State Reserve unless the local government, DEC and FESA are satisfied that the State Reserve or existing agricultural land use will not be adversely impacted by the proposal; and

(f) be of a scale and nature that will be sustainable on the lot by demonstrating that the development will not require any significant modification or up-grading of existing infrastructure including water, sewer, and road networks.

4.20.2 The density of development on land within the Chalet and Camping Zone shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare or 10 caravan bays or camping sites per hectare, unless otherwise allowed for in the Scheme, subject to a maximum density of development on any one lot within this Zone of 10 chalets or cabins or 50 caravan bays or camping sites.

4.20.3 The subdivision including strata titling of land for more than 10 chalets included within the Chalet and Camping Zone will only be supported by the local government where it can be demonstrated that the resultant lots will be capable of being used in conformity with the purpose of the zone.

4.20.4 Proposals for offices in the Chalet and Camping Zone will only be considered where they are incidental to and support the approved tourism use on the site.

4.20.5 Tourism development shall include provision for an on-site manager.

4.20.6 Development shall have due regard for any approved Structure Plan, approved Landscape Plan and approved Fire Management Plan.

4.20.7 Despite anything contained in the zoning table, the land specified in Schedule 12 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 12 with respect to that land.

4.21 Development in the Residential Zone

4.21.1 Except as otherwise provided in this Scheme, all development within the Residential Zone shall comply with the relevant provisions of the Residential Design Codes.

4.21.2 *R2.5 and R5 Code*
AMD 29 GG 24/03/16; AMD 54 GG 10/8/18

Development within the Residential Zone, coded R5 and below, shall, in addition to any other requirements of the Scheme including those of the relevant Residential Design Code, comply with the following requirements:

(a) where, on an approved plan of subdivision or Structure Plan, building envelopes are indicated, building development shall be confined to those building envelopes;

(b) boundary fencing materials shall not have an adverse impact on the visual and rural character of the area and shall be consistent with any relevant Local Planning Policy adopted under the provisions of this Scheme;

(c) development shall be consistent with the standard prevailing in the locality and shall be in keeping with the low density residential character and amenity of the area;

(d) side boundary setbacks shall be 5 metres unless the local government, following consultation with affected adjoining owners, otherwise approves.
AMD 29 GG 24/03/16

4.21.3 *R15/R30 Code*

(a) Except where provided for by clause 4.21.3(b), development within areas coded R 15/30 shall comply with the provisions of the R15 Code.

(b) Notwithstanding clause 4.21.3(a), the local government may permit grouped and multiple dwelling developments up to a maximum of the R30 Code where a development addresses the following additional performance criteria to a standard acceptable to the local government:

(i) buildings, in terms of the design of the building and the use of external building treatments and colours, are considered to be compatible with existing new development in the same area, or adopted Local Planning Policy;
(ii) buildings elevations facing the street or other public places shall contain windows or other major or minor openings so as to present attractively to those streets or public places;
(iii) development is to be designed to avoid the need for high screen walls along the street frontage or within the front setback area;
(iv) where Screen fencing and retaining walls or any combination thereof are to be provided along boundaries with streets, rights-of-way or pedestrian access ways, and do not comply with the acceptable development criteria of the Residential Design Codes, they shall not exceed a height of 2.4 metres above natural ground level; *AMD 1 GG 9/11/12*
(v) development is to involve the implementation of a plan of landscaping for areas between the buildings and any street or other public place;
(vi) security gates and/or walls, if incorporated into any development shall be so sited as to ensure the use of visitor parking spaces are available at any time;
(vii) developments are to incorporate sustainable building design, including solar passive and water sensitive design and the use of vegetation to soften the impact of development and to provide shade; and
(viii) developments are to be connected to a reticulated sewerage system or an appropriate effluent disposal system for the treatment of effluent and provision of reuse of treated waste water.

4.21.4 *R30 / R40 Code*

(a) Except where provided for by clause 4.21.4(b), development within areas coded R30/40 shall comply with the provisions of the R30 Code.

(b) Notwithstanding clause 4.21.4(a), the local government may permit grouped and multiple dwelling developments up to a maximum of the R40 Code where a development addresses the following additional performance criteria to a standard acceptable to the local government:

(i) buildings, in terms of the design of the building and the use of external building treatments and colours, are considered to be compatible with existing development in the same area, or adopted Local Planning Policy;
(ii) building elevations facing the street or other public places shall contain windows or other major or minor openings so as to present attractively to those streets or public places;
(iii) development is to be designed to avoid the need for high screen walls along the street frontage or within the front setback area;
(iv) where screen fencing and retaining walls or any combination thereof are to be provided along boundaries with streets, rights-of-way or pedestrian access ways, and do not comply with the acceptable development criteria of the Residential Design Codes, they shall not exceed a height of 2.4 metres above natural ground level; *AMD 1 GG 9/11/12*
(v) development is to involve the implementation of a plan of landscaping for areas between the buildings and any street or other public place;

(vi) security gates and/or walls, if incorporated into any development shall be so sited as to ensure the use of visitor parking spaces are available at any time;
(vii) developments are to incorporate sustainable building design, including solar passive and water sensitive design and the use of vegetation to soften the impact of development and to provide shade; and
(vii) developments are to be connected to a reticulated sewerage system or an appropriate effluent disposal system for the treatment of effluent and provision of reuse of treated waste water.

4.21. 5 R40/R60 Code
AMD 75 GG 17/05/24

(a) Except where provided for by clause 4.21.5(b), subdivision and development within areas coded R40/60 shall comply with the provisions of the R40 Code

(b) The local government may permit multiple dwelling developments up to a maximum R60 density where a development addresses the following additional performance criteria to a standard acceptable to the local government.

(i) Building placement and setbacks to minimise noise and overlooking impacts on adjoining properties and maintain interaction and passive surveillance of adjoining streets;
(ii) Appropriate location of garages/carparking and safe vehicular access to and from the site:
(iii) Landscaping areas within the site and street setback areas.
(iv) Developments are the incorporate sustainable building design, including solar passive and water sensitive design and the use of vegetation to soften the impact of development and to provide shade; and
(v) Development shall be subject to a design review process as set out in a relevant Local Planning Policy.

4.22 Development in the Rural Residential Zone

Land uses and development within this zone shall comply with the following general provisions and where appropriate with the site-specific conditions relevant to particular land areas nominated in Schedule 7. In the event of any conflict between the provisions of clause 4.22 and the site-specific provisions of Schedule 7, the provisions of Schedule 7 shall prevail.

4.22.1 *Subdivision*
AMD 29 GG 24/3/16

(a) The minimum lot size is 3 hectares unless otherwise specified at Schedule 7 and shown on an applicable Structure Plan.

(b) Subdivision is to be preceded by the preparation of a Structure Plan. Subdivision, which is inconsistent with an endorsed Structure Plan, will not be supported. All subdivision is to be consistent with the objectives and policies applicable to the Rural Residential Zone.

4.22.2 *Building envelopes*
AMD 29 GG 24/3/16

(a) Building envelopes approved as part of a Structure Plan or similar plan (but not including a Subdivision Plan), including under the provisions of a revoked Scheme, shall have force and effect:

(i) all development on any lot created pursuant to that plan shall be confined within the limits of the building envelope unless otherwise approved by the local government;

(b) The local government may approve a variation to, or relocation of the building envelope in accordance with clause 5.10.

(c) Clearing of any land outside the building envelope is prohibited except where it is necessary to:

(i) gain vehicular access to the lots, which access points and crossovers may be nominated by the local government;
(ii) comply with the provisions of the *Bush Fires Act 1954*;
(iii) construct dwellings and outbuildings within the building envelope and to provide sufficient protection for those buildings at risk from bushfire; or
(iv) conduct a rural pursuit where it can be demonstrated that such an activity is consistent with both the objective of the subdivision from which the lot was created and the visual amenity and landscape values of the area.

(d) On lots, where there are areas of indigenous native vegetation, clearing of land within building envelopes shall be limited to clearing required to facilitate the development and associated infrastructure.

(e) Where a building envelope has not been specified for a lot within this zone, all buildings are to be located within a 2000m^2 area to be located no closer to the respective boundaries than the setbacks specified for the zone within which the lot is situated. Where a building envelope has not been previously identified, the building envelope shall be defined on a plan submitted with the appropriate application for approval of the building. *AMD 29 GG 24/3/16*

4.22.3 *Bushfire protection*

(a) Strategic and or individual lot fire breaks and a water supply point shall be provided by the subdivider at the time of subdivision to the satisfaction and specification of the Fire and Emergency Services Authority and the local government and, thereafter, shall be maintained by the Land owner(s) or the local government as the case may require according to the endorsed Structure Plan or Fire Management Plan, to the satisfaction of the local government. Where strategic fire breaks are provided, fire breaks on individual lots must not be created without the prior approval of the local government.

(b) Where a Fire Management Plan has been prepared and subsequently endorsed by the Fire & Emergency Services Authority and/or the local government, as part of the planning processes to establish a rural-residential area, the owners of the land affected by the Fire Management Plan will be responsible for the on-going implementation of their fire management responsibilities as specified in that Plan.

(c) On lots, where there are areas of indigenous native vegetation, clearing of land shall be limited to clearing required to comply to criteria set out in Planning for Bushfire Protection AS3.6.2.

4.22.4 Landscape, Rural Character and Watercourse protection

(a) A Landscape Protection Area (LPA) applies to all:

(i) areas identified as LPAs on Plans of Subdivision or Structure Plans; and
(ii) water courses within a definable bed and banks. The minimum width of an LPA is 20 metres including the stream width.

(b) Unless otherwise approved by the local government, vegetation within the LPA shall not be removed and where practicable replanting riparian vegetation stream zones with indigenous vegetation shall be encouraged to enhance the visual and rural amenity and to improve the health of the water course.

(c) Consistent with the primary objective of conserving the landscape values and environmental attributes of land included within this Zone, all development, including the provision of services, construction of access driveways, firebreaks and all buildings and structures shall be sited, designed and clad in materials to minimise adverse impacts on the landscape values and physical features of each lot and the locality.

(d) Land shall not be used for any purpose which would:

(i) detract from the rural character of the area generally;
(ii) adversely affect any established vegetation on the land; and
(iii) adversely affect a water course or the water quality within that water course.

4.22.5 *Dams*

(a) Dams are prohibited on lots within the Rural-Residential Zone unless development approval is granted by the local government following a period of public advertisement in accordance with the provisions of clause 64 of the Deemed Provisions and, as appropriate, consultation with or approval by the Department of Water.

(b) Where constructed, dams shall be provided with ready access for fire tenders to enable easy refilling of water tanks for firefighting purposes.

(c) All spoil from dam construction and earth works that does not form part of the dam must be removed or levelled.

(d) All dams located on a watercourse must be provided with an overflow or by-pass to facilitate the passage of water through or past the dam to maintain supplies to the remainder of the watercourse.

4.22.6 *Building, development and land use*
AMD 54 GG 10/8/18

(a) Unless otherwise expressly permitted by the Scheme, only one dwelling is permitted on any lot.

(b) Development of dwellings, buildings or other structures is prohibited outside the building envelope where prescribed on the Structure Plan, or similarly endorsed plan for the area concerned, unless otherwise approved by the local government.

(c) Except as otherwise made possible by the location of the building envelope specified for any lot, the minimum setbacks for any building or structure within a Rural-Residential Zone shall be as set out at clause 4.22.2(e) for building envelopes.

(d) The construction and use of an outbuilding or outbuildings is not permitted other than where a dwelling exists on, or where an approved dwelling is under construction on the same lot.

(e) To avoid an adverse impact on landscape amenity, the local government may prohibit the use of reflective materials when determining applications for development approval.

(f) Each dwelling must have a water storage tank as required by clause 5.22 and a roof catchment area of no less than 200 square metres, inclusive of any outbuildings connected to the domestic water storage tank, unless connected to a reticulated scheme water supply.

(g) All development shall comply with the following requirements:

(i) building heights specified in clause 5.13;
(ii) building sites having a gradient steeper than 1:10 shall be of split level design or of pole construction to minimise the amount of cut and fill;
(iii) the texture and colour of the materials shall be sympathetic and complementary to the surrounding landscape amenity;
(iv) outbuildings shall be such as to complement the dwelling constructed on the land in terms of their design and treatment of the external surfaces, including colour and type of materials, and shall be sited, within the building envelope, as to achieve a relationship to the dwelling that will not detract from the visual and rural amenity of the site and the locality generally, unless for the purposes of the keeping of livestock;
(v) all services inside the lot shall be underground;
(vi) on-site effluent disposal facilities shall be constructed within the building envelope where specified and shall be more than 100 metres from the high water mark of any watercourse or soak and must have 2 metres of vertical separation from the highest known water table or bedrock or lesser distances approved by the local government or the Department of Health Department of WA;
(vii) all disturbed soil and earth works shall be levelled and rehabilitated to restore the visual amenity and appearance of the land;
(viii) water tanks constructed to serve a development within the Rural-Residential Zone shall be totally screened from view from any public or private point outside the lot concerned or shall otherwise be painted green (or such other colour as the local government may approve on application) or shall be constructed of materials which do not detract from the rural character and visual amenity of the locality;
(ix) landscaping shall be with vegetation and landscape materials that are, in the opinion of the local government, sympathetic to the surrounding natural landscape;

(h) All land uses permitted by this Scheme shall be so conducted as to prevent any unreasonable impact on adjoining owners from noise, vibration, smell, dust, ash, grit, light spill, or other pollution.

4.22.7 *Fencing and keeping of livestock*

(a) Notwithstanding the provisions of clause 61 of the Deemed Provisions – Permitted Development – boundary fencing within the Rural-Residential Zone requires the approval of the local government. All fencing within this Zone shall be visually permeable, unobtrusive and sensitive to the objective of maintaining the rural character and visual amenity of land within the Zone. Solid fencing such as corrugated fibro cement and iron is prohibited.

(b) The keeping of livestock is prohibited on any lot within the Rural-Residential Zone at a density exceeding the material stocking rate as recommended by the Department of Agriculture and Food.

(c) The keeping of livestock is prohibited where their presence contributes or is likely to contribute to erosion, pollution or degradation of land or where it is otherwise specifically excluded by the scheme.

(d) Where any land is being degraded by the keeping of livestock or by any other activity conducted on the land, to the point where the land is subject to, or vulnerable to erosion, the local government may by notice in writing served on the land owner or occupier require removal of all livestock from the land and/or to cease from any other actions necessary to allow rehabilitation of the land. The notice may specify the works necessary to remediate any degradation of the land and the period within which any such works or actions shall be undertaken. Any such notice shall specify the period for which it remains operative. Failure to comply with the notice shall constitute a contravention of the Scheme.

4.22.8 *Agricultural Use*

(a) Agricultural uses involving the cultivation of land or spraying of pesticides or herbicides (other than that authorised by the Department of Agriculture and Food for the control of noxious weeds) and the application of fertilisers likely to impact adversely upon the quality of water entering, and/or the foreshore vegetation of any stream or other watercourse will not be permitted.

(b) Applications for proposed agricultural-intensive uses within the Rural-Residential Zone will need to demonstrate to the satisfaction of the local government that they will not have a detrimental impact on the environment, rural character and amenity of the locality. Agriculture-intensive activities shall be provided with firebreaks and setback distances from boundaries to the satisfaction of the local government relevant to the type of use concerned and its likely impact upon adjoining properties.

4.23 Development in Town Centre Zone

4.23.1 Development proposals will be considered having regard to a Town Centre Strategy prepared and adopted by the local government and any Local Planning Policy adopted by the local government.

4.23.2 Designs for new development within the Zone shall have regard for the particular character, townscape and sense of place of areas included within the Town Centre Zone, within the locality.

4.23.3 Where development or re-development of properties in the Town Centre Zone is envisaged, the incorporation of residential uses up to a density of R60 is permitted to create greater diversity of use, increased security and to stimulate additional life and vitality within the centre of the town. Any such residential development shall comply with the Mixed Use provisions of the R-Codes except that the R60 Code shall apply.

4.23.4 Where a Mixed Use development is proposed, the residential use shall be confined to an upper storey.

4.23.5 Notwithstanding the provisions of Table 1 - Zoning Table, fast food outlets which are inclusive of a 'drive through' component are not permitted where their access is to be via Bussell Highway. *AMD 54 GG 10/8/18*

4.24 Development in the Town Centre Zone in Margaret River
AMD 29 GG 24/3/16: AMD 54 GG 10/8/18

4.24.1 The development, if it involves a structure in excess of 2 storeys, shall present as a two storey building to the street with any additional higher development, being setback no less than 3.6 metres from the front of the lower storeys.

4.24.2 Notwithstanding the provisions of Table 1 - Zoning Table, fast food outlets which are inclusive of a 'drive-through' component are not permitted for those lots having frontage to Bussell Highway. *AMD 29 GG 24/3/16*

4.24.3 Notwithstanding the provisions of Table 1 - Zoning Table, residential uses will only be supported where they form part of a Mixed Use development on the same lot

4.25 Development in the Village Centre Zone

4.25.1 The particular unique character, streetscape and sense of place of each settlement to which the Village Centre Zone applies is to be preserved by ensuring that any new development within the established village centres will not adversely impact upon that character, streetscape or sense of place, but rather, will reflect the design and form of existing developments and enhance the character of the settlement. Similarly, designs for new development within the Zone as extensions of the existing centres shall be prepared with due regard to the siting, design and external appearance of development on adjoining or nearby land and shall be compatible with the general character and form of development in the area.

4.25.2 Where development or redevelopment of properties in the Village Centre Zone is envisaged, the incorporation of residential uses up to a density of R60 will be considered, in an effort to create greater diversity of use, increased security and to stimulate additional life and vitality within the centre of the village. Any such residential development shall comply with the Mixed Use provisions of the R-Codes
AMD 1 GG 9/11/12

4.26 Development in the Industry Zone

4.26.1 Land uses within this zone not requiring to be housed in buildings shall be so designed and laid out on the land as not to detract from the visual amenity of the street and where open storage of goods and materials is proposed on the land they shall, subject as may otherwise be approved by the local government, be screened from view from the street or other public viewpoints.

4.27 Development in the Service Commercial Zone

4.27.1 Development proposals for land within the Service Commercial Zone will be considered having regard to:

(a) the purpose and objective of the zone;

(b) the nature of the use and development on nearby properties;

(c) the likely impact of the proposed development on the streetscape and the appearance of the development when viewed from the street;

(d) the impact on nearby properties in terms of amenity and character of established land uses and development; and

(e) where land uses not contained within buildings are proposed, the degree to which the activities on the site will impact upon or be compatible with land uses and development on nearby properties.

4.28 Development in the Composite Industry Zone

4.28.1 Where a lot is situated within the Composite Industry Zone, a person may only:

(a) develop or establish or allow to be developed or established a light industry where a residence is first erected and forms an integral part of the development;

(b) single residential development shall accord with the requirements of the relevant R-Code and industrial components of any development shall accord with the standards specified in Schedule 9;

(c) allow the residence to be occupied by either the owner, lessee, manager or employee;

(d) establish an industry that is of a nature, as determined by the local government that can operate compatibly with residential living and with minimal impact on adjoining properties; and

(e) establish an industry at the rear of the residential dwelling that is essentially a single person operation.

4.28.2 In considering an application for development approval in the Composite Industry Zone, the local government will require:

(a) the provision of access, parking and service areas to the local government's specifications and satisfaction;

(b) all machines used in conducting the business to be dampened or muffled for noise and suppressed to eliminate electrical and television interference;

(c) noise levels to be within the limits set by the *Environmental Protection (Noise) Regulations 1997* for residential areas;

(d) sign posting to be limited in accordance with the Scheme and any Local Planning Policy relating to advertisements; *AMD 1 GG 9/11/12*

(e) operating hours to be restricted to reasonable levels in recognition of the residential use of the area; and

(f) the provision of vehicle access to the rear of the lot with a minimum width of 5 metres.

4.29 Development in the Future Development Zone

(a) Prior to the local government granting approval to any development or supporting any proposal for the subdivision of land within the Future Development Zone, other than the erection of a single dwelling or minor changes in the use of land, a Structure Plan shall be prepared and approved pursuant to the provisions of Part 4 of the Deemed Provisions.

(b) Notwithstanding the provisions of clause 4.29(a), the local government may approve the construction of a single dwelling on any lot within the Future Development Zone and may grant approval to changes in the use of land that, in the opinion of the local government, will not be likely to prejudice the proper future subdivision and development of the land within the Zone.

(c) Where a Structure Plan has been endorsed by the local government and the Western Australian Planning Commission, the land to which the Structure Plan applies shall be developed generally in accordance with the Structure Plan and any associated provisions contained in Schedule 11.

4.30 Development adjoining and within National Parks

4.30.1 Planning applications proposing development within the National Park Influence Area as identified in the LNRSPP will need to demonstrate, to the satisfaction of the local government, compliance with the LNRSPP's National Park Influence Area policies. In particular, the local government will require the planning application to address, where applicable:

(a) the measures to control stock, domestic animals and weeds; and

(b) the type, scale and materials to be used in any proposed building,

to ensure that there is no adverse impact on the adjoining National Parks.

4.31 Development adjoining the Margaret River and Blackwood River foreshores

4.31.1 No development is permitted within 100 metres of the top of the river bank on either side of the Blackwood River.

4.31.2 No development is permitted within 100 metres of the top of the river bank on either side of the Margaret River upstream of Darch Road and within 40 metres of the top of the river bank on either side of the Margaret River downstream of Darch Road.

4.31.3 Notwithstanding clauses 4.31.1 and 4.31.2, the local government may permit development on privately owned land which is closer to the Margaret River and Blackwood River where there is an existing foreshore reserve and where the local government is satisfied that the proposed development will not have an adverse environmental and/or landscape impact upon the river or the adjacent fringing vegetation.

4.31.4 Proposed clearing of remnant vegetation, land use or proposed development will generally not be permitted, which in the opinion of the local government would adversely impact upon the environmental qualities or purity of water entering the Margaret River or Blackwood River. Any proposed clearing of vegetation which may impact upon these river systems will require approval by the local government in accordance with clause 5.20 and consultation with the Department of Water prior to determining the application.

4.32 Development within Regional Environmental Corridors

4.32.1 Planning applications proposing development within a Regional Environmental Corridor as identified in the LNRSPP will need to demonstrate, to the satisfaction of the local government, compliance with the LNRSPP's Regional Environmental Corridor policies. Any planning application proposing development within a Regional Environmental Corridor will also need to demonstrate that it does not impact upon any significant stands of remnant native vegetation that:

(a) contains biologically diverse vegetation that supports fauna movements;

(b) provide a landscape backdrops to agricultural areas;

(c) contain conservation or cultural heritage values; and/or

(d) forms an integral part of a river, estuarine or wetland system.

4.33 Development adjoining Highways, Main Roads and Travel Route Corridors

4.33.1 Development proposed on land, which is located outside of a townsite, but is adjacent to, or that can be seen from, a Travel Route Corridor as identified in the LNRSPP, shall be designed and sited so as to comply with the Travel Route Corridor and Landscape policies and objectives of the LNRSPP to minimise any adverse impacts on rural character, amenity and landscape values.

4.33.2 The 60 metre development setback specified in Schedule 9 for development adjacent to Highways, Main Roads and Travel Route Corridors will be imposed when considering planning applications and their compliance with clause 4.33.1. However, the local government may consider a reduction in the 60 metre setback where, in the opinion of the local government, a lesser setback:

(a) is deemed to be absolutely necessary to facilitate the proposed development; and

(b) would not result in a greater environmental, landscape or visual impact.

Notwithstanding the above, the local government will have specific regard to the minimum setback prescribed for the applicable zone in Schedule 9.

AMD 1 GG 9/11/12

PART 5 - GENERAL DEVELOPMENT REQUIREMENTS

5.1 Compliance with development standards and requirements

Any development of land is to comply with the provisions of the Scheme.

5.2 Residential Design Codes

5.2.1 A copy of the Residential Design Codes is to be kept and made available for public inspection at the offices of the local government.

5.2.2 Unless otherwise provided for in the Scheme, where land is shown on the Scheme Map to be subject to the Residential Design Codes or where those Codes specifically apply by reasons of the provisions of the Scheme Text, development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.

5.2.3 The Residential Design Codes density applicable to land within the Scheme Area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centre-line of those borders.

5.3 Special application of Residential Design Codes

5.3.1 The following variations and exclusions to the Residential Design Codes shall apply:

(a) residential building heights shall be in accordance with clause 5.13;

(b) residential development within areas of the Residential Zone coded R5 or less shall comply with the requirements for such development set out at clause 4.21.2;

(c) residential development within areas of the residential Zone coded R15/30 shall comply with the requirements for such development set out at clause 4.21.3;

(d) residential development within areas of the Residential Zone coded R30/40 shall comply with the requirements for such development set out at clause 4.21.4;

(e) any residential development on Molloy Island shall comply with the provisions of 6.4.2; and

(f) the Residential Design Code for Mixed Use, Grouped Dwelling or multiple dwelling development within the Town Centre Zone shall be limited to R60.

5.4 Restrictive covenants

5.4.1 Subject to clause 5.4.2, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that is consistent with the provisions of the Residential Design Codes which apply under the Scheme.

5.4.2 Where clause 5.4.1 operates to extinguish or vary a restrictive covenant the local government is not to grant development approval to the development of the land which would, but for the operation of the clause 5.4.1, have been prohibited unless the application has been dealt with as an "A" use and has complied with all of the advertising requirements of clause 64 of the Deemed Provisions.

5.5 Variations to site and development standards and requirements

5.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for development approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2 In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to:

(a) consult the affected owners and occupiers by following one or more of the provisions for advertising uses under clause 64 of the Deemed Provisions; and

(b) have regard to any expressed views prior to making its determination to grant the variation.

5.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that:

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

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

5.6 Environmental conditions

5.6.1 Environmental conditions to which the Scheme is, or amendments to the Scheme are subject are incorporated into the Scheme by Schedule 6 of the Scheme.

5.6.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.

5.6.3 The local government is to:

(a) maintain a register of all relevant statements published under sections 48F and 48G of the EPA Act; and

(b) make the statements available for public inspection at the offices of the local government.

Note: Environmental conditions are those required to be incorporated into the Scheme or an amendment to a Scheme following assessment under the Environmental Protection Act 1986.

5.7 Development of chalets

5.7.1 Except as may otherwise be approved by the local government or provided within the Scheme, the total floor space of any chalet in any zone shall not exceed 150 square metres.

5.7.2 Permanent occupation of a chalet as a dwelling is prohibited by the Scheme.

5.8 Car parking

5.8.1 *Car parking requirements*

(a) Land within the Scheme Area shall not be used or developed for any of the purposes requiring development approval under the Scheme unless car parking is provided on the site in accordance with the provisions of Schedule 8, including parking space layouts and dimensions, as set out in Australian Standard 2890.1-2004 as amended from time to time. Additionally, the local government may require the provision of spaces for cycle racks and vehicles for the disabled as necessary.

5.8.2 *Car Parking for uses not specifically mentioned in Schedule 8*

Where land is to be developed or used for purposes not mentioned in Schedule 8, or where a standard or requirement is not specified in that Schedule, the local government shall determine in each case the number of spaces to be provided on the land having due regard to the:

(a) nature of the proposed development;

(b) number of employees or others likely to be employed or engaged in the use of the land;

(c) anticipated demand for visitor parking; and

(d) orderly, proper and sustainable planning of the area.

5.8.3 *Reciprocal parking*

Where, on any lot, different land uses have been, or are to be established and those uses operate at different times to each other, the local government, upon being satisfied that the operating times will be permanent and will form the subject of conditions under which a development approval will be granted, may reduce the total number of bays required to be provided for those uses as set out in Schedule 8, or as specified by the local government, on a reciprocal use basis having regard to the greatest number of vehicles that may need to be accommodated on the land during periods of peak usage of the site.

5.8.4 *Calculation of car parking requirements*

Except as provided in clause 5.8.3, for developments involving a number of component land uses, the car parking requirement shall be the sum of the number required for each component or land-use element of the overall development.

5.8.5 Construction of parking areas

Except as may otherwise be approved by the local government, all parking areas shall be provided with a surface that will render the area capable of use at all times for its intended purpose. Provision to the satisfaction of the local government shall be made for:

(a) drainage to a sump and connected to the local government's main drain system;

(b) surface lines marked out to show the manner in which the parking area is to be used; and

(c) landscaping of parking areas to reduce the impact of paved areas and to provide shade at the rate of 1 tree per 6 spaces.

5.8.6 *Pedestrian movement within parking areas*

In instances where parking areas accommodate 20 vehicles or more are developed, provision shall be made, to the satisfaction of the local government, for pedestrian movement systems through the parking areas concerned to connect with other pedestrian movement routes in the locality.

5.8.7 *Cash-in-lieu of car parking*

Where the local government so decides, cash payments in lieu of the provision of parking spaces on the site of any proposed development may be accepted but only subject to:

(a) the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the scheme plus the value, as estimated by the local government of that area of the land which would have been occupied by the parking spaces; and

(b) payments under this clause shall be paid into a parking fund to be used for the provision of public car parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.

5.8.8 *Change of use and parking provisions*

Where an appropriate parking area has been provided to a level commensurate with the approved development and an application for planning consent is lodged with the local government to change a use within the development to one which generates the need for additional parking, the local government shall either:

(a) accept a cash-in-lieu of parking in the event that the additional parking cannot be provided on site; or

(b) require the provision of additional parking either on site or in a position nearby acceptable to the local government.

5.8.9 Active Transport
AMD 34 GG 22/1/16

The local government may allow a 10% reduction in the amount of car-parking otherwise required by Schedule 8, up to a maximum of 5 bays, where a developer prepares and commits to implement an active transport plan, to the satisfaction of the local government. The Active Transport Plan is to detail how and to what extent non-motorised forms of transport will be encouraged through the provision of 'end of trip facilities' such as bike parking, showers and lockers.

5.9 Servicing, access ways, loading and unloading spaces

5.9.1 Where a land use or development involves the delivery or despatch of goods of any kind, a loading and unloading area will be required to be provided clear of the street or right-of-way as appropriate and the local government will seek to ensure that, where such an area is provided, vehicles using the area must, unless otherwise approved by the local government, be able to enter and leave the street in a forward direction.

5.10 Building envelopes
AMD 54 GG 10/8/18

5.10.1 Where, on any plan adopted or approved by the local government under the Scheme, a building envelope is shown for the purpose of confining development to a specific portion of the land all development shall be contained within the prescribed building envelope.

5.10.2 The local government may, in circumstances where full and satisfactory justification is provided by the applicant and where deemed necessary by the Local Government advertising in accordance with the provisions of clause 64 of the Deemed Provisions has been undertaken, approve a variation to, or relocation of the building envelope provided in each case it is satisfied that:

(a) the objectives of the zone are not compromised;

(b) the visual amenity and rural character of the locality will not be affected to any greater degree by development within the proposed new building envelope to that which might have occurred within the building envelope as originally proposed;

(c) development within the proposed new building envelope will not render the protection of the property from the risk of bushfire any more difficult to achieve than would be the case with the approved building envelope; and

(d) the proposed size and location of the envelope can accommodate future development, including on-site septic effluent disposal systems and water supply tanks, and not have a detrimental effect on the environment.

5.10.3 Where no building envelope is shown for any lot on a plan adopted or approved by the local government, building envelopes are to be located no closer to the respective boundaries than the setbacks specified for the zone within which the lot is situated, as prescribed in Schedule 9 Development Standards. Where a building envelope has not been previously identified, the building envelope shall be defined on a plan submitted with the appropriate application for approval to construct the building. The provisions of clause 5.11.1 shall apply to building envelopes. *AMD 29 GG 24/3/16*

5.11 Setbacks, plot ratio and site coverage

5.11.1 Development within the Scheme Area is limited in terms of setbacks, plot ratio, site coverage and landscaping and shall conform to the standards for each land use type as set out in Schedule 9.

5.12 Landscaping

5.12.1 Landscaping for any new land use and development within the Scheme Area shall be provided in accordance with the provisions of Schedule 9 and 5.8.5(c). In cases where no standards are prescribed in that Schedule, the requirement for landscaping shall be determined by the local government in each case. The local government shall determine the location of, and standard for, landscaping on any lot together with those measures to be adopted to ensure that the landscaping is maintained to the approved standard.

5.12.2 Landscaped areas shall be shown on plans accompanying the application for development approval and shall, in general, be located in such positions on the site or sites as to enhance the appearance of the streetscape and to screen from view or soften the impact of buildings, parking areas, open storage areas, drying areas and any other space which by virtue of its use or appearance is likely to detract from the visual amenity of the townscape or the rural area concerned.

5.12.3 All landscaped areas laid out and constructed pursuant to development approvals granted under the Scheme shall thereafter be maintained to the satisfaction of the local government.

5.13 Buildings heights

AMD 54 GG 10/8/18

5.13.1 Except where provided by clause 5.5 or elsewhere in the Scheme, the maximum height limits for buildings and structures above natural ground level throughout the Scheme Area irrespective of whether or not development approval is required pursuant to this Scheme is.

AMD 1 GG 9/11/12

(a) 7 metres to the top of the walls (wall-plate height) of the building or structure;

(b) 8 metres to the top of the ridge of the pitched roof of any such building or structure;

(c) 10 metres in the Town Centre Zone in Margaret River;

(d) 10 metres in the Industrial and Service Commercial Zones;

(e) 11 metres in the case of farm buildings other than dwellings, rural worker's accommodation and additional accommodation buildings or their outbuildings.

5.13.1.1 Notwithstanding the provisions of clause 5.13.1, the maximum height limits above natural ground level for development within the following areas are:

Locality		Height
(a)	Flinders Bay Special Control Area	6 metres

(b) Area zoned for Residential purposes bounded by the Hardy Inlet, Jackson Street, Pericles Street and Curtis Avenue, East Augusta. 6 metres*

(c) Land within the "Leeuwin-Naturaliste Ridge Conservation Zone" is subject to policies contained within the LNRSPP and is limited to an absolute maximum height of 6 metres, and in particular cases will be required to be less than this height limit in order to meet the visual management and landscape protection requirements of the LNRSPP and this Scheme.

* Refer to clause 6.4.3.2.2 (c)(i) and Schedule 12 for other relevant height controls.

5.13.1.2 Variations to the height limits specified at clause 5.13.2.1(b) may not exceed 20%..

AMD 29 GG 24/3/16

5.13.2 Notwithstanding the provisions of clause 5.13.1, the local government may, after following the advertising procedures set out at clause 64 of the Deemed Provisions, permit the construction of buildings or structures in excess of the height limitations specified where:

(a) site constraints are such as to prevent the construction of a reasonable building on the site without exceeding the relevant limit; or

(b) the nature of the proposed building or structure is such that, to be functional, it must be built to a higher level; or

(c) other extraordinary circumstances exist as reasonably determined by the local government; and

(d) plans including sections and elevations of the proposed development are submitted to and determined by the local government as being satisfactory for the purposes of advertising; and

(e) the local government, after considering both the information provided by the applicant and any submissions made by persons in response to the proposal being advertised is satisfied that the proposed building:

(i) will be in harmony with the general character of buildings in the locality;
(ii) will not adversely affect the beauty, character, quality of environment or the area generally;
(iii) will maintain a satisfactory relationship to the boundaries of the lot on which it is to be constructed and relates satisfactorily to the siting, design and aspect of buildings on other nearby lots; and
(iv) will not impair the amenity or development potential of adjoining lots.

5.13.3 For the purpose of clause 5.13.1 above, a building or structure does not include reference to a chimney, mast, satellite dish (not exceeding a diameter of 4 metres), pole, wind turbine or signal receiving or transmitting tower provided that the structure or facility is designed, sited and/or treated so as not to detract from the visual amenity of the locality.

5.14 Inappropriate or incongruous development

5.14.1 Where, in the opinion of the local government, any proposed building, structure, site work and/or use, would not be in harmony with existing buildings or the landscape of the locality in which the proposed development is to be located by virtue of the use and/or design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and mass of any building, the local government may:

(a) refuse the proposal notwithstanding that it otherwise complies with the provisions of the Scheme; or

(b) may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality in which the proposed development is to be located.

5.15 Heavy vehicles in residential areas

5.15.1 Except as provided elsewhere in the Scheme, no person, within any lot within the Residential or Future Development Zones, shall:

(a) repair, service or clean or allow to remain or park a heavy vehicle for a period greater than 24 hours; or

(b) keep, park, allow to remain, repair, service or maintain any boat, caravan, trailer or heavy vehicle in the area comprising the front setback,

without the prior written approval of the local government.

5.16 Derelict vehicles

5.16.1 Notwithstanding any other provision of the Scheme, the wrecking of any derelict, damaged and unserviceable vehicle on, or the storage of any such vehicle within, the area comprising the front setback of privately owned land, is prohibited within the Scheme Area.

5.17 Telecommunications infrastructure

5.17.1 An application for development approval to the local government is required for the development of all telecommunications infrastructure excluding those listed in the *Telecommunications Low Impact Facilities Determination 1997* and subsequent amendments to that Determination.

5.17.2 Applications for the development of telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under clause 63 of the Deemed Provisions and will be considered in relation to the following:

(a) consistency of the proposed development with the objective and purpose of the zone or reserve;

(b) social and economic benefits of the proposal;

(c) the impact of the proposal on the landscape, heritage, environmental and rural character values of the locality;

(d) coordination with other services; and

(e) any relevant policy adopted by the local government.

5.17.3 Applications for telecommunications infrastructure on Crown land must be accompanied by written consent of the Department of Planning and Department of Regional Development and Lands and any applicable management body under the *Land Administration Act 1997*.

5.18 Provisions relating to the control of advertisements

5.18.1 Applications for development approval to erect, place and display advertisements shall be made in accordance with the requirements of Part 8 of the Deemed Provisions and shall be accompanied by a completed Additional Information Sheet in the form set out at Part 11 of the Deemed Provisions.

5.18.2 Advertisements which:

(a) were lawfully erected, placed and displayed prior to the operation of the Scheme; or

(b) may be erected, placed and displayed pursuant to a licence or other approval granted by the local government prior to the operation of this Scheme,

are "existing advertisements" and may, except as otherwise provided, continue to be erected, placed or displayed.

5.18.3 Where, in the opinion of the local government an advertisement or sign has deteriorated so that it adversely impacts upon the visual amenity of the locality, conflicts with the amenity objectives of the Scheme or ceases to be effective for the purposes for which it is erected and displayed, the local government may by notice in writing require the advertiser or land owner to:

(a) repair, paint or otherwise restore the advertisement to a standard specified in the notice; or

(b) remove the advertisement or sign.

5.18.4 A person on whom notice is served under clause 5.18.3 may seek a review under clause 76 of the Deemed Provisions.

5.18.5 A person shall not erect an advertisement on land other than that on which is conducted a business or profession to which the sign relates.

5.19 Bush Fire Management Plans
AMD 54 GG 10/8/18

5.19.1 Where:

(a) in any approval granted to an application for development approval under the provisions of the Scheme; or

(b) in the adoption by either the local government or the Western Australian Planning Commission of a Structure Plan or other similar Plan; or

(c) under a condition of an approval granted by the Western Australian Planning Commission to an application for approval to subdivide land;

a Fire Management Plan is required to be prepared and endorsed by the Fire and Emergency Services Authority of Western Australia and the local government; the affected land owners will be responsible for the ongoing implementation of the "land owners' responsibilities" as specified in that Fire Management Plan.

5.20 Land clearing

AMD 54 GG 10/8/18

5.20.1 Land clearing

(a) All land clearing requires the prior development approval of the local government, with the exception of the following: *AMD 29 GG 24/3/16*

(i) any clearing, including the provision of firebreaks, that is authorised under the *Bush Fires Act 1954* (as amended);
(ii) clearing within a building envelope where a building permit has been issued and no development approval for the building is required;
(iii) any vegetation that is dead, or certified as dangerous by a_qualified arborist;
(iv) any clearing of vegetation not native to Western Australia;
(v) clearing for farm management purposes within the Priority Agriculture, General Agriculture and Cluster Farm zones in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (as amended);
(vi) the lopping of native vegetation for stock fodder in any period of declared drought if the continued health of the vegetation is not affected.
(vii) any clearing carried out in accordance with an approved Bush Fire Management Plan;
(viii) the clearing of any vegetation planted for the purposes of harvesting including farm forestry;
(ix) any clearing of vegetation that has been designated as a noxious weed under the *Agriculture Act 1988* (as amended);
(x) minor pruning of vegetation for maintenance purposes which does not endanger the life of that vegetation;
(xi) the removal of vegetation to meet an acceptable Bushfire Attack Level under AS3959 for an approved dwelling, whether or not that dwelling is on the same lot;
(xii) clearing upon residential lots less than 2000m2 in size; and
(xiii) minor clearing upon residential zoned lots to facilitate use incidental to the residential occupation of the land.

These exemptions do not apply where vegetation is specifically protected by way of a landscape protection designation or similar by a Structure Plan, Local Development Plan, Tree Preservation Order or any other provision of the Scheme.

AMD 29 GG 24/3/16

(b) The local government will, when presented with an application to clear land or an application to develop the land pursuant to the Scheme, have regard to the extent of clearing to be undertaken, the quality and type of vegetation to be removed and any re-vegetation carried out on the same land. The local government may impose conditions or make arrangements to retain some of the vegetation on the land, or refuse the application if the removal of the vegetation, in the opinion of the local government, would result in a deleterious environmental, amenity or landscape impact. *AMD 29 GG 24/3/16*

5.20.2 Tree Preservation Orders
AMD 29 GG 24/3/16

(a) The purpose of clause 5.20.2 is to preserve and/or enhance urban landscape amenity from the negative effects of clearing.

(b) Where it appears to the local government that it is expedient for the purpose of securing or of preserving existing amenity, it may, by a resolution, make an order (hereinafter referred to as a "Tree Preservation Order") relating to specific trees or groups of trees, and may, by like resolution, rescind or vary any such order. The Tree Preservation Order shall have effect from the date and time of the resolution.

(c) A Tree Preservation Order may prohibit the ring-barking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees specified in the Tree Preservation Order except with the consent of the local government and any such consent may be given subject to reasonable conditions.

(d) On the local government resolving to make a Tree Preservation Order, the local government shall, as soon as practicable, after the resolution serve notice on all affected landowners and any other relevant parties, giving full details and particulars of the Tree Preservation Order and inviting comment on the Tree Preservation Order within the period (not less than 21 days) specified in the notice.

(e) Within a period not exceeding 60 days, the justification for a Tree Preservation Order shall be reconsidered by the local government in the light of any submissions received for a decision to maintain or revoke the Tree Preservation Order. A decision to revoke a Tree Preservation Order shall have immediate effect. On the finalisation of a Tree Preservation Order, the local government shall cause notice of the making of the Tree Preservation Order to be published in a newspaper circulating in the area of the affected land.

(f) If the local government receives any comments within the period specified in the notice, it shall consider those comments and determine whether to maintain or revoke the Tree Preservation Order. If the local government receives no comments within the period specified in the notice or having received comments decides to maintain the Tree Preservation Order, it shall cause notice of the making of the Tree Preservation Order to be published in a newspaper circulating in the area of the affected land.

(g) A person shall contravene the Scheme if they do not comply with a Tree Preservation Order.

(h) Non-compliance with a Tree Preservation Order shall not contravene the Scheme where the person acted:

(i) to remove an immediate threat to life or property; or
(ii) to comply with the *Bush Fires Regulations 1954*, or
(iii) where the tree is considered likely to cause damage to buildings or services.

(i) A person whose land is affected by a Tree Preservation Order may apply in writing to the local government to have the Tree Preservation Order revoked or varied as provided in clause 5.20.2 (b) and shall, in that application, provide that person's reasons for requiring the rescission or variation.

(j) Where local government serves a notice under clause 5.20.2 (d), or attaches conditions that the landowner considers unreasonable to any approval to remove, lop or top any tree to which a Tree Preservation Order relates, the landowner may apply to the State Administrative Tribunal for review of the matter under Clause 76 of the Deemed Provisions.

5.20.3 Disposal of Vegetation.

With the exception of lots in the rural zones, vegetation cleared within 1km of town centre zoned land is to be disposed of by means other than by being burnt onsite.
AMD 54 GG 10/8/18

5.21 Development relating to waterways, creeks and other watercourses

5.21.1 Notwithstanding any other provisions of the Scheme, developments the subject of an application for development approval under the Scheme that:

(a) reduce or are likely to reduce the natural flow of any creek or watercourse; or

(b) direct any storm water, other water or liquid from any source to any creek, watercourse or wetland,

will only be permitted where it can be demonstrated, to the satisfaction of the local government, that there will be no adverse impacts on the creek, watercourse or wetland and/or environment of the area within which the development is proposed.

5.22 Dwellings without reticulated mains water supply
AMD 54 GG 10/8/18

5.22.1 Where any dwelling is proposed to be constructed within the Scheme area which cannot be connected to a reticulated mains water supply, that dwelling shall be provided with a rain water catchment tank with a minimum capacity of 120,000 litres prior to occupation unless alternative arrangements are made to the satisfaction of the local government for a supply of potable water.

5.22.2 Where, water supplies are required for firefighting purposes in addition to the requirements of clause 5.22.1 a dedicated static water supply of no less than 10,000 litres is to be provided and fitted with an appropriate gate valve to enable firefighting appliances to draw water for firefighting purposes.

5.23 Plantations and Agroforestry

5.23.1 Plantations shall comply with:

(a) any planning criteria/provisions mutually developed by the key industry and local and State government stakeholders and adopted by the local government, to complement the *Code of Practice for Timber Plantations in Western Australia* (as amended from time to time);

(b) a silviculture plan, a timber harvesting plan (as described in the Code of Practice) and a transport strategy submitted to the local government for consideration and approval prior to the commencement of any site works or planting or a revised harvesting plan (as described in the Code of Practice) submitted to the local government eighteen months prior to the anticipated harvesting date;

(c) the Guidelines for Plantation Fire Protection, as amended; and

(d) any regional and/or local road transport strategy and/or fire management strategy mutually developed and agreed to by the key industry and local and State government stakeholders and adopted by the local government, including making any contributions or repairs set out in formulae under those strategies.

5.23.2 A transport strategy shall include the following information:

(a) title details of the subject land;

(b) name of the landowner, plantation management company and plantation manager;

(c) area of land to be planted and subsequently to be harvested;

(d) anticipated season(s) and year(s) of harvest;

(e) anticipated tonnage of product at harvest;

(f) whether trucked product is likely to be in the form of logs or chips or other;

(g) anticipated haul routes on local and district roads;

(h) proposed destination of haulage; and

(i) proposals for upgrading/rehabilitation or making financial contribution towards the upgrading/rehabilitation of the local and district road system.

5.23.3 Before determining any application to use or develop land for plantations and agroforestry, the local government shall consider, as appropriate:

(a) the provisions of the Code of Practice for Timber Plantations in Western Australia, as amended;

(b) the need to encourage plantations and agroforestry in locations where it is significant to the State, regional or local economies;

(c) the benefits of encouraging plantations and agroforestry in addressing land degradation, including soil erosion, waterlogging and salinity;
(d) the role of plantations and agroforestry in protecting water quality and preventing adverse effects on groundwater recharge;

(e) the impact on the natural environment and on visual amenity;

(f) the compatibility of plantations and agroforestry with adjacent land uses; and

(g) the purpose and objectives of the zone, Policy Area or Special Control Area.

5.23.4 The local government will not support any subdivision of land used for plantation purposes but may support the strata subdivision of such land where the circumstances set out in the Western Australian Planning Commission's Planning Bulletin No. 56 for any such strata scheme are complied with to the satisfaction of the local government.

5.24 Caretaker's dwellings

5.24.1 Caretaker's dwellings: -

(a) are limited to one caretaker's dwelling only per lot excluding lots within a strata scheme;

(b) shall be limited in floor area to a maximum of 200 square metres; and

(c) are prohibited under the Scheme until such time as the land upon which it is to be established is developed and/or is in use for a purpose requiring oversight by a caretaker.

5.25 Farm buildings

5.25.1 Within non-urban zones, farm buildings are considered to be a necessary adjunct to the proper management and conduct of rural practices but the siting, design and materials used on the external surfaces of such buildings shall be such as to ensure that their impact upon the rural character, amenity and landscape values of the area is minimised.

5.26 Development of holiday houses

5.26.1 Applications for development approval for holiday houses will be required to demonstrate to the satisfaction of the local government that a holiday house activity will be so managed as to ensure that it will not cause nuisance or annoyance to the owners of adjoining or nearby properties.

5.26.2 The local government may require the provision of additional parking areas to be provided onsite over and above those required for residential uses under the Residential Design Codes.

5.26.3 Unless the local government determines otherwise, any approval granted for such a development will be granted for a limited period of one year renewable by way of further application towards the expiration of that period. If the local government has received complaints regarding the holiday house activity, a further approval may not be granted.

5.26.4 Holiday houses are generally considered appropriate within coastal communities of the local government area or within close proximity to major tourist attractions but are not considered to be appropriate within the residential districts of inland settlements.

5.27 Residential Buildings in the Tourist Zones

5.27.1 Residential Buildings within the Tourist Zones shall be limited to short stay accommodation uses such as backpacker accommodation. The local government will not approve Residential Buildings which provide for permanent residential accommodation within any Tourist Zone.

5.28 Ancillary Dwellings in the Rural Zones and Rural Residential Zone

AMD 29 GG 24/3/16

5.28.1 Ancillary Dwellings –

(a) are limited to one only per lot or strata lot;

(b) shall be limited in floor area to 70 square metres; and

(c) siting, design and materials used on the external surfaces of such buildings shall be such as to ensure that their impact upon the rural character, amenity and landscape values of the area is minimised.

5.29 Grouped Dwellings in the Rural Residential zone

AMD 54 GG 10/8/18

5.29.1 Grouped dwellings within the Rural Residential zone shall be limited to a single grouped dwelling per strata titled lot, unless otherwise stipulated within this Scheme.

PART 6 - SPECIAL CONTROL AREAS

6.1 Operation of Special Control Areas

6.1.1 The following Special Control Areas are shown on the Scheme Maps:

(a) Structure Plan Areas are shown on the Scheme Map as (SPA) with a number and included in Schedule 11; and

(b) Development Contribution Areas shown on the Scheme Map as (DCA) with a number and included in Schedule 10.

(c) Special Control Areas shown on the Scheme Maps as (SCA) with a number as detailed below:

(i) Margaret River (Priority 3) Water Catchment Area – (SCA 1) *AMD 29 GG 24/3/16*

(ii) Molloy Island Area - (SCA 2)

(iii) Gnarabup Area - (SCA 3)

(iv) Flinders Bay Heritage Conservation Area – (SCA 4)

6.1.2 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.

6.1.3 Notwithstanding any other provision of the Scheme development is prohibited on land within any of the Special Control Areas referred to in clause 6.1.1(c) without the prior approval of the local government. For the purpose of this clause, development includes, but is not confined to: *AMD 54 GG 10/8/18*

(a) clearing, draining, excavating, or filling any land other than where any such works are authorised by a subdivision approval or other development approval;

(b) development for the purpose of agriculture-intensive, recreation-private, or stock yards; or

(c) the erection of a building (including a dwelling or land use incidental to a dwelling that might contribute pollutants to the catchment including on-site effluent disposal systems) or the construction of any road, other than that authorised by a subdivision approval or other development approval, but does not include the construction of water tanks, outbuildings and additions ancillary to an existing single house within the Margaret River (priority 3) Water Catchment Area (SCA1). *AMD 29 GG 24/3/16*

6.1.4 Development in Special Control Areas as shown on the Scheme Map is prohibited unless the local government is satisfied that:

(a) the relevant matters referred to in clause 6.4 pertaining to an applicable SCA have been included and addressed in the application;

(b) the development proposal, where proposed within the LNRSPP Policy Area, will be compatible with the conservation and landscape values set out in the LNRSPP; and

(c) the development proposal where proposed within the LNRSPP Policy Area, will not have an adverse impact on, and will be compatible with LNRSPP objectives and policies in particular:

(i) fire hazards;
(ii) stock and/or domestic pet invasion;
(iii) weed invasion;
(iv) impact on nearby native flora and/or fauna;
(v) visual amenity; and
(vi) impact on sites of cultural significance.

6.2 Structure Plan Areas – (SPA)

AMD 41 GG 1/7/16

6.2.1 *Map designation and interpretation*

Structure Plan Areas are shown on the Scheme Map as SPA with a number that corresponds with the number against each area in Schedule 11.

See Deemed Provisions - Parts 4, 5 and 6

6.3 Development Contribution Areas (DCA)

6.3.1 Interpretation

In clause 6.3, 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 the 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 the 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 6.3.10.

"Cost contribution" means the contribution to the cost of infrastructure and administrative costs.

"Development Contribution area" means shown on the scheme map as DCA with a number and included in Schedule 10.

"Development Contribution Plan Report" means a report prepared and distributed in accordance with clause 6.3.10.

"Infrastructure" means the standard infrastructure items and community infrastructure, including recreational facilities; community centers; child care and after school centers; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of this policy.

"Infrastructure Costs" means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

"Local Government" means the local government or local governments in which the development contribution area is located or through which services and facilities are provided.

"Owner" means an owner of land that is located within a development contribution area.

6.3.2 Purpose

The purpose of having development contribution areas is to:

(a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;

(b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and

(c) coordinate the timely provision of infrastructure.

6.3.3 *Development contribution plan required*

A development contribution plan is required to be prepared for each development contribution area.

6.3.4 *Development contribution plan part of scheme*

The development contribution plan does not have effect until it has been incorporated in Schedule 10 as part of the scheme.

6.3.5 *Subdivision, strata subdivision and development*

The local government shall not withhold its support for subdivision, strata subdivision or refuse to approve 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.

Note: A development contribution plan is only enforceable once it is incorporated into the Scheme. This has two major implications;

- *All advertising and other provisions under the Town Planning Regulations 1967 applicable to the making of Schemes and amendments will apply; and*
- *Any amendments to a development contribution plan will require a scheme amendment in order to become enforceable.*

6.3.6 *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 development contribution and manner in which it is applied should be clear, transparent and simple to understand and administer.

(c) Equity

Development contributions should be levied from all developments in a development contribution area, based on their relative contribution to need.

(d) Certainty

All development contributions should be clearly identified and methods of accounting for costs adjustments determined at the commencement of a development.

(e) Efficiency

Development 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

Development 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 development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of costs of the contributions is not reasonable.

(h) Accountable

There must be accountability in the manner in which development contributions are determined and expended.

Note: Apportionment of infrastructure costs based on area assumes that the land concerned has fairly common characteristics. Therefore, development contribution areas should be identified as far as possible, with common characteristics so that contributions reflect future development potential. Where it is not possible to identify land with fairly common characteristics throughout the whole of the development contribution area, consideration may be given to dividing the area into contribution precincts or cells, or to apportioning infrastructure costs based upon land valuation (though the latter may have increased administrative and other costs).

6.3.7 *Recommended content of development contribution plans*

6.3.7.1 The development contribution plan is to specify:

(a) the development contribution area to which the development contribution 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.

Note: A suggested outline of a development contribution plan is contained in Schedule 10.

6.3.8 *Period of development contribution plan*

A development contribution plan may specify the period during which it is to operate.

Note: A development contribution plan must specify the period during which it is to operate. However, any extension of the period of operation of a development contribution plan requires a scheme amendment which will turn, require the approval of the Minister. The recommended maximum period is 5 years (to coincide with the scheme review), but a longer or shorter period may be appropriate depending upon the particular circumstances of the development contribution plan area (e.g. size of the development contribution area, number of owners and nature of infrastructure to be funded). If the period is 10 years or longer, then reviews should occur at 5 year intervals (with the cost apportionment schedule to be reviewed at least annually).

6.3.9 *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 in that development contribution area for:

(a) existing public open space;

(b) existing government primary and secondary schools; and

(c) such other land as is set out in the development contribution plan,

is to be excluded.

6.3.10 *Development contribution plan report and cost of apportionment schedule*

6.3.10.1 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.

6.3.10.2 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

6.3.10.3 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 6.3.11.

6.3.11 *Cost contributions based on estimates*

6.3.11.1 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.

6.3.11.2 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 6.3.12; 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.

6.3.11.3 The local government is to have such estimated costs independently certified by appropriately qualified persons and must provide such independent certification to an owner where requested to do so.

6.3.11.4 Where any cost contribution has been calculated on the basis of an estimated cost, 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 on estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.

6.3.11.5 Where an owner's cost contribution is adjusted under clause 6.3.11.4, the local government, on receiving a request in writing from the owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.

6.3.11.6 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.

6.3.11.7 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 owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with *the Commercial Arbitration Act 1985*.

6.3.12 *Valuation*

6.3.12.1 Clause 6.3.12 applies in order to determine the value of land to be acquired for the purpose of providing infrastructure.

6.3.12.2 In clause 6.3.12:

"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 10A. As part of that feasibility an appropriate profit and risk factor is to be determined from which 10 percent 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, a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

6.3.12.3 If an 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.

6.3.12.4 If the valuer does not change the value of the land to 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*.

6.3.13 Liability for cost contribution

6.3.13.1 An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 6.3.

6.3.13.2 An owner's liability to pay the owner's cost contribution to the local government arises on the earlier of:

(a) the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of subdivision of the owner's land within the development contribution area;

(b) the commencement of any development on the owner's land within the development contribution area;

(c) 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; or

(d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.

The liability arises only once upon the earliest of the above listed events.

6.3.13.3 Notwithstanding clause 6.3.13.2, 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 outbuildings 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.

6.3.13.4 Where a development contribution plan expires in accordance with clause 6.3.8, an owner's liability to pay the owner's cost contribution under that development contribution plan shall be deemed to continue in effect and carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

Note: The local government may wish to give consideration to other forms of development, of a minor or incidental nature, that should be excluded for the purpose of triggering liability under clause 6.3.13 (e.g. the erection of a boundary fence).

6.3.14 *Payment of cost contribution*

6.3.14.1 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.

6.3.14.2 The owner, with agreement of the local government, may pay the owner's cost contribution in lump sum, by installments or such other manner acceptable to the local government.

6.3.14.3 Payment by an owner of the cost contribution, including a cost contribution based on 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.

6.3.15 *Charge on the land*

6.3.15.1 The amount of any cost contribution for which an owner is liable under clause 6.3.13, 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 certificate of title to that land.

6.3.15.2 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 6.3.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

6.3.15.3 If the cost contribution is paid in full, and if requested to do so by the owner, the local government, at the expense of the owner, is to withdraw any caveat lodged under clause 6.3.15.

6.3.16 *Administration of funds*

6.3.16.1 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 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.

6.3.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 6.3.16.1 is to be applied in the development contribution area to which the reserve account relates.

6.3.16.3 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.

6.3.17 *Shortfall or excess in cost contributions*

6.3.17.1 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 6.3.17.1 (a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

6.3.17.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the local government is to refund 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.

6.3.18 *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.

6.3.19 *Arbitration*

Subject to clause 6.3.12.3 and 6.3.12.4, 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*.

6.4 Special Control Areas (SCA)

6.4.1 *Ten Mile Brook (Priority 3) Water Catchment Area – (SCA 1)*

6.4.1.1 Objective

The objective of the Ten Mile Brook (Priority 3) Special Control Area is to identify the area wherein special control mechanisms are required to regulate and manage land uses to minimise the risk of pollution within a public drinking water source catchment area.

6.4.1.2 General

(a) A copy of the Department of Water Quality Protection Note entitled “Land Use Compatibility in Public Drinking Water Source Areas” (as amended from time to time) shall be kept and made available for public inspection during normal office hours at the offices of the local government.

(b) Where an application for development approval is identified as an "incompatible" or "conditional" use in the Department of Water Quality Protection Note referred to in sub-clause (a), the local government must, within 14 days of the receipt of the application, refer the application to the Commissioner of the Department of Water, inviting written comment.

(c) Where the local government does not receive comments from the Department of Water within 42 days of the referral, the local government may determine the application in the absence of such comments.

(d) Where a formal submission has been received from the Department of Water in respect of an application for development approval the local government shall have regard to that advice when making its decision on that application.

6.4.2 *Molloy Island Area – (SCA2)*

6.4.2.1 Objective

The objective of the Molloy Island Special Control Area is to protect the existing natural qualities and amenity of Molloy Island by strict control of all development. Notwithstanding the provisions of the Scheme, development approval is required in respect of any development on Molloy Island, the surrounding Watercourse and Estuaries Reserve and the land area containing the northern ferry terminal. *AMD 1 GG 9/11/12*

6.4.2.2 Preservation of natural vegetation

(a) The removal of any indigenous tree or clearing of indigenous undergrowth is prohibited, other than for approved fire hazard reduction measures (e.g. firebreaks, building protection zones, hazard separation zones) without the prior written approval of the local government, with the exception of vegetation that is cleared in accordance with clause 5.20.

(b) Vegetation which is not indigenous to Molloy Island shall not be introduced, with the exception that domestic gardens within the immediate curtilage of a dwelling and as approved by the local government, may contain non-invasive non-indigenous species which, in the opinion of the local government does not adversely impact upon the integrity of the Island's indigenous vegetation.

(c) Soil, earth, rock or gravel reasonably suspected of being infected with plant disease and/or invasive plant species must not be introduced.

(d) Advertising signs are prohibited on Molloy Island except signs listed under the dwellings, home occupation and property transaction categories in Schedule 5 of the Scheme.

6.4.2.3 Administration

(a) For the purposes of assisting the local government in the administration of the Scheme, the owners of the land on Molloy Island shall form and be financial members of an Owners' Association with a constitution approved by, or as may be required from time to time to be amended by the local government dealing with but not limited to Scheme matters.

(b) All landowners shall jointly and severally agree with the local government by virtue of this Scheme that, in the event of any transfer of any land, the transferee shall be supplied by the transferor with copies of the Scheme Text and the Constitution of the Owners' Association.

6.4.2.4 Application procedure

Notwithstanding the procedures for the lodgement and consideration of applications for development approval under this Scheme, the following provisions also apply in respect of proposals for development on the Island:

(a) The application shall be submitted to the local government with a copy lodged concurrently with the Owners' Association.

(b) The local government shall consult with the Owners' Association advising that it has received an application and seeking the views and recommendation of the Owners' Association as to the manner in which the application should be determined.

(c) In formulating the recommendation referred to in subclause (b), the Owners' Association shall have regard to:

(i) the provisions of the Scheme and any applicable local planning policy;
(ii) the constitution of the Owners' Association;
(iii) the design, siting and external appearance of the building or structure proposed;
(iv) the compatibility of the proposal with, and its impact upon the natural, environmental and landscape qualities of Molloy Island;
(v) the compatibility of the development with the established pattern of development on Molloy Island;
(vi) the suitability of the materials to be used on the external surfaces of the building or structure to blend in with its setting; and,
(vii) the suitability and relevant licence of any jetty on or adjacent to the site.

(d) The Owners' Association shall forward its recommendation to the local government within 21 days from the date on which it received a copy of the application in accordance with subclause (a). Where a recommendation is not received within 21 days, the local government may determine the application without the recommendation.

(e) The local government shall have due regard to, but not be bound by, any recommendations of the Owners' Association.

6.4.2.5 Development in the Residential Zone

On residential lots on the Island:

(a) development is confined to a single dwelling and its incidental development;

(b) building is prohibited within 15 metres of a public right-of-way and within 5 metres of a side boundary, however, the local government may vary these distances by up to 30%;

(c) subdivision of lots will not be supported by the local government;

(d) boundary fences are prohibited except for the construction of a post and wire fence around a rear courtyard having an area no greater than 10% of the lot and the fence is not visible from any road; and

(e) development is prohibited unless the on-site septic effluent disposal capacity is sufficient to support the proposed development, and onsite effluent disposal arrangements are provided to the satisfaction of the local government.

6.4.2.6 Land use and development within the Parks and Recreation Reserve

(a) The Parks and Recreation Reserve of the Island, shall only be used for passive recreation except for low-key, unobtrusive recreation and community facilities approved by the local government.

6.4.2.7 Essential services

(a) Essential services for Molloy Island properties are limited by the Scheme and are as follows:

(i) underground mains power supply only. Private petrol and diesel driven independent electricity generators, other than for emergency purposes, are prohibited;
(ii) renewable energy systems to the satisfaction of the local government; and
(iii) each new dwelling unit shall be served by its own water storage tank with a capacity of not less than 90,000 litres.

6.4.2.8 Fire risk management

(a) The Owners' Association shall maintain fire-fighting equipment and a reserve water supply, to the satisfaction of Fire and Emergency Services Authority of Western Australia and the local government; and

(b) all buildings constructed shall comply with the standard specifications outlined in the Australian Standard Number AS3959 - Construction of Buildings in Bush Fire Prone Areas (as amended from time to time).

6.4.3 *Gnarabup Area – (SCA 3)*

6.4.3.1 Objective

The objective of the Gnarabup Special Control Area is to protect the existing natural qualities and amenity of the area and to ensure that subdivision and development proposals are compatible with adjoining and surrounding land uses, environmental and natural landscape attributes, the level of community infrastructure in the locality and the lifestyle attributes of the established residences within Prevelly Park and Gnarabup. The following provisions are additional to the other material Scheme provisions.

6.4.3.2 Zones

The Scheme Map sets out the specific Zones identified within the Gnarabup Area (SCA 3) and the following specific development requirements apply.

6.4.3.2.1 Residential Zone *AMD 29 GG 24/3/16; AMD 54 GG 10/8/18*

(a) Placement on any land within the Gnarabup Area (SCA3) of any second hand or relocated dwelling or building or any building to be constructed of second hand materials is prohibited unless the local government is satisfied that such development will not detract from the amenity of the locality and after having complied with the requirements of clause 64 of the Deemed Provisions.
(b) Any outbuildings shall be built of a material and colour consistent with the main dwelling and form a unified group with the main dwelling to the satisfaction of the local government.
(c) Roof colours shall be consistent with vegetation colours of the locality to the satisfaction of the local government (which is predominantly green).
(d) Boundary fencing may be permitted at the local government's discretion. Fencing is to be of a type, colour and height so as to minimise glare and blend with the natural environment.

6.4.3.2.2 Future Development Zone

Objective:

To recognise the capacity of land within the Special Control Area to accommodate tourist development of a special form and character notwithstanding the special landscape and visual amenity attributes of the land.

General:

To provide for a form of tourist development on the land within the Zone, which has due regard for an endorsed Structure Plan, which limits and controls the form and scale of development in respect to its height, density and appearance to ensure compatibility with the landscape, amenity and environmental values of the land and the surrounding locality.

(a) Structure planning requirements Future Development Zone:

The Structure Plan required to be prepared for the Future Development Zone within the Special Control Area shall address the following issues:

(i) the location, width and standard of proposed roads within the area and their connection with the road network in the locality;

(ii) the physical, topographical and environmental characteristics of the area leading to the selection of land considered suitable for development and uses appropriate for the area;
(iii) the extent of clearing which may be necessary to implement the plan;
(iv) areas that are to be retained for buffer and passive recreation purposes;
(v) environmental analysis examining impact on the marine environment and the need for conservation of ecological links between the coastal reserves and the National Park;
(vi) geotechnical analysis to determine the existence and impact on caves;
(vii) coastal management and access plans;
(viii) broad engineering details demonstrating stabilisation methods, drainage and road construction management, recontouring methods and rehabilitation;
(ix) analysis of heritage significance;
(x) building height analysis to demonstrate the impact of the proposed development on visually prominent features and significant views of the scheme area;
(xi) details of building and infrastructure construction techniques for high slope areas of greater than 10%;
(xii) details of fire protection measures including:
- trafficable fire-break around the external boundary of the development;
- fuel reduction programmes;
- building protection measures;
- provision of strategic emergency water points;
- expected demands on additional fire protection measures in the adjoining Parks and Recreation Reserve as a result of the development proposal;

(xiii) details of the likely impact on groundwater quantity and quality from development proposals particularly in respect of any groundwater abstraction proposals to service the development. Such details should also examine impacts on groundwater availability to the existing Prevelly Park settlement; and
(xiv) details of measures to be incorporated in the development to avoid impacts which will result in increased management requirements for the adjoining Parks & Recreation Reserve.

(b) Parameters for preparation of the Structure Plan:

The parameters to which a structure plan and subsequent subdivision and development must accord to SCA3 are listed below:

Land Use

(i) The structure plan shall provide for tourist and ancillary development. Tourist development proposals should have due regard for the guidelines of the

Environmental Protection Authority and WA Tourism Commission.

(ii) The structure plan shall show an ultimate development that provides similar tourist opportunities limited to 57 buildings comprising 74 lettable units, a village centre with 16 commercial tenancies and 16 residential units with one caretakers dwelling.

(c) Development requirements within Future Development Zone:

(i) Notwithstanding clause 5.13 the height limit applicable to the Future Development zone, the height of any building shall be in the range of 1 storey or a height of 5.5 metres to 2 storeys or a height of 8 metres in accordance with the approved structure plan.

(ii) All buildings to be located on land with a slope in excess of a gradient of 1:10 shall be of split level or pier construction.

(iii) Reflective building materials, such as zincalume and light coloured colourbond and light coloured tiled roofs, are prohibited on any dwelling, outbuilding, water tank or any other structure.

(iv) Roof colours shall be consistent with vegetation colours of the locality to the satisfaction of the local government (which is predominantly green).

(v) All development shall dispose of stormwater on-site to the satisfaction of the local government (unless it is proved to be impracticable as demonstrated by a report prepared by a qualified geotechnical/ groundwater engineer,) with particular attention given to avoiding erosion or connection of the lot drainage system to the adjoining street.

(vi) All habitable buildings shall meet the standard specifications of Australian Standard Number AS3959 (as amended from time to time) for high fire zone areas.

(vii) Vegetation removal shall be required for fire protection purposes to a minimum of 5 metres adjacent to the front and rear of a dwelling and 3 metres along any side of a dwelling.

6.4.3.2.3 Tourism Zone

Objective:

To recognise the capacity of land within the Special Control Area to accommodate tourist development of a special form and character notwithstanding the special landscape and visual amenity attributes of the land.

General:

To provide for a form of tourist development on land within the Zone, limited in height and density of building compatible with the landscape, amenity and environmental values of the land.

For development requirements within the Tourist Zone T2 for Gnarabup refer to Schedule 12.

6.4.4 *Flinders Bay Heritage Conservation Area – (SCA 4)*

6.4.4.1 Objective

The objective of the Flinders Bay Heritage Conservation Special Control Area is to protect and enhance the present townscape qualities of Flinders Bay through sustainable development controls, conservation controls and/or building design guidelines.

6.4.4.2 General

(a) "Development" shall include:

(i) the erection of a single dwelling house whether or not it will be the only building on the lot:
(ii) the erection of any extension to an existing single or grouped dwelling;
(iii) the erection or demolition of an outbuilding or appurtenance associated with an existing building;
(iv) the clearing of any vegetation;
(v) the erection of any fence or retaining wall;
(vi) the carrying out of any works on, in or under a street or road by a public authority acting pursuant to the provisions of any statute;
(vii) the excavation or filling of any land or the dumping, placing or storage of any material on land other than material reasonably required for the maintenance or beautification of the land;
(viii) any work which is likely to change the character of a place or the external appearance of any building; and
(ix) the removal, demolition or alteration of any single dwelling house.

(b) Upon receiving a development application within this Special Control Area, the local government shall within 14 days of receiving such an application, forward a copy of the application to the Heritage Council / National Trust of Australia (WA) ("the National Trust") inviting written comment about the proposal.

(c) Any application to use, develop or subdivide land within the Flinders Bay Heritage Conservation Area shall only be considered by the local government after due consideration is given to any written comments received from the Heritage Council / National Trust and to any relevant Local Planning Policy adopted with respect to this Special Control Area.

(d) Where the local government does not receive written comments from the Heritage Council / National Trust within 42 days of the date of the referral, the local government may determine the application in accordance with the provisions of the Scheme, giving particular regard to the objective specified in clause 6.4.4.1.

(e) In addition to part 8 of the Deemed Provisions, all applications for development approval for development within the Flinders Bay Heritage Conservation Special Control Area, where applicable, shall also be accompanied by the following, as required by the local government to assist it in the determination of the application:

(i) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and all existing development on each lot adjacent to the land the subject of the application, and drawn as one continuous elevation;
(ii) side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100;
(iii) a site plan drawn to a scale of no less than 1:100 accompanied by a further plan of the proposed development site, at the same scale, showing existing and proposed ground levels over the whole of the land subject of the application, and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed;
(iv) an assessment of the cultural significance of any existing buildings and the development site;
(v) a detailed schedule of all materials to be used on the external surfaces of any building or structure, including their colour and texture; and
(vi) any other information, which the local government considers relevant.

(f) Notwithstanding the requirements of sub-clause (e), the local government may exempt an applicant from the need to provide one or more of the plans or documents referred to in that clause unless the Heritage Council / National Trust requires the information in order to provide its comments under sub-clause (c) and (d) as part of its assessment of an application under this clause.

SCHEDULE A - SUPPLEMENTAL PROVISIONS

AMD 41 GG 1/7/16

Further to the exceptions set out at clause 61 of the Deemed Provisions, the following forms of development do not require development approval:

(a) the carrying out of works urgently needed in the interest of public safety or security or for the maintenance of essential services;

(b) the cleaning and maintenance of any dam or soak; and

(c) the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.

Schedule 1 - Dictionary of defined words and expressions

AMD 41 GG 1/7/16; AMD 29 GG 24/3/16

1. General definitions

In the Scheme —

"balance lot" *AMD 10 GG 22/3/13*	means the residual lot created from a conservation lot subdivision. The balance lot may be in the form of a cleared lot to be used for agriculture or other approved purposes;
"building envelope"	means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;
"bulky goods"	means a building or place used primarily for sale by retail, wholesale, auction of (hire and display of) bulky goods, being goods that are of such a size and weight as to require: (a) a large area for handling and storage; and (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading and unloading such goods into or from their vehicles after purchase or hire, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to sale or hire of bulky goods;
"biodiversity"	means the constantly changing combination and interaction of: (a) species diversity, which is the variety of species within the area (including plants, animals, bacteria and other indigenous life forms), (b) genetic diversity, which is the variety of genetic information within and between populations of species, and (c) ecosystem diversity, which is the variety of habitats, biotic communities and ecological processes;
"catchment"	means the entire area of land drained by a river and its tributaries;
"conservation"	has the same meaning as in the *Heritage of Western Australia Act 1990* when pertaining to heritage matters and in other circumstances as defined in the LNRSPP;
"conservation lot" *AMD 10 GG 22/3/13*	is a lot containing remnant vegetation to be protected through a conservation covenant established through the subdivision process under local or state policies;
"conservation lot subdivision" *AMD 10 GG 22/3/13*	means subdivision of a maximum of two conservation lots on Priority and general Agricultural zoned land in return for the protection of native vegetation through conservation covenants;
"development guide plan"	means a structure plan that shows an acceptable form of development for the area defined by the plan to serve as a guide to the local government when determining applications for development approval under the Scheme;
"environment"	has the same meaning as set out in the *Environmental Protection Act 1986;*

"EPBC Act"	means the *Environment Protection and Biodiversity Conservation Act 1999;*
"firebreak"	means the minimum area of land required to be cleared for a firebreak or to comply with the *Bush Fires Act 1954* and local government firebreak requirements;
"floor area"	has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;
"frontage"	when used in relation to a building that is used for — (a) residential purposes, has the same meaning as in the Residential Design Codes; and (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;
"Gazettal date"	in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under clause 87 of the *Planning and Development Act 2005*;
"heavy vehicle"	means a vehicle exceeding an unladen tare weight of 4.5 tonnes or a length of 5 metres;
"height" *AMD 1 GG 9/11/12*	when used in relation to a building that is used for — (a) residential purposes, has the same meaning as in the Residential Design Codes; or (b) purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above;
"high water mark"	has the same meaning as in the *Land Administration Act 1997*;
"incidental use"	means a use of premises which is ancillary and subordinate to the predominant use;
"intermittent streams and watercourses" *AMD 1 GG 9/11/12*	means a watercourse as defined in the *Rights in Water and Irrigation Act (1914)* that is not a permanent stream or watercourse;
"land"	has the same meaning as the *Planning and Development Act 2005* and includes waters, riparian zones and estuaries;
"land clearing"	for the purposes of clause 5.20, means any one or more of the following: (a) cutting down, felling, thinning, logging or removing vegetation; (b) killing, destroying, poisoning, ringbarking, uprooting or burning vegetation; or (c) severing, branches, limbs, stems or trunks of vegetation;
"LNRSPP"	means the Statement of Planning Policy No 6.1 - Leeuwin-Naturaliste Ridge Policy;

"lot"	has the same meaning as in the *Planning and Development Act 2005* but does not include a strata or survey strata lot;
"low impact recreation facilities"	has the same meaning as in the Leeuwin-Naturaliste Ridge Statement of Planning Policy No.6.1;
"low impact tourist development"	is development predominantly of a tourist nature that has been designed in such a manner that it does not detract from the rural and natural amenity of the locality, and includes the following criteria: (a) development being located so as to avoid ridge lines, escarpments or visually exposed sites and situated where screening vegetation or landform can be utilised; (b) use and development being sensitively located and designed to minimise impact on vegetation, watercourses, soil quality and existing land uses; (c) development being of a scale and nature so as to be self-sustaining on the lot or demonstrating the ability to provide servicing without significant modifications to existing infrastructure; (d) development that by the nature of its scale, design, colours, materials, landscaping and use, has minimal impact on its site and surrounding areas; and (e) where the land use and any development has a minimal off-site consequence;
"minerals"	has the same meaning as in the *Mining Act 1978*;
"natural ground level"	means the levels on a site which precede a proposed development, excluding any site works unless approved by the local government or established as part of a subdivision of the land preceding development;
"net lettable area (nla)"	means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas — (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas; (b) lobbies between lifts facing other lifts serving the same floor; (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building; (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;
"non-conforming use"	has the same meaning as it has in section 12(2)(a) of the *Planning and Development Act 2005*;
"non-strategic tourism sites"	are those sites that have an important tourism function but their retention for tourism only purposes is not in all cases critical;
"**Permanent Streams and Watercourses"**	means a watercourse as defined in the *Rights in Water and Irrigation Act (1914)* that is not a permanent stream or watercourse;

"place"	in Part 7 (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*;
"plot ratio"	in the case of residential dwellings has the same meaning as in the Residential Design Codes;
"precinct"	means a definable area where particular planning policies, guidelines or standards apply;
"predominant use"	means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;
"principal centres"	means those settlements within the Scheme area described as such in the LNRSPP;
"public work"	shall have the same meaning as set out for the term in the *Public Works Act 1902;*
"remnant native vegetation"	means any local indigenous vegetation which is the remainder of the natural vegetation of the land either in its natural condition or as regrowth but does not include vegetation specifically planted for commercial harvesting of fruit, flowers or timber;
"retail"	means the sale or hire of goods or services to the public;
"short stay"	means tourist accommodation facilities (including motels, caravan and camping facilities, chalets, guest houses, holiday houses or any other form of tourist accommodation) set aside either continuously or from time to time for temporary living purposes but which are not occupied by the same person or group of persons for a period in excess of 3 months in any one 12-month period;
"silviculture plan"	has the same meaning given to the term in the *Code of Practice for Timber Plantations in Western Australia* as amended;
"species"	means a group of biological entities that interbreed to provide fertile offspring; or possess common characteristics derived from a common gene pool and includes a subspecies and distinct population of biological entities determined to be a species under the EPBC Act;
"strategic tourism sites"	are those sites that are critical to the future growth and community benefit of tourism in an area and the state, and where development shall be for tourism purposes only;
"strategic tourism locations"	are those areas identified as having future tourism potential and where further planning is required for the identification of specific tourism sites and other uses;
"Structure Plan"	means a structure plan, that has been approved by both the Western Australian Planning Commission and adopted by the local government under clause 6.2.6.15;

"Structure Plan Area"	means an area shown as such within the Scheme but also includes those areas in respect of which a Structure Plan is required to be prepared under the Scheme;
"Subdivision Guide Plan"	means a structure plan that shows an acceptable form of subdivision for the area defined by the plan to serve as a guide to the Western Australian Planning Commission for the determination of applications for approval to subdivide land and to the local government when making comment to the Western Australian Planning Commission on any such applications;
"sustainability"	means meeting the needs of the current and future generations through an integration of environmental protection, social advancement and economic prosperity and the term **"sustainable development"** shall be interpreted accordingly;
"urban zones"	means all those zones within the Scheme except the Priority Agriculture Zone, the General Agriculture Zone, the LNR Conservation Zone, the LNR Landscape Amenity Zone and the Southern Ocean Foreshore Protection Zone;
"wholesale"	means the sale of goods or materials to be sold by others;
"zone"	means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching or edging for the purpose of indicating the restrictions imposed by the Scheme on the use and development of land, but does not include a reserve or special control area.

2. Land use definitions

In the Scheme —

"abattoir" *AMD 29 GG 24/3/16*	means premises used commercially for the slaughtering of animals for the purpose of consumption as food products;
"agriculture - extensive"	means premises used for the raising of stock or crops but does not include agriculture - intensive or animal husbandry;
"agriculture - intensive"	means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following — (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or (d) aquaculture;
"aquaculture"	means any fish farming operation requiring an Aquaculture Licence issued pursuant of the provisions of Part 8 of the *Fish Resources Management Act 1994* and the *Fish Resources Management Regulations 1995* is required;
"amusement parlour"	means premises open to the public, where the predominant use is for amusement by means of amusement machines and where there are more than 2 amusement machines operating within the premises;
"Ancillary Dwelling" *AMD 29 GG 24/3/16*	has the same meaning as in the Residential Design Codes;
"animal establishment"	means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre;
"animal husbandry"	means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;
"bed and breakfast" *AMD 29 GG 24/3/16*	means part of a dwelling, used for short-term accommodation providing not more than two single bedrooms and one bathroom and run by the owner/occupier of the dwelling on a commercial basis.
"betting agency"	means a totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;
"brewery" *AMD 1 GG 9/11/12; AMD 29 GG 24/3/16*	means premises used for the production and consumption of beer, cider or spirits but does not include any other land use defined elsewhere in this Schedule;
"bus depot"	means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking;

"cafe"	means premises similar to those of a restaurant but from which only snacks and light refreshments are served during normal working hours and the term includes premises referred to as tearooms;
"camping ground"	has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;
"caravan park"	has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;
"caretaker's dwelling"	means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant;
"carpark"	means premises used primarily for parking vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any premises in which cars are displayed for sale;
"chalet"	means a self-contained accommodation unit (i.e. containing cooking, bathroom, sleeping and living area facilities) used for short term accommodation;
"child care premises"	means a premise (not a residential dwelling) used in accordance with the *Child Care Services Act 2007* to provide for the casual, part-time or day-to-day care of children: (a) for payment or reward, whether directly or indirectly through payment or reward for some other service; (b) or as a benefit of employment; or (c) as an ancillary service to a commercial or recreational activity;
"civic use"	means premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes;
"club premises"	means premises used by a legally constituted club or association or other body of persons united by a common interest;
"community home"	means a building used primarily for living purposes by a group of more than 6 unrelated, physically or intellectually handicapped or socially disadvantaged persons living together with or without paid supervision or care and managed by a constituted community based organisation, a recognised voluntary charitable or religious organisation, a Government Department or instrumentality of the Crown;
"community purpose"	means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;
"consulting rooms"	means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;

"contractor's yard"	means any land or buildings used for the storage of contractor's plant and equipment, including prefabricated or transportable buildings and materials;
"convenience store"	means premises — (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, or the retail sale of petrol and those convenience goods; (b) operated during hours which include, but may extend beyond, normal trading hours; (c) which provide associated parking; and (d) the floor area of which does not exceed 300 square metres net lettable area;
"corrective institution"	means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;
"dam"	means any man made structure or excavation designed and constructed to intercept, accumulate and impound water flowing across, through or under any land and includes an off-stream dam, an on-stream dam, a gully-wall dam, a turkey-nest dam, an excavated soak and any structure, excavation or other device designed to act either solely or partly as a nutrient stripping basin;
"display home"	means a dwelling intended to be open for public inspection as an example of a dwelling design but which is not occupied for residential purposes;
"educational establishment"	means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;
"exhibition centre"	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;
"family day care" *AMD 29 GG 24/3/16*	means a premises used to provide a 'family day care service' as defined by the *Child Cares Services Act 2007;*
"farm buildings"	means those buildings and structures or parts of buildings and structures that are used for the storage of farm machinery and equipment and agricultural produce grown on the land;
"farm forestry"	means any commercial tree production on farmland;
"farm supply centre"	means any land or buildings used for the sale of farm supplies including vegetable seed, fertilisers, agricultural chemicals, stock foods, tractors, farm equipment, implements or components, or irrigation equipment;
"fast food outlet"	means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;

"fuel depot"	means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;
"funeral parlour"	means premises used to prepare and store bodies for burial or cremation;
"guest house" *AMD 29 GG 24/3/16*	means integrated premises providing for short term accommodation including bedrooms for guests and on site tourism facilities such as reception, centralised dining and management;
"holiday house" *AMD 26 GG 18/3/16*	means a dwelling, grouped dwelling or multiple dwelling used to provide short-term accommodation for no more than six (6) people but does not include a bed and breakfast;
"holiday house (Large)"	means premises conforming to the definition of "Holiday House" with the exception that the premises provide short stay accommodation for more than 6 people but not more than 12 at any one time;
"home business" *AMD 29 GG 24/3/16*	means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which — (a) does not employ more than 2 people not members of the occupier's household; (b) will not cause injury to or adversely affect the amenity of the neighbourhood; (c) does not occupy an area greater than 50 square metres; (d) does not involve the retail sale, display or hire of goods of any nature; (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and (f) does not involve the use of an essential service of greater capacity than normally required in the zone; and (g) does not display a sign exceeding 0.2 square metres in area;
"home occupation"	means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which — (a) does not employ any person not a member of the occupier's household; (b) will not cause injury to or adversely affect the amenity of the neighbourhood; (c) does not occupy an area greater than 20 square metres; (d) does not display a sign exceeding 0.2 square metres; (e) does not involve the retail sale, display or hire of goods of any nature;

	(f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and (g) does not involve the use of an essential service of greater capacity than normally required in the zone;
"home office"	means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not — (a) entail clients or customers travelling to and from the dwelling; (b) involve any advertising signs on the premises; or (c) require any external change to the appearance of the dwelling;
"home store"	means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;
"hospital"	means premises in which persons are admitted and lodged for medical treatment or care and includes a maternity hospital;
"hotel"	means premises providing accommodation the subject of a hotel licence under the *Liquor Control Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;
"industry"	means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for — (a) the storage of goods; (b) the work of administration or accounting; (c) the selling of goods by wholesale or retail; or (d) the provision of amenities for employees, incidental to any of those industrial operations;
"industry - cottage" *AMD 29 GG 24/3/16*	means premises, other than premises used for a home occupation, that are used by the occupier of the premises for the purpose of carrying out a trade or light industry producing arts and crafts goods if the carrying out of the trade or light industry – (a) will not cause injury to or adversely affect the amenity of the neighbourhood; and (b) if the premises is located in a residential zone - does not employ any person other than a member of the occupier's household; and (c) is compatible with the principle uses to which land in the zone in which the premises is located may be put; and (d) does not occupy an area greater than 50m2; and (e) does not involve the display on the premises of a sign with an area exceeding 0.2m2;

"industry - extractive"	means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry - mining;
"industry - general"	means an industry other than a cottage, extractive, light, mining, rural or service industry;
"industry - light"	means an industry — (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality; (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;
"industry - mining"	means land used commercially to extract minerals from the land;
"industry - rural"	means — (a) an industry handling, treating, processing or packing rural products; or (b) a workshop servicing plant or equipment used for rural purposes;
"industry - service"	means — (a) an industry - light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;
"landscape supplies"	means land and buildings used for the storage, display and sale of materials used for the development and maintenance of parks, gardens and other like spaces;
"Laundromat/drycleaner" *AMD 1 GG 9/11/12*	means an outlet providing for the commercial cleaning of clothes and laundry either in a self-service or serviced manner;
"lunch bar" *AMD 1 GG 9/11/12*	means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas, but does not include premises servicing evening meals or premises with drive through facilities;
"licensed restaurant"	means premises used as a restaurant but licensed in each case under the *Liquor Control Act 1988*;
"liquor store"	means premises in respect of which a liquor store licence is granted under the *Liquor Control Act 1988* for the sale of liquor for consumption off and, where appropriate on the premises;

"marina"	means premises at which berths or pens, and fuelling, servicing, repairing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all jetties, piers, embankments, quays and moorings and all offices and storerooms used in connection with the marina;
"marine filling station"	means premises used for the storage and supply of liquid fuels and lubricants for marine craft;
"market"	means premises used for the display and sale of goods from stalls by independent vendors;
"medical centre"	means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);
"motel"	means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Control Act 1988;*
"motor vehicle, boat or caravan sales"	means premises used to sell or hire motor vehicles, boats or caravans;
"motor vehicle repair"	means premises used for or in connection with — (a) electrical and mechanical repairs, or overhauls, to vehicles; or (b) repairs to tyres,but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping;
"night club"	means premises — (a) used for entertainment with or without eating facilities; and (b) licensed under the *Liquor Control Act 1988*;
"office"	means premises used for administration, clerical, technical, professional or other like business activities;
"park home park"	has the same meaning as in the *Caravan Parks and Camping Grounds Regulations 1997*;
"place of assembly" *AMD 29 GG 24/3/16*	means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship or an educational establishment;
"place of worship"	means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;
"plantation"	has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia* (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;

"plant nursery" *AMD 29 GG 24/3/16*	means a premises used for propagation, the growing and either retail or wholesale selling of plants, whether or not ancillary products are sold therein;
"reception centre"	means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes;
"recreation - private"	means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;
"residential building"	has the same meaning as in the Residential Design Codes and may include backpacker accommodation, hostels and lodging houses;
"resort"	means integrated, purpose-built luxury or experiential premises for short-stay guests comprising accommodation units and on-site tourism facilities such as reception, restaurant and leisure facilities like swimming pool, gymnasium, tennis courts, and where occupation by any person is limited to a maximum of 3 months in any 12-month period;
"restaurant"	means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Control Act 1988*;
"restricted premises"	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of — (a) publications that are classified as restricted under the *Classification (Publications, Films & Computer Games) Enforcement Act 1996*; (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;
"rural pursuit" *AMD 29 GG 24/3/16*	means any premises used for – (a) the rearing or agistment of animals; (b) the stabling, agistment or training of horses; (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or (d) the wholesale or appointment only sale of produce grown solely on the lot, but does not include agriculture - extensive or agriculture – intensive;
"rural produce sales" *AMD 29 GG 24/3/16*	means any premises used for the purpose of retail sale of products which are grown, reared or produced on site, including a cellar door operation and retail sales associated with Industry-Cottage or Industry-Rural;
"rural-residential use"	means the use of a lot, generally within the range of 1 hectare to 4 hectares, predominantly for residential purposes where the balance of the land is used either actively or passively for rural purposes;

“rural worker’s accommodation” *AMD 1 GG 9/11/12*	means a building or structure, excluding the principal residence of the owner/manager which is used to accommodate workers employed in agricultural or intensive agricultural pursuits on the farming property;
“rural stall” *AMD 29 GG 24/3/16*	means a place, temporary structure or moveable structure used for the retail sale of agricultural produce produced on the property on which it is situated as an activity totally incidental to and dependent upon the principal use of the land for agricultural purposes;
“salvage/wrecking yard”	means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of buildings, machinery, vehicles and boats including vehicle wrecking but does not include the disassembly of vehicles and machinery by the proprietor of an agricultural enterprise – whether extensive or intensive – for re-use on other vehicles or machinery used on that property;
“sawmill”	means a mill handling, cutting and processing timber or timber products from logs;
“**sawmill – portable**”	means the temporary use of any mechanised equipment used on a site, to cut and process timber or timber products from logs obtained on the site, for a period not exceeding 30 days;
“**serviced apartment**”	means units or apartments that provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of 3 months in any 12-month period;
“service station”	means premises used for — (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles, but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;
“shop”	means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet, a rural stall or a rural produce store;
"short term accommodation"	means premises providing temporary accommodation whither continuously or from time to time with no guests accommodated for periods totalling more than 3 months in any 12 month period;
“showroom”	means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature;

"small bar"	means premises licensed as a small bar under the Liquor Control Act and used to sell liquor for consumption on the premises, but no including the sale of packaged liquor; and with the number of persons who may be on the licensed premises limited to a maximum of 120;
"stockyards" or "saleyards"	means any land, building or other structure used for the holding and sale of animal stock;
"storage"	means premises used for the storage of goods, equipment, plant or materials;
"tavern"	means premises licensed as a tavern under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises;
"telecommunications infrastructure"	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 premises used for the display of trade goods and equipment for the purpose of advertisement;
"transport depot"	means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles;
"veterinary centre" *AMD 29 GG 24/3/16*	means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders and may include associated stay of animals;
"warehouse"	means premises used to store or display goods and may include sale by wholesale;
"windfarm or wind-energy facility"	means premises used to generate electricity by wind force and includes any turbine, building or other structure used in, or in conjunction with, the generation of electricity by wind force but does not include private turbines used principally to supply electricity on a domestic property or rural use of the land or anemometers;
"winery" *AMD 29 GG 24/3/16*	means premises used for the production of viticultural produce and may include the wholesale and 'appointment only' sale of products produced on site;
"zoological gardens"	means any land or buildings used for the keeping and breeding of animals for public or private display with or without charge and the term includes zoo but does not include a dog kennels or a cattery or animal husbandry.

Schedule 2 - Additional Uses

(Clause 4.5)

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A1	Sussex Location 3928 Treeton Road, Cowaramup	Chalets	1. The permitted uses within proposed Lot 100 of Sussex Location 3928 (as indicated on the approved Subdivision and Development Guide Plan) are- • Single Dwelling and associated outbuildings • Residential Building (Up to 6 bedroom guesthouse) • Intensive Agriculture • Licensed Restaurant • Cottage Industry • Art and Craft Studio and Sales (Gallery) • Equestrian training and horse riding facility including stables • Rural Pursuit 2. The permitted uses within proposed Lot 101 Sussex Location 3928 (as indicated on the approved Subdivision and Development Guide Plan) are- • Single Dwelling and associated Outbuildings • Holiday Cabins and Chalets (maximum of 6) • Shop (Cellar Door Sales) • Intensive Agriculture • Rural Pursuit • Rural Industry (winery) 3. Subdivision and Development of the land shall be generally in accordance with the Subdivision and Development Guide Plan dated April 2007 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 194 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. a) The local government may approve any proposed development considered to be a minor variation to the endorsed Subdivision and Development Guide Plan by way of resolution of the local government where modifications are consistent with the purpose and objectives of the zone.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A1	Sussex Location 3928 Treeton Road, Cowaramup Cont'd		b) Where significant modifications to the Subdivision and Development Guide Plan are proposed, the local government shall require the modified plan to be advertised for public comment or a period of 21 days prior to considering the proposed modifications. c) The local government shall forward a copy of any modified plan referred to in b) above to the Western Australian Planning Commission for its consideration. The Plan shall not come into operation until the modified plan is approved by the Western Australian Planning Commission. 4. A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. 5. In considering any proposal for development the following shall be addressed to the satisfaction of the local government: a) The disposal of liquid and solid waste to be carried out by the installation of an on-site sewerage treatment and disposal system, to the satisfaction of the local government and the Western Australian Department of Health. b) A minimum separation of 50m is to be retained between a septic tank waste water effluent disposal site and a perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. c) Grey water disposal and reuse systems are to be installed to the satisfaction of the local government and the Western Australian Department of Health. d) A potable water supply of sufficient volume and quality shall be provided to service the development, to the satisfaction of the local government. e) Potable water supply shall be in the form of rainwater storage tank(s) of sufficient rainwater catchment area and or provided with an alternative source of potable water supply to the satisfaction of the local government. f) A Fire Management Plan being prepared and implemented to the satisfaction of the local government.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A1	Sussex Location 3928 Treeton Road, Cowaramup Cont'd		g) A Traffic Management Plan shall be prepared addressing, but no limited to, access location from North Treeton Road (maximum of one per Lot), safety, traffic generation resulting from the development (considering ultimate based on permitted uses) and the required standard of roads providing access to the lots. h) Buildings and materials being designed to compliment the existing environment. i) A Landscaping Plan should be prepared and implemented which details the augmentation establishment and maintenance of vegetated buffers as indicated on the approved Development Guide Plan to provide a visual screen of the development and soften the built form and scale of the development. (Establishment of native vegetation buffers of varying heights and appearance to provide a visual screen of the development and soften the built form and scale of the development). j) Retention and management for environmental values of areas of remnant native vegetation, including fencing of areas of remnant vegetation where appropriate.
A2	Lot 1, Sussex Location 1353 Caves Road, Karridale	Plant Nursery and Tea Rooms	Development additional to that already established on the land as at the time of the commencement of this Scheme requires the prior approval of the local government.
A3	Leeuwin Estate, Sussex Location 688 Gnarawary Road, Margaret River	Licensed Restaurant, Winery, Cellar Door Sales, Open Air Entertainment Area Function Rooms	Development additional to that already established on the land as at the time of the commencement of this Scheme requires the prior approval of the local government.
A4	Lot 3, Sussex Location 243 Caves Road, Margaret River	Plant Nursery and Sales	Nil.
A5	Lot 1 Sussex Location 104 Connelly Road, Margaret River	Guesthouse	Maximum 4 guest rooms.
A6	Lot 5, Sussex Location 1133 Corner Wallcliffe Road and Wilderness Road, Margaret River	Guesthouse	Maximum 5 guest rooms.
A7	Lot 22 Eucalyptus Court, Margaret River	Chalets	Maximum of 6 chalets.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A8	Lot 2 Sussex Location 998 Boodjidup Road, Margaret River	Total 9 Chalets Guest House of 4 bedrooms	1. A manager/caretaker shall reside on the site at all times when the tourist accommodation is occupied. 2. Subdivision and development on the land shall generally be in accordance with a Structure Plan approved by the Western Australian Planning Commission, or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 6 of the Deemed Provisions.
A9	Part Lot 2 (lot 520) Devon Drive, Margaret River	Guest house	Maximum 2 bedrooms.
A10	Part Lot 5 (lot 501) Devon Drive, Margaret River	Guest house	Maximum 2 bedrooms.
A11	Lot 74 Sussex Location 1599 Osmington Road, Bramley	Model Farm for Tourist Display and Private Recreation	Land Uses and development shall be consistent with the aims and objectives of the Scheme.
A12	Sussex Location 1386 Caves Road, Karridale	Tourist Maze and Incidental Uses	1. The prior approval of the local government is required for any new development or land uses beyond that extant at the time of the commencement of this Scheme. 2. In considering any application for new development or land uses as required by Condition 1, the local government shall take into account the matters set out in clause 67 of the Deemed Provisions with particular regard to:- (i) the impact of any such development on the rural character and special landscape of the area and the use of Caves Road as a defined tourist route; and (ii) the impact of any such development on the rural uses of land in the locality.
A13	Sussex Location 673, 886 and 354 Old Ellensbrook Road, Margaret River	Combined Facilities and Dormitory Accommodation for conservation Farm consisting of 15-bed Dormitory and 3 dwellings. Combined Facilities means kitchens, dining, living, bedrooms, toilets, laundries, workshops, storage rooms and covered walkways	1. Land uses and development shall conform to the aims and objectives of the Leeuwin-Naturaliste Ridge Statement of Planning Policy No. 6.1 and of this Scheme. 2. Development shall be carried out in such a manner as to be inconspicuous to view from any nearby public roads or vantage points. 3. Other than that necessary to accommodate the additional use the subject of this clause, vegetation on the subject land shall be preserved.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A14	Lot 9, Sussex Location 411 Wallcliffe Road, Prevelly Park	Chalets	1. Maximum of 4 chalets. 2. Compliance with the aims and objectives of this Scheme and the approval granted for the existing development.
A15	Part Lot 1, Sussex Location 1170 Caves Road, Cowaramup	Chalet Park	Development is limited to a low density chalet park facility to harmonise with the existing landscape and the retention of trees, flora and rural landscape.
A16	Lot 1, Sussex Location 2157 Darch Road, Margaret River	School Camp and Incidental Uses as may be approved by local government	1. Development additional to that extent at the time when the Scheme commences operation requires the prior approval of the local government. 2. In considering any application for new development or land uses required by Condition 1, the local government shall take into account the matters set out in clause 67 of the Deemed Provisions with particular regard to: (i) the impact of any such development or the rural character and landscape of the area; (ii) the need for revegetation of parts of the land.
A17	Lot 91, Sussex Location 933 Carter's Road, Margaret River	Chalets, Manager's Residence	1. Maximum of 10 chalets. 2. Unless otherwise approved by the local government, no vegetation on the site shall be cleared.
A18	Lot 41 of Sussex Locations 226 and 1388 Caves Road, Karridale	Low impact outdoor education and recreation facility including: • Bunkhouse Accommodation • Camping • Single Dwelling (one only) • Office/Reception • Recreational Facilities • Ancillary and Incidental Uses	1. This facility is to be exclusively utilised for the outdoor education of patrons from accredited education providers, corporate organizations or community groups. The facility is not to be used for general tourist accommodation of any kind. 2. Development of the land shall be in accordance with the Development Guide Plan (Plan No. 10867-DGP-01 Revision A dated March 26, 2003) adopted by the local government and approved by the Western Australian Planning Commission, or a subsequent Local Development Plan approved by the local government and, in accordance with the process set out in Part 6 of the Deemed Provisions. 3. The "Proposed Single Dwelling", as shown on the endorsed Development Guide Plan, shall not be occupied until: (i) the local government has issued a development approval for the "Proposed Single Dwelling"; (ii) the local government has issued a development approval which limits the ongoing use of the "Existing Residence" building to storage purposes only; and

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A18	Lot 41 of Sussex Locations 226 and 1388 Caves Road, Karridale Cont'd		(iii) the "Existing Residence" is made uninhabitable to the satisfaction of the local government. This will require the decommissioning of all ablution, bathroom and kitchen facilities in the "Existing Residence". Following the occupation of the "Proposed Single Dwelling", all the above mentioned facilities shall be removed in a timely manner to the satisfaction of the local government. 4. Prior to the approval of any development on site, the existing restrictive covenant is to be modified, to the satisfaction of the local government and the Western Australian Planning Commission, to limit the type and location of development to that permitted under this "Special Use" zone. Notwithstanding the above, all other parts of the covenant, particularly those pertaining to controls protecting the landscape and conservation values of the subject land, are to be retained. 5. All development shall be consistent with local government's Visual Management Guidelines and be located as generally shown on the approved Development Guide Plan. If a minor variation to building locations is proposed at the time of seeking development approval then the development is to be located on portions of the lot that are demonstrated to the satisfaction of the local government, WA Department of Health, the Fire and Emergency Services Authority and the Department of Conservation and Land Management as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining National Park. Permitted development, which is proposed to be located in areas significantly different from that shown on the Development Guide Plan will not be supported. 6. In considering any proposal for development, the following shall be addressed to the satisfaction of the local government: (i) effluent disposal including a geo-technical report prepared to the satisfaction of the Department of Health demonstrating the site's suitability for on-site effluent disposal; (ii) water supply; (iii) vehicular access to be in accordance with the requirements of Main Roads WA; (iv) fire protection measures to the satisfaction of the Fire and Emergency Services WA, Department of Conservation and Land

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A18	Lot 41 of Sussex Locations 226 and 1388 Caves Road, Karridale Cont'd		Management and the local government, and such measures shall form a Bush Fire Management Plan to be adopted by the local government for any subsequent development on the lot and implemented at the development stage; (v) built form including building materials and building bulk in accordance with the local government's Visual Management Guidelines; (vi) prior to approval of any development on the site (including clearing and prescribed burning) an investigation is to be undertaken, at the cost of the landowner, by a suitably qualified person to identify, document and make recommendations on the protection of the "pioneer cemetery" (graves) located on the property. This investigation is to be undertaken to the satisfaction of the local government and the Heritage Council of Western Australia, with the report recommendations being implemented through conditions of development approval for any proposed use/development; (vii) that a Management Plan be put in place to the satisfaction of the local government; and (viii) that a Management Plan for weed control, flora protection and erosion control be prepared and implemented to the satisfaction of the local government. 7. All buildings within the lot shall comply with AS3959 – Construction of Buildings in Bushfire Prone Areas (as amended from time to time). 8. Development as may be approved by the local government is to be located in such a manner as to cause minimal disturbance to existing vegetation. 9. Total accommodation on site to be a maximum of 120 persons at any one time, unless otherwise permitted by the local government in special circumstances. 10. Potable water to the development shall be in accordance with the publication "Guidelines for Drinking Water Quality in Australia". 11. At the time of development the local government shall require the preparation and implementation of a Fire Management Plan (contained within Appendix B and I of the Amendment No. 137 report of the revoked Scheme No. 11) to the satisfaction of the local government, Department of Environment

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A18	Lot 41 of Sussex Locations 226 and 1388 Caves Road, Karridale Cont'd		and Conservation and the Fire and Emergency Services Authority WA. 12. The site shall not be used for tourist accommodation purposes and shall only be used in accordance with the purpose and intent of this "Special Use" zone as specified in clause 1 above. 13. The local government will not support applications to subdivide or strata subdivide the subject land. 14. Prior to the approval of any development permitted under this "Special Use" zone, the existing restrictive covenant applicable to the land is to be modified to limit development to that permitted by this zoning to the satisfaction of the local government and the Western Australian Planning Commission.
A19	Lot 1032 Redgate Road, Witchcliffe	Chalets	1. Maximum of 8 chalets. 2. Any additional development of this land shall require the prior approval of the local government.
A20	Pt Lots 52 and 481, (now lots 521 and 522) Yates Road, Margaret River	2 Chalets or equivalent accommodation in the form of a guest house 1 Manager's Residence	1. Details of the proposed landscaping, protection of existing vegetation on the land, screening of the proposed development from Caves Road in particular and any other visual impact being to the satisfaction of the local government. 2. Details of the proposed water supply, septic effluent disposal and provision of other services being to the satisfaction of the local government.
A21	Lot 145 of Pt Sussex Loc 1309, (Proposed Lot 12) Caves Road, Gracetown.	Agriculture-Intensive in the form of viticulture	The additional use shall be so conducted as not to detract from the particular landscape and visual amenity characteristics of the locality as recognised by the Scheme and the LNRSPP to the satisfaction of the local government.
A22	Lot 4555, Hillview Road, Augusta	Fine-wood gallery Chalets Manager's Residence and Office	Maximum of 6 chalets.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A23	Lot 75 Osmington Road, Margaret River	Bed and Breakfast Facility	1. The under-mentioned details of the development shall be to the satisfaction of the local government: (i) the siting, design and treatment of any building necessary to house the approved use; (ii) the access to the proposed use; (iii) details of the proposed water supply, septic effluent disposal and provision of other services; and (iv) landscaping and other site treatments to complement the development.
A24	Lot 1 Sussex Loc 786, Carters Road, Margaret River.	Sustainable Living Institute as an Educational Establishment	Any increase in the intensity of the use or any additional development required to perpetuate the use as existing at the date of commencement of the Scheme shall be subject to the further approval of the local government.
A25	Lot 901 Osmington Road, Margaret River	Chalets	1. Maximum of 9 chalets. 2. Prior to any further development approval being granted pursuant to the Scheme, a plan shall be prepared and adopted showing the details of all existing development and any additional development to be undertaken on the land to the satisfaction of the local government.
A26	Sussex Loc 2172, Gnarawary Road, Margaret River.	Chalets and Manager's residence.	1. Maximum of 4 chalets. 2. Prior to any further development approval being granted pursuant to the Scheme, a plan shall be prepared and adopted showing the details of all existing development and any additional development to be undertaken on the land to the satisfaction of the local government.
A27	Lot 2 Heron Drive, Margaret River	Chalets	1. Maximum of 2 chalets. 2. The under-mentioned details of the development shall be to the satisfaction of the local government: (i) the siting, design and treatment of the proposed building(s); (ii) the access to the proposed use; (iii) details of the proposed water supply, septic effluent disposal and provision of other services; and (iv) landscaping and other site treatments to complement and screen the development.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A28	Lot 18 Ashton Street, Margaret River	Chalets	1. Maximum of 2 chalets. 2. Development shall be carried out in accordance with the valid development approval granted under the provisions of revoked Scheme No. 17 or in accordance with such other plan as may be approved by the local government pursuant to this Scheme.
A29	Lot 19 Ashton Street, Margaret River	Chalets	1. Maximum of 2 chalets. 2. Development shall be carried out in accordance with the valid development approval granted under the provisions of revoked Scheme No 17 or in accordance with such other plan as may be approved by the local government pursuant to this Scheme.
A30	Pt Lot 972, Horseford Road, Margaret River	A maximum of 8 Chalets and associated facilities, 1 caretakers residence and subdivision into three separate lots	1. Subdivision shall be generally in accordance with the Plan of Subdivision : Plan No. 1, forming part of Amendment 87 of revoked TPS 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. Within areas designed as "Landscape Protection" on the plan of subdivision, no trees or other flora shall be felled. The only exception to this clause shall be the felling of trees or flora to comply with the *Bush Fires Act, 1954* (as amended) and/or for an approved public purpose. 3. Clearing of flora shall only take place within those areas designated as building envelopes on the plan of subdivision, with the following exceptions: (a) clearing to gain vehicular access to the lots. In any event the local government on the plan of subdivision may specify the approximate location of cross-overs to the respective lots, and (b) clearing to comply with the *Bush Fires Act 1954* (as amended). 4. The disposal of liquid and solid waste shall be carried out by the installation of a sewerage disposal system, to the satisfaction of the Local Government with such systems being located at least 100 metres from watercourses, and the Margaret River. 5. No dams shall be permitted on any lot unless otherwise approved by the local government.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A30	Pt Lot 972, Horseford Road, Margaret River Cont'd		6. All development shall comply with the following development guidelines: (a) buildings shall not be constructed of a height greater than 8 metres in accordance with the local government's formulae for determining height however the local government can determine a lesser height limit requirement upon assessment of topographical and visual constraints; (b) buildings shall be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the Local Government and non reflective roofing material will be required; (c) outbuildings shall form a unified group with the main building and should be of a similar form, colour and materials; (d) buildings on land of ratio greater than 1 in 10 slope shall be split level or pier construction to the satisfaction of the local government; (e) all buildings shall accord with Australia Standard No: 3959-1991 - "Construction of Buildings in Bushfire Prone Areas; 7. Livestock shall only be permitted on those lots that are predominantly cleared and shall not reach levels as to cause land degradation. In such circumstances, the local government may direct a landowner to remove such livestock. 8. Strategic fire breaks and individual lot fire breaks shall be constructed by the developer to the satisfaction of the local government and Fire and Emergency Services Authority of Western Australia.
A31	Lot 1 Sussex Loc 972, Horseford Road, Margaret River.	Bed and Breakfast facility	Maximum of 4 guest bedrooms accommodating a maximum of 8 persons.
A32	Sussex Loc 4088, north-east corner Caves and Cowaramup Bay Roads, Gracetown	Chalets and, as an ancillary use, the keeping of farm animals.	Maximum of 6 chalets on the basis that existing remnant vegetation is protected and the gravel pit is rehabilitated.
A33	Lot 76, Kevill Road West, corner Wallcliffe Road, Margaret River	Chalet Development not exceeding 2 chalets.	1. Development is to be generally in accordance with the Development Guide Plan, or subsequent Local Development Plan approved by the local government, in accordance with the process set out in the Deemed Provisions.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			2. In considering any proposal for development, the following shall be addressed to the satisfaction of the local government - • Effluent disposal including a geo-technical report prepared to the satisfaction of the Department of Health demonstrating the site's suitability for on-site effluent disposal; • Water supply; • Revegetation areas identified on a detailed rehabilitation plan at the Development Application stage; • Fire protection measures to the satisfaction of the fire Emergency Service Authority and local government, and such measures shall form a Fire Management Plan to be adopted by local government for any development on the lot and implemented at the development stage; and • Built form including building materials and building bulk in accordance with local government's Visual Management Policy. 3. Development as may be approved by local government is to be located in such a manner as to minimise disturbance to existing vegetation.
A34	Portion of Lot 415, John Archibald Drive, Margaret River.	Commercial development comprising principally Convenience Store and Service Station functions and residential development up to a density of R30/40. *AMD 29 GG 24/3/16*	1. The proposed commercial development shall not exceed 200m^2. 2. A Development Guide Plan shall be prepared showing the proposed development, the means of access thereto and the form of landscaping and screening to be undertaken along the frontage to Bussell Highway.
A35	Sussex Loc 607, south-west corner Caves and Wallcliffe Roads, Margaret River	Restaurant and Residence	A Local Development Plan shall be prepared showing the proposed development, the means of access thereto and the form of landscaping and screening to be undertaken along the frontage to Caves Road in particular.
A36	Lot 2 of Sussex Loc 4046, Roxburgh Road, Margaret River.	Goat Farm and Dairy and sale of Goods associated with the industry and production on site.	Nil.
A37	Lot 8, Sussex Location 411 St Alouarn Place, Prevelly Park	Chalets	1. Maximum of 4 chalets. 2. Compliance with the aims and objectives of this Scheme and the approval granted for the existing development.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A38	Lot 1 Kevill Road, Margaret River	Maximum 12 chalets and 30 guest bedrooms	Nil.
A39	*DELETED AMD 25 GG 27/11/15*		
A40	Lot 300 and 301 of Sussex Locations 2897 and 2989 Rosa Brook Road, Rosa Brook	Total of 12 Chalets 3 Dwellings	1. Development shall generally be in accordance with the Structure Plan attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 118 to revoked Scheme No. 11, or a subsequent Local Development Plan approved by the local government and in accordance with the process set out in Part 6 of the Deemed Provisions. 2. Any Residential building use shall have a maximum of 30 persons. 3. Only one single dwelling on proposed Lot 301 is permitted. 4. Only 2 single dwellings on proposed Lot 300 is permitted. 5. Proposed Lot 301 shall be developed for the purposes of a polocrosse centre comprising chalets, a manager's residence, meeting hall and associated facilities. 6. Proposed Lot 300 shall be used for rural industry, private residential and viticultural purposes.
A41	Lot 61 Sussex Loc 2705, Sebbes Road, Forest Grove	Dormitory accommodation unit comprising 22 beds	Nil.
A43	Lot 5 of Sussex Loc 3069, Sebbes Road, Boranup	Natural Therapy Centre	Nil.
A44	Sussex Location 1396 Cresswell Road, Deepdene	Single Dwelling Home Occupation Conservation Subdivision into 2 lots.	1. Subdivision and development of the land shall be generally in accordance with the Subdivision Guide Plan forming part of the text of Amendment 146 to the revoked TPS11, or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Approval for any clearing must be obtained from the local government to ensure that no flora or fauna habitats are destroyed, except where clearly stated in the Development Guide Plan. 3. Subdivision and development of the land is to maintain, protect and enhance the landscape and conservation values in accordance with the principal Ridge Protection designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A44	Sussex Location 1396 Cresswell Road, Deepdene Cont'd		Policy. **Subdivision** 4. No further subdivision to that shown on the Subdivision and Development Guide Plan will be supported by the local government. 5. The local government shall request amongst other matters as conditions of subdivision approval: (a) The implementation of an endorsed fire management Plan (FMP). (b) A section 70A notification under the Transfer of Land Act be imposed to advise prospective purchasers that: (i) No further subdivision of the lots will be supported; (ii) Residential development is restricted to one single dwelling and ancillary outbuildings, located within the nominated building envelope for each lot, in accordance with the provisions of the Scheme and objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy; (iii) A FMP is applicable to the land, which requires the land owner to undertake ongoing fire protection measures as described. 6. The local government will request a condition of subdivision that internal access to both proposed lots will be provided via the existing access track as shown on the SDGP and that this access be secured in perpetuity through a reciprocal rights of access easement. **Development** 7. The local government may consider approving residential outbuildings which are incidental to the use 'single dwelling' where it can be demonstrated that these buildings by their type and scale will not have a detrimental impact on the landscape and conservation value of the land. 8. No tourist development shall be permitted on the lots. 9. Any proposed buildings or structures shall be contained within the building envelopes nominated on the Subdivision Guide Plan.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A44	Sussex Location 1396 Cresswell Road, Deepdene Cont'd		10. No vegetation shall be cleared within any lot except for the purposes of: • compliance with the approved FMP; • construction of access ways as shown on the Subdivision Guide Plan; • clearing within the Building Envelope as shown on the Subdivision Guide Plan to facilitate approved development. 11. In considering any development application the local government shall seek comments from the Department of Conservation and Land Management regarding potential visual, landscape and conservation impacts on the proposal. 12. No additional fences shall be erected on the proposed lots except to define a yard area within the building envelope, for each single dwelling. Fencing is to be inevident in the landscape from important tourist routes and not detract from the landscape and conservation values of the land. Written approval from the local government will be required for any fencing. 13. all buildings shall comply with AS 3959 (1991 as amended) Construction of Buildings in Bush Fire Prone Areas or subsequent revisions applicable at the time of building. 14. Any revegetation or landscaping works shall consist of local indigenous species which compliment the landscape or environmental values of the land. 15. Disposal of onsite effluent is to be to the specifications and satisfaction of the local government and the Department of Health and avoid the risk of damaging cave ecosystems. 16. Each dwelling shall be provided with a supply of potable water to be in the form of a water tank with a minimum capacity of 140 kilolitres. 17. Only non reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant natural colours of individual building sites. 18. Upgrading of access to the site is to be addressed at the subdivision stage.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A44	Sussex Location 1396 Cresswell Road, Deepdene Cont'd		19. Prior to undertaking any subdivision or development works (including but not limited to works associated with strategic fire breaks and access ways) the proponent is to submit a detailed spring flora survey and a fauna survey to the satisfaction of Department of Environment and Conservation and the local government. The survey is to include all areas to be disturbed and is to demonstrate that any proposed works will not adversely impact upon any rare or priority flora species and endangered fauna species. 20. Any proposed development application shall be accompanied by a detailed visual impact assessment prepared by a suitably qualified consultant demonstrating to the satisfaction of the local government that: (a) the proposed development will achieve a "very low impact" rating and will not be seen from the viewing locations prescribed in the "Visual Assessment Summary report 2005" and the "Visual Assessment Supplementary report 2005" prepared by John Cleary Planning. (b) The design of the building(s) addresses the design suggestions stated on page 20 of the submitted 'Visual Assessment Summary report 2005' prepared by John Cleary Planning. 21. Subject to the applicant demonstrating that a development on an alternative site can meet the above criteria to the satisfaction of the local government, in consultation with the local government and the Department of Environment and Conservation, an alternative Building Envelope location can be considered. 22. As a condition of subdivision and development approval the local government may request or impose, as the case may be, a condition requiring the proponent to submit a detailed geotechnical report to the satisfaction of the Department of Environment and Conservation and the local government demonstrating that the proposed development or subdivision works (including but not limited to development earthworks, strategic firebreaks, onsite effluent disposal and access ways) will not adversely impact upon any caves or cave ecosystems on the subject land.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			23. No proposed development or structure shall have a height greater than 5 meters above natural ground level, measured at any point. 24. Power supply infrastructure on the lot shall be located either underground or be no higher than the surrounding remnant vegetation.
A45	Lots 417, 50 51 Caves Road	Viticulture Use	Nil.
A46	Locations 4585,4584,4273, 4158 and 4157 Dennis and Governor Broome Roads, Scott River	Notwithstanding the land use limits as shown in clause 4.3 Zoning Table the local government may permit additional uses having considered the use allowances details in the Shire of Nannup Local Planning Scheme No. 3 affecting the balance of the affected sites.	Nil.
A47	Lot 3 St Alouarn Place, Margaret River/Prevelly	One Chalet	1. The additional use to comprise a maximum of a single-bedroom chalet. 2. The location of the chalet shall be in the area of the site as depicted on the development guide plan as approved by the WAPC, or other subsequent Local Development Plan approved by the local government, in accordance with the process set out in Part 6 of the Deemed Provisions. 3. Chalet development shall be designed addressing the relevant recommendations of the landscape assessment report appended to the Scheme amendment report document to the satisfaction of local government. 4. Prior to the development of the chalets, design details shall be provided with respect to the following: (i) the access and parking for the proposed use so as to minimise impact on neighbours; (ii) details of the proposed water supply, effluent disposal and provision of other services in a manner so as to minimise impact on the landscape and environment; (iii) In relation to effluent disposal a suitable Alternative Treatment Unit shall be designed taking in to account the recommendations of the Effluent Disposal Investigations report attached to the Scheme Amendment Report document. Effluent shall be disposed in a suitable disposal area in the manner as recommended in the report; and

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			5. Landscaping and other site treatments to complement and assist in screening the development. Landscaped screening is required in the areas shown on the Development Guide Plan.
A48	Lot 8 Loaring Place, Margaret River Corner Caves Road and Loaring Place	One Chalet 4-bedroom lodging house and incidental day spa of no greater than 120 square metres in size.	Nil.
A49	Lot 20 Sussex Location 2261 Van Sittart and Twenty Four Road, Karridale	1. Proposed Lot 101 of Sussex Location 2261 (as indicated on the Subdivision Development Guide Plan) forming part of Amendment 197 of the revoked Scheme No.11. Permitted uses are: (i) Single Dwelling and associated outbuildings; (ii) Holiday Cabins and Chalets (4); (iii) Art and Craft Studio and Sales; (iv) Rural Pursuit. 2. Proposed Lot 102 of Sussex Location 2261 (as indicated on the Subdivision Development Guide Plan) forming part of Amendment 197 of the revoked Scheme No.11. Permitted uses are: (i) Single Dwelling and associated outbuildings; (ii) Rural Industry (Cider Brewery); (iii) Shop (for sale of goods produced on-site and merchandise related to the uses of the site); (iv) Intensive Agriculture; (v) Licensed Restaurant	1. Subdivision and development of the land shall generally be in accordance with the Structure Plan attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 197 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. In considering a proposal for development the following shall be addressed to the satisfaction of the local government: **Environment** 3. A flora and vegetation survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004) – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia. 4. An Environmental Management Plan for areas of remnant vegetation should be prepared by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005) – Environmental Guidance for Planning and Development. 5. A Landscaping and Rehabilitation Plan shall be prepared and implemented which incorporates the retention of native vegetation and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. This plan is to be submitted and approved by the Shire at the Development Application stage and implemented prior to use of the development.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A49	Lot 20 Sussex Location 2261 Van Sittart and Twenty Four Road, Karridale Cont'd	(vi) Rural Pursuit.	**Effluent** 6. The disposal of liquid and solid waste should be carried out by the installation of a sewerage treatment and disposal system, to the satisfaction of the local government and the Department of Health WA. 7. A minimum separation of 50 metres is to be retained between a waste water effluent disposal site and any perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel to the satisfaction of the Shire. 8. Grey water disposal and reuse systems are to be installed to the satisfaction of the local government and the Department of Health WA. **Water Supply** 9. A potable water supply of sufficient volume and quality shall be provided to service the development, to the satisfaction of the local government. **Conflicting land use management** 10. The impacts of agricultural practises on any future development shall be investigated to determine the appropriate control measures including separation distance, building design, vegetation planting to screen and buffer the residential component and to protect water supply. 11. The local government shall request amongst other matters, as conditions of subdivision approval, that a Section 70A notification under the *Transfer of Land Act 1893* be imposed to advise prospective purchasers that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. **Access** 12. At the time of subdivision, the developer shall upgrade Van Sittart Road and Twenty Four Road to the access to proposed Lot 102. The works shall be constructed in accordance with the local government standards and specifications, to the satisfaction of the Shire.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A49	Lot 20 Sussex Location 2261 Van Sittart and Twenty Four Road, Karridale Cont'd		13. Crossovers shall be located so as to minimise the clearing of remnant native vegetation in the road reserve. **Fire Management** 14. A Fire Management Plan (FMP) shall be prepared and approved by the local government in accordance with the local government's Bushfire Risk Management strategy and other conditions that may be set by FESA or the local government prior to subdivision or commencement of site works. FESA may set conditions and requirements for the inclusion of hydrants, booster pumps and auxiliaries, hose and reels, and fire extinguishers. 15. Prior to consideration of an application for development a Fire Hazard Assessment Type 3 shall be provided to the Shire, accompanied by a contour map of the property or area to be developed.
A50	Lots 113 and 114 Bottrill Street, Cowaramup	Group Housing to a Residential Design Codes equivalent density of R17.5 may be approved by the local government at its discretion	1. Subdivision and development of the land shall generally be in accordance with the Development Guide Plan dated 21 March 2007 attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 187 to revoked Scheme No. 11, or a subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. 2. The local government may approve any proposed development considered to be a minor variation to the Development Guide Plan. Where significant modifications to the Development Guide Plan are proposed, the local government shall require a modified plan to be advertised for public comment for a period of 21 days prior to considering the proposed modifications. 3. The local government shall forward a copy of any modified plan referred to above, to the Western Australian Planning Commission for its consideration. The Plan shall not come into operation until the modified plan is approved by the Western Australian Planning Commission. 4. The development standards and minimum site requirements applicable to these uses shall be consistent with the standards and requirements as provided for in the Residential Design Codes.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A50	Lots 113 and 114 Bottrill Street, Cowaramup Cont'd		5. All development shall address grey water reuse, solar orientation and thermal insulation to the satisfaction of the local government. 6. Clearing of vegetation shall only be to gain vehicular access to dwellings or ancillary buildings, clearing to comply with the *Bush Fires Act 1954* (as amended), as approved by the local government, upon formal application by the landowner. 7. A Stormwater and Drainage Management Plan incorporating Water Sensitive Urban Design principles to be prepared at the planning application/subdivision application stage and implemented during development and or subdivision. 8. A Traffic Management Plan, including a road Safety Audit, to be prepared at the subdivision application stage addressing safety and road hierarchy standards on Birdwood Lane with the outcomes of the plan being implemented at the application/subdivision application. 9. A Water Management Plan for the servicing of lots to be prepared and implemented by the developer to the satisfaction of the shire including, but not limited to a system for the collection and reuse of rainwater and the treatment of recycling of greywater.
A51	Lot 21 and Sussex Location 3127 Bussell Highway, Kudardup	A maximum of four grouped dwellings	1. Development shall generally be in accordance with the Structure Plan dated November 2008 attached to the Scheme Amendment Report to Town Planning Scheme Amendment No.201 to revoked Scheme No. 11, or a subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. 2. The Shire may permit development that is a variation from the Development Guide Plan providing that development is consistent with the intent of that Development Guide Plan and does not include more than 4 grouped dwellings; 3. With respect to the four grouped dwellings permitted on the Site, these dwellings shall meet the development standards of the residential R20 density code with the exception that all side and rear boundary setbacks are measured to the inside of the 2 metres wide firebreak and not to the lot boundaries;

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A51	Lot 21 and Sussex Location 3127 Bussell Highway, Kudardup Cont'd		4. The dwellings shall be subject to approval of an effluent disposal system and method of provision of potable water to the satisfaction of the local government; and 5. All development will be subject to the following: <u>Sewerage</u> 6. The disposal of liquid and solid waste shall be carried out by the installation of Aerobic Treatment Unit(s) and effluent disposal system(s) or alternative effluent treatment and disposal system(s), capable of minimising the movement of nutrients including phosphorous from the disposal area, to the satisfaction of the local government and the Department of Health WA. 7. In the event that reticulated sewer is available then all development shall be connected to reticulated sewer. 8. A minimum separation of 30 metres is to be retained between effluent waste water disposal sites and perennial water course, natural wetland or soak, subsoil drainage or open drainage channel. 9. Grey water disposal and reuse systems are to be installed to the satisfaction of the Local Government and the Department of Health WA. <u>Water</u> 10. A potable water supply of sufficient volume and quality shall be provided to service the development, to the satisfaction of the Local Government. <u>Fire Management</u> 11. A Fire Management Plan shall be prepared and approved by the local government prior to occupation of the development, or prior to the commencement of site works and implemented accordingly. <u>Landscaping</u> 12. A Landscape Master Plan shall be prepared to the satisfaction of the Shire at Development Application stage and implemented prior to use of the development. The Plan is to incorporate the retention of native vegetation on site and revegetation with appropriate native plant species,

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development from Bussell Highway and surrounding lots.
A52	Lot 504 Caves Road, Margaret River *AMD 41 GG 1/7/16*	(a) PURPOSE The purpose is to provide for: • Additional Rural Residential Development, low key tourism and continued agricultural activity in an integrated manner that is consistent with the objectives and policies of the Leeuwin Naturaliste Ridge State Planning Policy. • Site specific provisions and a Guide Plan to control the subdivision and development and inter-relationship of a rural residential cluster, farming area and associated tourism uses. (b) OVERALL OBJECTIVES a. To provide for flexibility and zoning controls to allow for clustered rural residential living in areas most suitable. b. To provide an interesting form of rural residential living that respects the landscape qualities of the site and integrates with surrounding uses to provide an alternative lifestyle choice compatible with agricultural and tourism uses of the locality.	SUBDIVISION AND DEVELOPMENT GUIDE PLAN. 1. Subdivision and development shall generally be in accordance with the Subdivision and Development Plan attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 190 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. No further subdivision to that shown on the Subdivision and Development Guide Plan will be recommended by the local government. RURAL RESIDENTIAL CLUSTER LOTS (1-21) PROVISIONS. 3. The following provisions shall apply to all land nominated as Rural Residential Cluster Lots on the approved Subdivision and Development Guide Plan. 4. Residential Development shall be assessed/developed in accordance with the Residential Design Codes at the R5 density Code. 5. Buildings shall be setback a minimum of 20 metres from the northern boundary (lots 1-6 inclusive). 6. Buildings shall be restricted to a height limit of 8 metres as calculated in accordance with the local government's Scheme and Policy requirements. 7. Buildings shall be constructed of non-reflective materials (with the exception of glazed area) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the local government and shall be compatible with the rural character of the locality. 8. A minimum of 150 millimetres topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A52	Lot 504 Caves Road, Margaret River Cont'd *AMD 41 GG 1/7/16*	c. To provide for development, location, design and construction standards to be compatible with surrounding character and landscape quality. d. To identify quality vegetation for inclusion in a landscape protection area and manage degraded areas through a weed eradication program and introducing vegetation where required for landscape and agricultural buffer. e. To ensure the development is environmentally sensitive, does not impact on the environs of the Margaret River and minimises potential threats from wildfire. (c) PERMISSIBLE LAND USES The site has been classified into three land use areas on the Development Guide Plan. They are "*Rural Residential Cluster Lots", "Rural Tourism Lots"* and "*Landscape Protection Area"*. The following lists indicate the Uses which, may be permitted in the various land use areas nominated on the approved subdivision and development guide plan. a. Rural Residential Cluster Lots (1-21) Single Dwelling "P"	9. Landscaping should be with materials that are sympathetic with the surrounding natural landscape. 10. Planting within 40 metres of building to be with fire retardant species. 11. Strategic landscape buffers within each lot, using local indigenous species, shall be provided in the locations shown on the Subdivision Guide Plan. 12. Landscape buffer areas within lots shall be maintained. 13. Fencing for each allotment shall be of rural character, post and wire construction or similar construction. Any form of solid fencing shall not be permitted. 14. The disposal of effluent is to be by Aerobic Treatment Unit(s) or alternative effluent treatment and disposal system(s), to the satisfaction of the local government and the Department of Health WA. 15. Effluent disposal and waste water reuse system design shall incorporate subsurface infiltration and clay bunds or a suitable alternative means for the containment and treatment of effluent waste water, to the satisfaction of the local government and the Department of Health WA. 16. A minimum horizontal separation of 50 metres is to be retained between an effluent waste water disposal site and a perennial water course, natural wetland or soak, or open drainage channel and the vertical depth to the seasonal or permanent water table from the underside of a waste water disposal system shall be at least 1.2 metres. RURAL TOURISM LOTS (22-23) PROVISIONS 17. The following provisions shall apply to all land nominated as Rural Tourism Lots on the approved Subdivision and Development Guide Plan. 18. All development including, but not limited to, car parking, associated with land uses approved inside the designated building envelopes, shall be contained with the extent of the envelopes.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A52	Lot 504 Caves Road, Margaret River Cont'd *AMD 41 GG 1/7/16*	Home Occupation "P" Ancillary dwelling "P" Professional Office "A" All rural residential development shall be assessed in accordance with the Residential Design Codes/Density Code R5. b. Rural Tourism Lots (22-23) The following classes of development may be considered within the designated building envelope (Dwelling Sites and Low Key Tourist Node) shown on the Subdivision Guide Plan for proposed Lots 22 and 23: Single Dwelling "P" Home Occupation "P" Bed & Breakfast "A" Guest House "A" Holiday Cabins and Chalets "A" Licensed Restaurant/ Restaurant "A" Art and Craft Studio and Sales "A" Cottage Industry "A" Outside the designated building envelopes (Dwelling Sites and Low Key Tourist Nodes) the following may be considered: Rural Pursuit "D" Intensive Agriculture "A" c. Landscape Protection Area • There shall be no development or clearing within the Landscape Protection Area,	19. Ancillary structures (e.g. shed) to approved Intensive Agriculture/Rural Pursuit shall be setback a minimum of 60 metres from Caves Road. 20. Buildings shall be restricted to a height limit of 8 metres as calculated in accordance with the local government's Scheme and Policy requirements. 21. Buildings shall be constructed of non-reflective materials (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the local government and shall be compatible with the rural character of the locality. 22. A minimum of 150 millimetres topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas. 23. Landscaping should be with materials that are sympathetic with the surrounding natural landscape. 24. Agricultural Development shall be setback a minimum of 40 metres from adjoining residential development with a minimum 20-metre wide vegetated buffer within the setback. 25. Outside the designated building envelopes the local government Policies normally applicable to development within the Rural Zone shall be applied to the use and development the land. 26. Planting within 40 metres of buildings to be with fire retardant species. 27. Strategic landscape buffers within each lot, using local indigenous species, shall be provided in the locations shown on the Subdivision Guide Plan. 28. Landscape buffer areas within lots shall be maintained. 29. The disposal of effluent is to be by Aerobic Treatment Unit(s) or alternative effluent treatment and disposal system(s), to the satisfaction of the local government and the Department of Health WA.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A52	Lot 504 Caves Road, Margaret River Cont'd *AMD 41 GG 1/7/16*	with the exception of that included in an endorsed Landscape Plan. • Management of this area will be addressed within the Landscape Plan.	30. Effluent disposal and waste water reuse system design shall incorporate subsurface infiltration and clay bunds or a suitable alternative means for the containment and treatment of effluent waste water, to the satisfaction of the local government and the Department of Health WA. 31. A minimum horizontal separation of 50 metres is to be retained between an effluent waste water disposal site and a perennial water course, natural wetland or soak, or open drainage channel and the vertical depth to the seasonal or permanent water table from the underside of a waste water disposal system shall be at least 1.2 metres. SUBDIVISION REQUIREMENTS 32. The following requirements will apply at the time of subdivision approval. Fire Protection (a) Prior to subdivision, the subdivider shall prepare and implement a Fire Management Plan to the satisfaction of the local government and the Fire and Emergency Services Authority. (b) At the time of subdivision, notifications shall be placed on all created titles under Section 165 of the *Planning and Development Act 2005* advising of the landowner's obligations under the *Bush Fire Act 1954.* (c) Buildings shall comply with Australian Standard 3959 for Buildings in Fire Prone Areas. (d) Fire Breaks and access located within individual lots shall be maintained to the satisfaction of the Local Government. Agricultural Activity 33. A notification in the form of a section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. 34. Water Supply: a) Each lot shall be provided with a reticulated water service to the satisfaction of the Water Corporation.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A52	Lot 504 Caves Road, Margaret River Cont'd *AMD 41 GG 1/7/16*		b) Water conservation initiatives, including rooftop harvesting and provision of rainwater storage tanks, is to be investigated and incorporated into all future developments. 35. Water Management: a) Prior to subdivision approval an Urban Water Management Plan shall be prepared and implemented to the satisfaction of the Department of Water . b) A Stormwater Management Plan to be prepared and implemented by the developer at subdivision stage to address control of stormwater run off from roadways to the satisfaction of the Local Government incorporating Water Sensitive Urban Design principles. c) Stormwater infrastructure shall not be located in the Landscape Protection Area. d) All earth works and or associated drainage shall be in accordance with plans and specifications submitted to and approved by the local government. e) Stormwater shall be detained in compensating/detention basin(s) on the land before discharge into external drainage systems or natural streams or waterways. The compensation/detention basin(s) should incorporate the use of nutrient stripping vegetation and be designed to have nutrient stripping functions and wildlife habitat values. 36. Road Access: a) Road intersections and roads shall be constructed to the standards and specifications of the Local Authority with the intersection of Caves Road being designed to the specifications and satisfaction of Main Roads WA. 37. Power: a) All lots are to be provided with underground power at Subdivision Stage. 38. Waste Management: a) Prior to subdivision approval a waste disposal and recycling management plan for development on the lots must be prepared to the satisfaction of Local Government.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A52	Lot 504 Caves Road, Margaret River Cont'd *AMD 41 GG 1/7/16*		39. Landscaping Plan: A Landscaping and Rehabilitation Management Plan to be prepared and implemented to the satisfaction of the Shire at the subdivision stage which incorporates the retention of native vegetation on the site and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation shall include species of varying heights and appearance to provide a buffer and soften the built form and scale of the development. The Plan shall detail: a) The augmentation/establishment and maintenance of vegetated buffers along the Caves and Wallcliffe Road boundary of the site and the eastern boundary of the residential cell to provide a visual screen of the development. b) The rehabilitation and management of the "Landscape Protection Area" including fencing, revegetation and weed management of this area to assist with its rehabilitation. c) The establishment and maintenance of a 20 metre vegetated buffer inside the northern boundary of Rural Residential cluster lots 1 to 6 inclusive. This buffer is required to address potential land use conflicts with the adjoining vineyard (i.e. spray drift, noise and odour). d) The Plan shall be prepared by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005) – Environmental Guidance for Planning and Development. 40. Pathways: a) At the time of subdivision, the local government may request that the WAPC impose a condition that subdividers contribute to the provision of a dual use path along Caves Road to link with the existing path network along Wallcliffe Road. b) Dual use pathways shall be constructed that link all subdivided lots to the existing Prevelly-Margaret River pathway to the standards and specifications of the Local Authority.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			41. Domestic Animals: a) The keeping of domestic cats by householders in newly created lots is prohibited.
A53	Sussex Location 4192 Cowaramup Bay Road	(a) SUBDIVISION AND DEVELOPMENT GUIDE PLAN a. Development shall be generally in accordance with a Structure Plan approved by the local government and the Western Australian Planning Commission. b. The local government may approve development of the land that includes minor variations to the Structure Plan provided that such variations does not alter the intent of the Structure Plan and would not reasonably be considered to be a modification requiring a new Structure Plan. (b) PERMISSIBLE LAND USES The subject land shall be developed as follows: • Agriculture • Common Property • Short Stay Tourism Purposes a. The uses permitted in the Agriculture area are: • Single Dwelling (one only) • Home Occupation	DEVELOPMENT AND/OR SUBDIVISION REQUIREMENTS Development shall generally be in accordance with a Structure Plan or a subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. Prior to supporting subdivision of the land the Shire shall require the following: MANAGEMENT 1. A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amended), shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity that may have a nuisance effect on amenity. 2. Any future strata title subdivision of the tourism component shall include a Strata Management Statement to the satisfaction of the Shire, WAPC and Tourism WA including statements to the effect of: ○ The chalets are for short stay tourism use only. ○ Design guidance for the built form of chalets must be adhered to. ○ The agricultural area within the strata plan may only be used for agriculture. ○ Agricultural Practices within the property have priority. ○ The current organic status of the agricultural operations must be continued indefinitely. ○ Prospective owners of tourism strata lots should be made aware that spraying and spreading manure may occur and that work outside normal hours may occur. Prior to supporting subdivision or development of the land the Shire shall require the following:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A53	Sussex Location 4192 Cowaramup Bay Road Cont'd	• Intensive Agriculture • Rural Industry • Cellar Door Sales • Café / Restaurant associated with the cellar door sales (SA use) • Farm Buildings b. The uses permitted in the Common Property area are: • Caretakers Dwelling • Intensive Agriculture • Farm Buildings c. The uses permitted in the Short Stay Dwelling precinct are: • 24 individual 'short stay dwellings' which are defined as 'chalets', with no maximum floorspace, and are not used by the same tenant for a continuous period of more than 3 months.	ROADS AND TRAFFIC ACCESS 3. The preparation and approval of a detailed Traffic Management Plan addressing the location and safety of intersections linking the development site to Armstrong Road and Cowaramup Bay Road. The report is to identify any road upgrade works required, and the road construction standards for internal road network having regard for drainage and servicing requirements. The outcomes of the Traffic Management Plan are to be implemented by the developer during the subdivision stage. FIRE MANAGEMENT 4. The implantation of an endorsed Fire Management Plan (FMP) as included with the Amendment Report. WATER 5. The preparation of an Urban Water Management Plan, in accordance with the Better Urban Water Management Framework, to address issues including - 1. Road Drainage Design 2. Stormwater Management 3. Protection of waterways and riparian vegetation To the satisfaction of the Department of Water and the Shire. 6. The Preparation of a Management Plan in relation to site works shall be prepared which demonstrates that such activity will not interfere, alter or pollute and wetland, watercourse, surface water expression or groundwater in the areas, or alter the water quality of such waters and is to be submitted prior to the commencement of site works and all development activity on the land is to comply with that plan. ENVIRONMENT 7. The preparation and approval of an Environmental Management Plan for areas of remnant vegetation should be prepared by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005) – Environmental Guidance for Planning and Development. The plan should specifically

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A53	Sussex Location 4192 Cowaramup Bay Road Cont'd		address watercourse restoration and management in relation to existing native vegetation buffers along water courses and include fencing of these areas. The plan should reflect recommendations of the Cowaramup Brook Action Plan and ensure that no riparian vegetation is removed as a consequence of the development. LANDSCAPING AND VISUAL IMPACT 8. The preparation and approval of a Landscaping and Rehabilitation Plan should be prepared which reflects the Subdivision and Development Guide Plan that incorporates retention of native vegetation and revegetation with appropriate native species, known to naturally occur in the subject area. Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. 9. The preparation and approval of built form design guidelines for the proposed strata chalets prior to the approval of any development. These guidelines shall encourage a level of consistency and relate structures to the locale and surroundings. They shall also detail appropriate solar orientation of structures for passive heating and cooling, use of solar for power production and water heating and appropriate forms of material of construction. CULTURAL HERITAGE 10. The preparation of an ethnographic and archaeological survey of the application area should be conducted by a qualified consultant to the specifications of the Department of Indigenous Affairs. DEVELOPMENT CONTROL 11. In relation to the Short Stay Dwellings: ○ The maximum height of each short stay dwelling shall be 2 storey or 8 metres measured to the top of the roof. ○ All buildings shall comply with AS3959 (as amended) Construction of Buildings in Fire Prone Areas. ○ All short stay dwelling units, shall incorporate Alternative Treatment Units that must be designed and located in accordance with the onsite effluent disposal report and comply

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A53	Sussex Location 4192 Cowaramup Bay Road Cont'd		with the Department of Water WQPN 70 – Wastewater treatment – onsite domestic systems. ○ Any revegetation or landscaping works within the precinct shall consist of local indigenous species or olive or orchard trees consistent with the existing agricultural activities on site. ○ Fencing around each short stay dwellings lots shall not be permitted except to define a yard area, within the building envelope. ○ No vegetation shall be cleared within the short stay precinct except for the purposes of: ▪ Compliance with the approved Fire Management Plan ▪ Construction of vehicular driveways; and ▪ Clearing within the designated building envelope, as shown on the Subdivision Development Guide Plan, to facilitate approved development. 12. In relation to the relocation of the cellar door and café / restaurant the following shall apply: • The relocation of the cellar door and café/restaurant, shall incorporate Alternative Treatment Units that must be designed and located in accordance with the onsite effluent disposal report and comply with the Department of Water WQPN 70 – Wastewater treatment – onsite domestic systems. • Any proposed buildings or associated structures shall be contained with the cleared areas as depicted on the Subdivision Development Guide Plan. • The maximum height of any building shall be 1 storey or 5 metres measured to the top of the roof. • All buildings shall comply with AS 3959 (as amended) Construction of Buildings in Fire Prone Areas. • Any revegetation or landscaping works within the precinct shall consist of local indigenous species. • No vegetation shall be cleared within the short stay precinct except for the purposes of: ○ Compliance with the approved Fire Management Plan ○ Construction of vehicular driveways.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A53	Sussex Location 4192 Cowaramup Bay Road Cont'd		13. Any proposed modifications to creek crossings must obtain the necessary approvals from the Department of Water.
A54	Part Sussex Location 410 Caves Road, Margaret River *AMD 26 GG 18/3/16*	Agricultural Tourism Area' and 'Rural Residential Cluster Area' are those areas identified as such on the approved Structure Plan. The following uses may be considered in addition to those permissible in the 'General Agriculture' zone. Agriculture Tourism Area Grouped Dwellings "P" (1 grouped dwelling only per strata lot) Holiday House "A" Caretakers Dwelling "A" Rural Residential Cluster Grouped Dwellings "P" (1 grouped dwelling only per strata lot) Residential Building "A" (Lot 17 'Tourist Site' only - see Structure Plan)	Agricultural Tourism Provisions The following provisions shall apply to all land nominated as "Agricultural Tourism Area" on the approved Subdivision and Development Guide Plan. a) Buildings shall be setback of 60m from the Caves Road boundary unless determined acceptable with a lesser setback based on a visual impact assessment. b) Building materials used shall be sympathetic to the surrounding landscape consistent with Visual Management Zone A of the Local Government's Visual Management Policy. c) Agricultural Development shall be setback a minimum of 40 metres from adjoining residential development with a 20-metre wide vegetated buffer within the setback. d) Buildings shall be restricted to a height limit of 8 metres as calculated in accordance with Local Government's Scheme and Policy Requirements. Rural Residential Cluster Area Provisions The following provisions shall apply to all land nominated as "Rural Residential Cluster Area" on the approved Subdivision and Development Guide Plan. a) Residential Development shall be situated within the nominated building envelope area as shown on the Subdivision and Development Guide Plan b) Buildings shall be restricted to a height limit of 8 metres as calculated in accordance with the local government's Scheme and Policy requirements. c) Colours and materials shall comply with the requirements of Visual Management Zone A of the local government's Visual Management Policy. d) Fencing for each allotment shall be within or around the perimeter of the building envelope unless development approval is otherwise granted by the Local Government, and will be of rural character, post and wire construction or similar construction. Any form of solid fencing shall not be permitted.

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A54	Part Sussex Location 410 Caves Road, Margaret River Cont'd *AMD 26 GG 18/3/16*		General Provisions Subdivision and development shall be generally in accordance with the Subdivision and Development Guide Plan endorsed by the Local Government and the Western Australian Planning Commission or other subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. a) Development shall incorporate sustainable planning principles including the provisions of water conservation initiatives such as rooftop water harvesting and provision of rainwater storage tanks, integration of grey water systems, appropriate solar orientation of dwellings on site for passive heating and cooling, use of solar for power production and water heating and appropriate forms of material of construction. b) A site and soil evaluation shall be undertaken by a suitably qualified consultant in accordance with Australian Standards and Government Guidelines for each new lot, to determine an appropriate onsite domestic waste water treatment system and its location to meet health and environmental objectives to the satisfaction of the local government and Department of Health WA. c) Aerobic treatment units (ATUs) or alternative systems shall be used for the onsite treatment and disposal of effluent where specified to the specifications and satisfaction of the local government and Department of Health WA. d) Effluent disposal areas shall have a minimum 2 metre vertical separation from highest known ground water level and be set back at least 100 metres from the bank of the Margaret River and 50 metres from an creek line, waterway and subsoil drainage system.
A55	DELETED BY AMD 71 GG 17/04/2026		
A56	Lot 4 Sebbes Road *AMD 1 GG 9/11/12*	Holiday House	
A57	Lot 104 Ellenbrook Road, Cowaramup Proposed Lot 1 Proposed Lot 2 *AMD 11 GG 8/8/14*	1. Proposed Lot 1 (as indicated on the Structure Plan) The total number of non-rural permitted uses are limited to – 1.1 Manager's Residence and	1. Subdivision and development of the land shall generally be in accordance with the approved Structure Plan or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. Development of the Restaurant, Chalets, Art and Craft Centre and Single Dwelling shall only occur after or with the development of the Distillery and/or

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
		associated outbuildings; and 1.2 Maximum of four (4) Chalets. 2. Proposed Lot 2 (as indicated on the Structure Plan) The total number of non-rural permitted uses are limited to – 2.1 Single Dwelling and associated buildings; 2.2 One Distillery; 2.3 One Art and Craft Centre; 2.4 One Restaurant 2.5 One Reception Centre; and 2.6 Maximum of six (6) Chalets.	Reception Centre to ensure that the tourist facilities remain incidental to the tourist attraction on the Site. 3. No subdivision of the Site shall occur until such time as a substantial tourist attraction on proposed Lot 2, in the form of either the proposed Reception Centre or Distillery, is operational on the Site. 4. In considering a proposal for subdivision and/or development the following shall be addressed to the satisfaction of the Local Government – Conflicting Land Use Management (a) The impacts of any future development shall be investigated to determine the appropriate control measures including separation distance, building design, vegetation planting to screen and buffer the tourist component and to protect water supply. (b) The local government shall request, as a condition of subdivision approval that a Section 70A notification under the *Transfer of Land Act 1893* be imposed to advise prospective purchasers that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. Landscaping and Visual Impact (c) A Landscape and Rehabilitation Plan shall be prepared implemented at the time of development that incorporates retention of native vegetation, with appropriate native species known to occur in the local area. Landscaping should include species of varying heights and appearance to soften the built form and scale of the development. The Landscaping and Rehabilitation Plan shall be prepared and implemented in the context of the fire management requirements for the Site, which shall take priority. Proposed building and car parking locations are indicative only and will be subject to further detailed visual management assessment and controls. Prior to development approval, the setbacks, design, elevation and visual impacts of all buildings, car parking areas, storage areas

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			and yards shall be assessed against the landscape objectives and policies of the State Planning Policy No. 6.1, and where necessary, modified to meet these requirements. Where appropriate, car parking areas will be located to the rear of buildings and/or appropriately screened and setback from roadways and key vantage points. Fire Management (d) Prior to subdivision or development, the proponent shall prepare and implement an approved Fire Management Plan to the satisfaction of the Local Government and the Department of Fire and Emergency Services. The Emergency Access Way shall be constructed at the time of subdivision or development and to the standard described in the approved Fire Management Plan. Access (e) Prior to any development the proponent shall prepare and implement the recommendations of a Traffic Impact Assessment including road upgrading at the full cost of the proponent. Drainage (f) At the development stage a Drainage Management Plan is to be prepared and implemented to the satisfaction of the Local Government. Water Supply (g) At the time of development a complete water assessment demonstrating sufficient on Site water supply relative to the actual capacity of proposed development must be prepared and submitted for the approval of the Department of Water and the Shire of Augusta-Margaret River. Vegetation Protection (h) Preparation and implementation of an approved Black Cockatoo Habitat Assessment to the satisfaction of the Shire of Augusta-Margaret River and the Department

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
			of Parks and Wildlife prior to development. Habitat trees are to be identified on a survey plan and used to determine final building layout and design. Dead, standing or fallen timber should be not unnecessarily removed. (i) Retention of the existing stand of trees in proximity to the proposed subdivision boundary where practicable. 5. Strata titles Strata titles (which includes land titles from survey strata subdivision) will not be supported within the subject land.
A58	Lot 112 Caves Road, Gracetown *AMD 39 GG 13/01/17*	Rural Pursuit	1. The use is limited to the stabling, agistment or training of horses for private purposes. 2. The number of horses kept on the land shall be in accordance with the Department of Agriculture and Food Stocking Rate Guidelines and determined using areas currently cleared of native vegetation. 3. Fencing of the dams and remnant vegetation on the land is required prior to any horses being brought onto the land.
A61	Lot 102 (80) Rickett Road, Cowaramup *AMD 48 GG 03/10/17*	Uses incidental to the intensive agriculture land use as otherwise may be permitted in the Priority Agriculture zone.	1. Any proposed built development must be located within the designated building envelope shown on the approved subdivision dated March 2011. 2. Proposed uses, including viticulture, horticulture and agriculture, may be considered outside of the building envelope where it does not impact upon native vegetation.
A62	Lot 5 (3) Old Ellen Brook Road, Gracetown *AMD 62 GG 2/7/2021*	Reception Centre	1. Operational restrictions shall be applied through conditions of development approval to ensure no adverse impacts on the amenity of nearby and surrounds residents and ensure low vehicle trip generation. Condition shall address the following: • Location of functions on the site; • Hours of operation; • Number of attendees at functions; • Noise management; • Traffic Management Measures. 2. Development shall occur in accordance with an approve Bushfire Management Plan and Emergency Evacuation Plan. 3. Permanent structures associated with the reception centre use are to be located so as to avoid adverse landscape impacts when viewed from the Caves Road travel corridor.

Schedule 3 – Restricted Uses

(Clause 4.6)

No.	Description of land	Restricted Use	Conditions
RU1	Portion of Lot 34 (proposed lot 14 as shown on the subdivision guide plan) Sussex Loc. 1309, Cowaramup Bay Road, Gracetown.	Development of the subject lot shall be limited to one dwelling with associated outbuildings (consistent with outbuilding sizes outlined in the local government's Policies) and a "home occupation". No other uses are permitted	1. Development shall comply with local government's visual management criteria in terms of building height, non-reflective materials and other criteria designed to minimise the visual impacts of development. 2. All development is to be limited to within the building envelope outlined in the subdivision guide plan. 3. Local government may request as a condition of subdivision that prospective purchasers are made aware of the conservation and landscape values of the lot.
RU2	101-117 (inclusive) Orchid Ramble, Wooditch Road, Margaret River *AMD 1 GG 9/11/12*	Residential development and associated uses in accordance with Table 1 Zoning Table of the Scheme, subject to the conditions of this Restricted Use classification.	Special Residential 1. Setbacks for special residential shall be in accordance with the provisions of the R2.5 Code. No trees or other flora shall be felled within the setback area. 2. Lots adjoining Wooditch Road shall have a setback of 10 metres from Wooditch Road. 3. Effluent disposal systems shall be located the following distances from any dam, bore or watercourse: a. 100 meters for conventional systems. b. 50 meters for alternative treatment units. 4. Each lot to be connected to reticulated water supply. 5. No livestock shall be permitted. 6. Rural post and wire fencing. 7. All development to be consistent with the local governments Visual Management Guidelines. 8. Bush Fire Management Plan is to be prepared and complied with by all landowners.

No.	Description of land	Restricted Use	Conditions
RU3	Lot 501 Wooditch Road, Orchid Ramble, Margaret River	No development is permitted in this area other than for the purposes of developing passive recreational facilities as determined appropriate by local government.	1. The keeping of livestock is not permitted. 2. Fencing is prohibited. 3. Objective of the area designated Landscape Protection on the Subdivision Guide Plan attached to Amendment 97 of the revoked TPS11 is to ensure the conservation of the natural environment to safeguard against uses of the land that could damage or destroy the ecological, scenic or recreational values and ensure harmony with adjoining rural, rural residential and tourist development. 4. Within the areas designated Landscape Protection on the Subdivision Guide Plan, no use or development, including buildings, fencing, driveways or any permanent clearing, but not including clearing for essential fire protection purposes, shall be permitted unless to provide for public amenity including private recreation uses. 5. The local government may request the preparation and implementation of a management plan for this portion of land. The plan should address mechanisms to protect the land from future fragmentation, vegetation and fauna preservation, bush fire management public access. All land uses in the landscape protection area shall be in accordance with the management plan.
RU4	Lot 38 Albany Terrace, Augusta	• Restaurant • Shop • Takeaway food outlet	Ancillary uses may be determined by local government to be appropriate as a discretionary use.
RU5	Location 310 Black Rock Road Boodjidup	The uses permitted are Single Dwelling	1. Subdivision shall generally be in accordance with the Subdivision Guide Plan as detailed in Amendment 101 to the revoked Town Planning Scheme No.11, or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. All development shall be consistent with the local governments Visual Management Guidelines and located in those locations identified on the

No.	Description of land	Restricted Use	Conditions
RU5	Location 310 Black Rock Road Boodjidup Cont'd		subdivision and development guide plan. 3. Assessment report required for: • Effluent disposal; • Built form including building materials and building bulk; • Vegetation protection areas; • Proposed land uses; and • Stabilization of cleared areas. 4. Building materials should include local stone used as foundation and fro trim, bricks made of local clay, concrete blocks using local aggregates and colouring, local timber, corrugated sheet metal, large expanses of glass should be avoided. 5. Height limited to 8 metres. 6. Provision of 140,000 litres tank connected to a roof area of not less than 200 square metres. such tanks to be fitted with a gate valve to the satisfaction and specification of FESA. 7. All dwellings to comply with AS3959-1991. 8. Effluent disposal areas for conventional leach drains systems shall be setback 100 metres from any water course or dam or in case of an alternative treatment system 50 metres or such distance as recommended by DEP as otherwise approved by the local government. 9. Implementation of a conservation covenant to ensure the protection and enhancement of the natural environment and long term management of the land to have regard for: a) Protection of natural values from presence of weeds, pests and diseases. b) Value of the land as a wildlife corridor or buffer to other reserves. c) Restricting the type, number and movement of domestic animals.

No.	Description of land	Restricted Use	Conditions
RU5	Location 310 Black Rock Road Boodjidup Cont'd		10. No vegetation to be removed other than within the building envelope for the purpose of fire protection, access and safety. 11. Provision of a detailed Bushfire Management Plan to the satisfaction of FESA, Department of Environment and Conservation and the local government.
RU6	Location 311 Black Rock Road Boodjidup	The uses permitted are Single Dwelling	1. Subdivision shall generally be in accordance with the Subdivision Guide Plan as detailed in Amendment 101 to the revoked Town Planning Scheme No.11, or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. All development shall be consistent with the local governments Visual Management Guidelines and located in those locations identified on the subdivision and development guide plan. 3. Assessment report required for: • Effluent disposal; • Built form including building materials and building bulk; • Vegetation protection areas; • Proposed land uses; and • Stabilization of cleared areas. 4. Building materials should include local stone used as foundation and for trim, bricks made of local clay, concrete blocks using local aggregates and colouring, local timber, corrugated sheet metal, large expanses of glass should be avoided. 5. Height limited to 8 metres. 6. Provision of 140,000 litre water tank connected to a roof area of not less than 200 square metres. Such tanks to be fitted with a gate valve to the satisfaction and specification of FESA. 7. All dwellings to comply with AS3959-1991.

No.	Description of land	Restricted Use	Conditions
RU6	Location 311 Black Rock Road Boodjidup Cont'd		8. Effluent disposal areas for conventional leach drains systems shall be setback 100 metres from any water course or dam or in case of an alternative treatment system 50 metres or such distance as recommended by DEP as otherwise approved by the local government. 9. Implementation of a conservation covenant to ensure the protection and enhancement of the natural environment and long term management of the land to have regard for: a) Protection of natural values from presence of weeds, pests and diseases. b) Value of the land as a wildlife corridor or buffer to other reserves. c) Restricting the type, number and movement of domestic animals. 10. No vegetation to be removed other than within the building envelope for the purpose of fire protection, access and safety. 11. Provision of a detailed Bushfire Management Plan to the satisfaction of FESA, Department of Environment and Conservation and the local government.
RU7	Sussex Location 1191 Lot 11 and Lot 91 Waddingham Road Gracetown	1. The uses that may be permitted as a "P" use within this Special Use zone are: • Single dwelling • Home Occupation Local government may at its discretion consider approving residential outbuildings which are incidental to the use "single dwelling" where it can be demonstrated that these outbuildings by their type and scale will not have a detrimental impact on the landscape and conservation values of the land. 2. Uses which may be permitted as "D" within the Agricultural Area denoted on the subdivision and	1. Subdivision and development of the land shall be generally in accordance with the Subdivision and Development Guide Plan as approved in Amendment 140 to TPS 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. Objective 2. Subdivision and development of the site must maintain, protect and enhance the landscape and conservation values in accordance with the Principal Ridge Protection designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning Policy.

No.	Description of land	Restricted Use	Conditions
RU7	Sussex Location 1191 Lot 11 and Lot 91 Waddingham Road Gracetown Cont'd	Development Guide Plan within proposed Lot1 are as follows: • Intensive Agriculture • Rural Pursuit • Cottage Industry 3. No Tourist development shall be permitted on the lots.	Subdivision 3. No further subdivision to that shown on the subdivision and Development Guide Plan will be supported by the local government. 4. Local government may recommend as conditions of subdivision approval: (a) The implementation of the endorsed Fire Management Plan (FMP). (b) That a Section 70A notification under the *Transfer of Land Act 1893* be imposed to advise prospective purchasers that; i. no further subdivision of the lots will be supported; ii. residential development is restricted to one single dwelling and ancillary outbuildings in accordance with the provisions of the Scheme and the objectives of the Leeuwin-Naturaliste Ridge Statement of Planning Policy; and iii. a Fire Management Plan is applicable to the land which requires the landowner to undertake ongoing fire protection measures as described. (c) The subdivider entering into a conservation covenant with the Department of Environment and Conservation (or an alternative authority acceptable to the Western Australian Planning Commission) to ensure the protection of remnant vegetation in perpetuity in accordance with the objectives of the Leeuwin-Naturaliste Ridge Statement of Planning Policy. 5. Approval for any clearing must be obtained from the local government to ensure that no flora or fauna habitats are destroyed, except where clearly stated in the Development Guide Plan.

No.	Description of land	Restricted Use	Conditions
RU7	Sussex Location 1191 Lot 11 and Lot 91 Waddingham Road Gracetown Cont'd		6. No vegetation shall be cleared within any lot except for the purposes of: • Compliance with approved FMP; • Construction of access ways as shown on the Subdivision and Development Guide Plan; and • Clearing to facilitate approved development. 7. In considering any development application, the local government shall seek comments from the Department of Environment and Conservation regarding potential visual, landscape and environmental impacts of the proposal. 8. No additional fences shall be erected on the proposed lots except to define a yard area for each single dwelling in addition to any fencing necessary to ensure protection of remnant or riparian streamline vegetation from agricultural use of the Agricultural Area on proposed Lot 1. Fencing is to be in evident in the landscape from important tourist routes and not detract from the landscape and conservation values of the land. Written approval from the local government will be required for any fencing. 9. Any revegetation or landscape works shall consist of local indigenous species, which complement the landscape or environmental values of the land. 10. Disposal of on-site effluent is to be to the specification and satisfaction of the local government and Department of Health and avoids the risk of damaging Cave ecosystems. 11. Only non-reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites. 12. No grazing of animals shall occur on the proposed lots, except for the Agricultural Area on Lot 1 as shown on the Subdivision and Development Guide Plan.

No.	Description of land	Restricted Use	Conditions
RU8	Lot 752 Tingle Avenue Margaret River	Development of the subject lot shall be limited to community uses in accordance with the East Margaret River Structure Plan including the following: • Arts and Craft centre; • Child Care Premises; • Club Premises; • Community Purpose; • Educational Establishment; • Family Day Care; • Low Impact Recreational Uses; • Place of Worship; • Recreation (Private); and • Telecommunications Infrastructure.	That any development in design and scale be sympathetic to the residential character of the locality.
RU9	Locations 2482, 2483 and 4072 Wall Road Karridale	The portion of the land within 50 metres from the Blackwood River frontage of the land is restricted to a Private Recreation Use to be used for parks, gardens, playgrounds, sports arena or other grounds for recreation which are not normally open to the public without charge. A caretakers dwelling and associated car parks can also be considered.	That any development in design and scale be sympathetic to the rural character of the locality.
RU10	Pt Sussex Location 1058 Juniper Road Cowaramup	The uses permitted ("P" use) within the lots are "Single Dwelling" "Home Occupation"	1. Subdivision and development of the land shall be in accordance with the Subdivision Guide Plan (SGP) forming part of Scheme Amendment No. 157 of revoked Scheme No.11. or other subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. Approval for any clearing must be obtained from the local government to ensure that no flora and fauna habitats are destroyed, except where clearly stated in the Subdivision and Development Guide Plan. Objective 3. Subdivision and development of the land is to maintain, protect and enhance the landscape and conservation values in accordance with the Ridge Landscape Amenity Area designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning Policy.

No.	Description of land	Restricted Use	Conditions
RU10	Pt Sussex Location 1058 Juniper Road Cowaramup Cont'd		Subdivision 4. No further subdivision to that shown on the DGP will be supported by the local government. 5. The local government shall request, amongst other matters, as a conditions of subdivisional approval – a. The implementation of an endorsed Fire Management Plan (FMP) included within the amendment report. b. That a section 70A notification under the *Transfer of Land Act 1893* be imposed to advise the prospective purchasers that further subdivision of the lots will not be supported: • No further subdivision of the lots will be supported; • Residential development is restricted to one single dwelling and ancillary outbuildings located within the nominated building envelope for each lot, in accordance, with the provisions of the Scheme and the objectives and policies of the Leeuwin -Naturaliste Ridge Statement of Planning Policy except where buildings or structures were in existence prior to the gazettal of Amendment 157 of the revoked Scheme No. 11. • A FMP is applicable to the land which requires the land owner to undertake ongoing fire protection measures as described. c. The Subdivider entering into a conservation covenant with the Department of Environment and Conservation (DEC) or an alternative authority acceptable to the Western Australian Planning Commission (WAPC) to ensure the protection of remnant vegetation I perpetuity in accordance with the objectives and policies of the

No.	Description of land	Restricted Use	Conditions
RU10	Pt Sussex Location 1058 Juniper Road Cowaramup Cont'd		Leeuwin – Naturaliste Ridge Statement of Planning Policy. Development 6. The local government may, at its discretion, consider approving residential outbuildings, which are incidental to the use "Single Dwelling" where it can be demonstrated that these buildings by their type and scale will not have a detrimental impact on the landscape and conservation of the land. 7. Any proposed buildings or structures shall be contained within the building envelopes nominated on the DGP except where buildings or structures were in existence prior to the gazettal of Amendment 157 of the revoked Scheme No. 11. 8. No vegetation shall be cleared within any Lot except for the purposes of; • Compliance with the approved FMP; • Construction of access ways as shown on the DGP; and • Clearing within the Building Envelope, as shown on the DGP, to facilitate approved development. 9. In considering any development application, the local government shall seek comments from DEC regarding potential visual, landscape and conservation impacts of the proposal. 10. No additional fences shall be erected on the proposed lots except to define a yard area, within the building envelope, for each dwelling. Fencing is to be inevident in the landscape from important tourist routes and not detract from the Landscape and Conservation values of the land. Written approval from the local government will be required for any fencing. 11. All buildings shall comply with AS3959 (1991 as amended) "Construction of Buildings in Bush Fire Prone Areas" or subsequent revisions applicable at the

No.	Description of land	Restricted Use	Conditions
RU10	Pt Sussex Location 1058 Juniper Road Cowaramup Cont'd		time of building. 12. Any revegetation or landscaping works outside the nominated building envelope areas shall consist of local indigenous species, which complement the landscape or environmental values of the land. 13. Disposal of on-site effluent is to be to the specifications and satisfaction of the local government and the Department of Health and avoid the risk of damaging cave ecosystems. 14. Each dwelling shall be provided with a supply of potable water to be in the form of a water tank with a minimum capacity of 140 kilolitres. 15. Only non-reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant natural colours of individual building sites. 16. Keeping of animals is permitted on land shown as "Animal Keeping Area" on the DGP. No further clearing of the land is permitted for the keeping of animals.
RU11	Lot 54 Caves Road Burnside	1. No further subdivision will be supported by the local government. 2. Permissible Uses Lot 540 ▪ Dwelling (including associated outbuildings) "P" 3. Permissible Uses Lot 541 • Dwelling (including associated outbuildings) 'P' • Ancillary dwelling 'SA' • Home Occupation 'SA' • Bed and Breakfast 'SA' • Art and Craft Studio/Workshop "SA" (maximum 500 square metres gross floor area).	1. The Purpose and intent of this Restricted Use is to provide for a conservation based development that acknowledges an existing 495m² Art and Craft Studio (fine furniture and artisan studio workshop) in accordance with the Development Guide Plan or subsequent Local Development Plan approved by the Local Government. This facility is to be exclusively a private development and is not to contain a tourist function or a gallery of any kind. 2. Development of the land shall generally be in accordance with the endorsed Development Guide Plan forming part of Amendment 189 of the revoked Scheme No.11. However, minor variations to development may be approved by the local government if deemed necessary and if in accordance with the objectives of the Scheme and the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge.

No.	Description of land	Restricted Use	Conditions
RU11	Lot 54 Caves Road Burnside Cont'd	• Individual/combined Art and Craft Studio "SA" (maximum 5 studios of 70 square metres each gross floor area) 4. The following use is not permitted; • Retail sales of any product manufactured on or imported to the site.	3. Development of the site must maintain, protect and enhance the landscape and conservation values in accordance with the Ridge Landscape Amenity Area designation of the land within the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge. 4. Uses are to be located within the building envelope as identified on the endorsed DGP forming part of Amendment 189 of the revoked Scheme No.11. The ancillary dwelling, home occupation and bed and breakfast uses are to be located within the dwelling on Lot 541. 5. The following requirements are to be addressed and implemented as part of any subdivision and development approval, to the satisfaction of the Local Government: ▪ Prior to subdivision and development approval, a Conservation Covenant with the Department of Environment and Conservation, pursuant to section 129A of the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificates of Title of the proposed lot advising of the existence of a restriction on the use of the land to protect areas identified for conservation. ▪ Prior to subdivision and development approval, a dieback survey of the site by a suitably qualified consultant is required. A dieback management plan that addresses dieback management procedures for any site works should be developed and implemented. ▪ Prior to subdivision and development approval, a spring flora and vegetation survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004) – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia. ▪ Prior to subdivision and development approval, a fauna survey should be conducted by a qualified consultant in accordance

No.	Description of land	Restricted Use	Conditions
RU11	Lot 54 Caves Road Burnside Cont'd		with EPA Guidance Statement No. 56 (June 2004) – Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. 6. A condition of subdivision and development approval will require the implementation of the FESA endorsed Fire Management Plan to the satisfaction of FESA and the Local Government. 7. Notification in the form of a section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising prospective purchasers that further subdivision of the lots will not be supported; 8. Residential development is restricted to one single dwelling and ancillary outbuildings, in accordance with the provisions of the Scheme and the objectives and policies of the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge: ▪ Fire Management Plan is applicable to the land, which requires the landowner to undertake ongoing fire protection measures as described; and ▪ advising that the property adjoins National Park, which is an extreme fire hazard and that the following activities may occur in it from time to time: ▪ prescribed burning; and ▪ native fauna predator poison baiting. 9. Prior to subdivision and development approval, an ethnographic and archaeological survey of the application area should be conducted by a qualified consultant to the specifications of the Department of Indigenous Affairs. 10. Prior to commencement of site works, a management plan demonstrating that site works will not interfere, alter or pollute any wetland, watercourse, surface water expression or groundwater in the area, or alter the water quality of

No.	Description of land	Restricted Use	Conditions
RU11	Lot 54 Caves Road Burnside Cont'd		such waters is to be submitted and approved by the Local Government and the Department of Water, and all development activity on the land is to comply with that plan. 11. Access to the lot shall be constructed and maintained to the satisfaction of Main Roads WA and the Shire. 12. As part of subdivision approval and prior to commencement of site works, the applicant executing an agreement with the Commissioner of Main Roads for the acquisition of a uniform 10-meter road widening along the lots boundary with Caves Road as required under the Caves Road Management Strategy (2000). The land required is shown as "Road Widening" on the Development Guide Plan. 13. In considering any proposal for development the following shall be addressed, where relevant, to the satisfaction of the local government: (a) Built form (including building height, materials and colours to complement the natural environment) and visual impact from the surrounding environment and Caves Road. (b) The location of built development to retain remnant vegetation within the building envelopes. (c) Stormwater management. (d) On-site water supply requirements. (e) Effluent disposal if required for internal facilities to the satisfaction of the local government and the Department of Health. (f) Noise attenuation. (g) The storage of timber. (h) Waste disposal. (i) Height of buildings will be restricted to 8 metres. 14. In considering any development application, the local government shall seek comments from the Department of Environment and Conservation and the Commissioner of Soil and Land Conservation regarding potential visual, landscape and environmental

No.	Description of land	Restricted Use	Conditions
RU11	Lot 54 Caves Road Burnside Cont'd		impacts of the proposal. 15. The harvesting of timber from the site for commercial purposes is prohibited. 16. Approval for any clearing must be obtained from the local government to ensure that no flora or fauna habitats are destroyed. 17. Boundary fences evident in the landscape from important tourist routes are not to detract from the landscape and conservation values of the land. No additional fences shall be erected on the proposed lot except to define a yard area, within the Building Envelope. Written approval from the local government will be required for any fencing. 18. All buildings shall comply with AS3959 (1991 as amended) – "Construction of Buildings in Bush Fire Prone Areas" or subsequent revisions applicable at the time of building. 19. Any revegetation or landscape works shall consist of local indigenous species, which complement the landscape or environmental values of the land. 20. Disposal of on-site effluent is to be to the specifications and satisfaction of the local government and Department of Health. Onsite effluent disposal system shall have a minimum 2-metre vertical separation from highest known level of groundwater and shall not be constructed closer than 50 metres from any stream, river, water course (including non-perennial streams) and any natural wetland. 21. The residential dwelling shall be connected to an on-site potable water supply, to be in the form of a water storage tank with a minimum capacity of 140 kilolitres. 22. Only non-reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites.

No.	Description of land	Restricted Use	Conditions
			23. No stock shall be permitted on the lots.
RU12	Sussex Location 201 Caves Road, Karridale	The restricted uses that may be permitted as 'P uses on this site are: Single Dwelling Home Occupation The local government may, as its discretion, consider approving residential outbuildings, which are incidental to the use 'Single Dwelling' where it can be demonstrated that these outbuildings, by their type and scale, will not have a detrimental impact on the landscape and conservation values of the land. No tourist development shall be permitted on the lots	1. Subdivision and development of the land shall be in accordance with the Subdivision and Development Guide Plan dated 02.10.07 forming part of Amendment No. 178 to revoked Scheme No.11 or other subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. **Objective** 2. Subdivision and development of the site must maintain, protect and enhance the landscape and conservation values in accordance with the Ridge Landscape Amenity Area designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning Policy. **Subdivision** 3. No further subdivision is to occur beyond that shown on the Subdivision and Development Guide Plan. 4. the local government requires as conditions of subdivision approval: (a) The implementation of the endorsed Fire Management Plan (FMP) as included within the Scheme Amendment Report. (b) That a Section 70A notification under the *Transfer of Land Act* 1893 be imposed to advise prospective purchasers that: (i) No further subdivision of the lots will be supported; (ii) Residential development is restricted to one single dwelling and ancillary outbuildings, in accordance with the provisions of the Scheme and the objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy 6.1; and (iii) A Fire Management Plan is applicable to the land, which requires the

No.	Description of land	Restricted Use	Conditions
RU12	Sussex Location 201 Caves Road, Karridale Cont'd		landowner to undertake ongoing fire protection measures as described. (c) The subdivider entering in to a conservation covenant with the Soil Commissioner (or an alternative authority acceptable to the Western Australian Planning Commission) as included within the Scheme Amendment report to ensure the protection of remnant vegetation in perpetuity in accordance with the objectives of the Leeuwin-Naturaliste Ridge Statement of Planning Policy 6.1, to the satisfaction of the Soil Commissioner and the Western Australian Planning Commission. (d) The implementation of an Regeneration and Rehabilitation Management Plan, endorsed by the Shire and Department of Environment and Conservation that includes: (i) Identification of appropriate native endemic species; (ii) Timing of works; (iii) Links to the Subdivision and Development Guide Plan; (iv) Generation of native understorey species and rehabilitation of cleared areas. **Development** 5. The uses that may be permitted as "P" uses within this Special Use zone are: (i) Single Dwelling (ii) Home Occupation the local government may, as its discretion, consider approving residential outbuildings, which are incidental to the use "Single Dwelling" where it can be demonstrated that these outbuildings, by their type and scale, will not have a detrimental impact on the landscape and conservation values of the land.

No.	Description of land	Restricted Use	Conditions
RU12	Sussex Location 201 Caves Road, Karridale Cont'd		6. No tourist development shall be permitted on the lots. 7. Approval for any clearing must be obtained from the local government to ensure that no flora or fauna habitats are destroyed, except where clearly stated in the Development Guide Plan. 8. No vegetation shall be cleared within any lot except for the purposes of: (i) Compliance with approved FMP; (ii) Construction of access ways as shown on the Subdivision and Development Guide Plan; and (iii) Clearing to facilitate approved development. 9. In considering any development application, the local government shall seek comments from the Department of Environment and Conservation regarding potential visual, landscape and environmental impacts of the proposal. On receipt of any application for development approval, the local government may, where it believes the proposal may conflict with the objectives of the Zone or the provisions of the LNRSPP refer for comment copies of the application to the Department for Planning and Infrastructure and the Department for Environment and Conservation. 10. Any new buildings that may replace existing buildings or additions to existing buildings shall comply with AS3959 (1991 as amended) – "Construction of Buildings in Bush Fire Prone Areas" or subsequent revisions applicable at the time of building. 11. Any revegetation or landscape works shall consist of local indigenous species, which complement the landscape or environmental values of the land. 12. Disposal of on-site effluent for any new or upgraded development is to be to the specification and satisfaction of the local government and Department of Health and avoid the risk of damaging Cave ecosystems.

No.	Description of land	Restricted Use	Conditions
			13. Each dwelling shall be provided with a supply of potable water, to be in the form of a water tank or equivalent supply with a minimum capacity of 140,000 litres. 14. No grazing of animals shall occur on the proposed lots.
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown	(a) The uses permitted ('P' use) within the lots are as follows: I. Single Dwelling II. Home Occupation (b) the local government may at its discretion, consider approving residential outbuildings which are incidental to the use Single Dwelling, where it can be demonstrated that these buildings, by their type and scale, will not have a detrimental impact on the landscape and conservation values of the land.	1. Subdivision and development of the land shall be in accordance with the Subdivision and Development Guide Plan forming part of Amendment No. 202 to revoked Scheme No.11 or other subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. **Objective** 2. Subdivision and development of the land is to maintain, protect and enhance the landscape and conservation values in accordance with the Principal Ridge Protection designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning Policy. **Subdivision** 3. No further subdivision to that shown on the Structure Plan will be supported by Council. 4. Council shall request amongst other matters, as conditions of subdivision approval: a) The implementation of the endorsed Fire Management Plan (FMP) dated November 2009 and prepared by FirePlan WA. b) That a Section 70A notification under *the Transfer of Land Act 1893* be imposed to advise prospective purchasers that: i) no further subdivision of the lots will be supported; ii) residential development is restricted to one single dwelling and ancillary outbuildings, located within the nominated building

No.	Description of land	Restricted Use	Conditions
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown Cont'd		envelope for each lot, in accordance with the provisions of the Scheme and the objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy; and iii) a FMP is applicable to the land, which requires the land owner to undertake ongoing fire protection measures as described. c) Access to the proposed lots will be provided from the North via Judd Road, as shown on the approved Structure Plan. d) In order to minimise clearing, access will be provided via a single 5 metre wide battleaxe leg from Judd Road, with a reciprocal rights of access easement benefitting Lots 204 and 205. e) Notification in the form of a section 70A notification, pursuant to the *Transfer of Lands Act 1893* (as amended) is to be placed on the Certificate of Title of the proposed lot(s) advising that the property adjoins National Park, which is an extreme fire hazard and that the following activities may occur in it from time to time: a. prescribed burning, and b. native fauna predator poison baiting. 5. Subdivision and/or development in relation to the lot will not be permitted until a conservation covenant with the Department of the Environment and Conservation or an alternative authority acceptable to the Western Australian Planning Commission has been formally agreed in order to ensure the protection of conservation values and remnant vegetation in perpetuity in accordance with the objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy and intent of this Special Use zone.

No.	Description of land	Restricted Use	Conditions
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown Cont'd		**Development** 6. The uses permitted ("P" use) within this Special Use zone are as follows: i) Single Dwelling; ii) Home Occupation. 7. Council may at its discretion, consider approving residential outbuildings which are incidental to the use Single Dwelling, where it can be demonstrated that these buildings, by their type and scale, will not have a detrimental impact on the landscape and conservation values of the land. 8. Approval for any clearing must be obtained from the Shire to ensure that no flora or fauna habitats are destroyed, except where clearly stated in the Structure Plan. 9. No vegetation shall be cleared within any lot except for the purposes of: i) compliance with the approved FMP; ii) construction of access ways as shown on the Structure Plan; and iii) clearing within the Building Envelopes, as shown on the Structure Plan to facilitate approved development. 10. Clearing of the Proposed New Boundary Line indicated on the Structure Plan between Lots 204 and 205 will not be required and as recommended in the endorsed FMP. 11. On receipt of any application for development approval, the local government may, where it believes the proposal may conflict with the objectives of the zone or the provisions of the LNRSPP refer for comment copies of the application to the Department of Environment and Conservation. 12. No fences shall be erected on the proposed lots except to define a yard area, within the building envelope, for each single dwelling. Fencing is to be in evident in the landscape from

No.	Description of land	Restricted Use	Conditions
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown Cont'd		important tourist routes and not detract from the landscape and conservation values of the land. Written approval from Council will be required for any fencing. 13. All buildings shall comply with AS 3959 (1999), "Construction of Buildings in Bush Fire Prone Areas" or subsequent revisions at the time of construction to a Level 2 construction standard. 14. Any revegetation or landscaping works shall consist of local indigenous species, which complement the landscape or environmental values of the land. 15. Clearing of Priority 4 Flora Dryandra Sessilis var Cordata within building envelopes will require prior consent of the DEC. 16. Disposal of on-site effluent is to be to the specifications and satisfaction of Council and the Department of Health and avoid the risk of damaging cave ecosystems. 17. A minimum separation of 50 metres is to be retained between a septic tank wastewater effluent disposal site and a perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. An effluent disposal system shall have a minimum 2-metre vertical separation from highest known level of groundwater. 18. Grey water disposal and reuse systems are to be installed to the satisfaction of the Local Government and the Western Australian Department of Health. 19. Potable water supply shall be in the form of rainwater storage tank(s) with a minimum 140,000 litre capacity and connected to a sufficient rainwater catchment area and/or provided with an alternative source of potable water supply to the satisfaction of the Local Government.

No.	Description of land	Restricted Use	Conditions
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown Cont'd		20. Only non-reflective building and roofing materials will be permitted and shall be of colours consistent with the vegetation and/or predominant natural colours of individual building sites. 21. No grazing of animals will occur on the proposed lots. 22. Any proposed development or planning consent application shall comply with the Landscape Assessment Report 2007 and subsequent Addendum Report 2009 as prepared by Bill James Landscape Architect, in particular: i) the proposed development will achieve the high compliance rating described in the report; and ii) The building(s) comply with the planning and design restrictions stated at paragraph 7 of the report as follows: • The location of the buildings shall be generally as shown on the Structure Plan; • Minimise clearing for building access and fire control; • Maintain a height limit of 6 metres; • Water tanks shall be integrated with the buildings or located to the East of the building and designed so that a maximum of 3 metres is above the ground. Roofs for tanks as per buildings; • All ancillary items (e.g. fixed barbeques, clotheslines) shall be situated to the East of the buildings; • Satellite dishes shall not extend above the roofline and shall be painted grey-green; • Do not introduce non-indigenous plants; • All existing remnant vegetation should be considered for its potential to screen future development, subject to compliance with fire regulations. If it is acting or will act as a screen it should be conserved and managed and if necessary supplemented with additional

No.	Description of land	Restricted Use	Conditions
RU13	Lot 2 of Sussex Location 1139 and Portion of Lot 201 Judd Road, Gracetown Cont'd		planting. Conservation values should be considered when determining additional planting; • The following additional guidelines shall apply to both buildings: - Use non-reflective wall cladding, e.g. rough-rendered masonry, fibrous cement weatherboard, concrete block or stone on North, South and Western facades; - Manufactured or rough rendered wall cladding shall be coloured mid to dark grey or grey-green; - Ensure that North and West facing windows are set back under deep roof overhangs or are of low reflectivity glass; - Use a low curved roof outline so that the curved outline is presented to the view from the Cape-to-Cape Track. The roofline should be broken up so as not to present a strong horizontal line. 23. No proposed building or structure shall have a height greater than 6 metres above natural ground level, measured at any point. 24. Power supply infrastructure on the lots shall be located underground. 25. At the stage of development, when undertaking any clearing, revegetation and rehabilitation, the proponent must take the following steps to minimise the risk of introduction and spread of dieback: a) clean earth moving machinery of soil and vegetation prior to entering and leaving the area to be cleared; b) avoid the movement of soil in wet conditions; c) ensure that no die back affected materials are brought into an area that is not affected by dieback; d) restrict movement of machines and other vehicles to the limits of the areas to be cleared; and

No.	Description of land	Restricted Use	Conditions
			e) Boundary fencing is prohibited between proposed lots 204 and 205 without the written approval of Council. 26. A geotechnical assessment of the site, specifically examining potential karst features is required.
RU14	Portion of Sussex Location 2080 Cowaramup Light Industry Area Lot 46 Treeton Road, Cowaramup	Uses in accordance with the Use Class Table No 1 of the Scheme	a. The Subdivision Guide Plan (Plan No. 10103-3-001 Rev A dated 19 August 2008) attached to the Scheme Amendment 191 of the revoked Town Planning Scheme No. 11 or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. b. Within Area "A" as identified on the Subdivision Guide Plan, industrial uses that require connection to a reticulated sewerage disposal system will only be permitted where a connection to reticulated sewer will be provided and connected. c. Within Area "A" where reticulated sewerage disposal is not available, the local government will not approve an industrial development unless it is satisfied that the proposed use will not create a level of type of effluent which cannot be adequately and safely disposed of on site. In making its assessment the local government may seek advice from another authority or body it deems fit. d. Within Area "A" where on-site disposal of liquid and/or solid wastes is proposed it shall be carried out by the installation of an effluent disposal system approved by the local government. e. Within Area "A" industrial lots created within the Cowaramup Light Industrial Area will be required to be connected to a reticulated sewerage disposal system once such a system is available to the industrial lots.

No.	Description of land	Restricted Use	Conditions
RU14	Portion of Sussex Location 2080 Cowaramup Light Industry Area Lot 46 Treeton Road, Cowaramup Cont'd		f. Within Area "B" as identified on the Subdivision Guide Plan, Industry and Composite lots are required to be connected to a reticulated sewerage disposal system. g. At the time of creation of a Composite Industry lot, the local government shall recommend to the Western Australian Planning Commission that a notification in the form of a section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed lot(s) advising purchasers, that permitted land use activities within the subject land may have a nuisance effect on amenity. h. In considering an application for development approval in the "Composite Industry" Zone the local government will require: ▪ Building design that incorporate measures to attenuate the impact of noise nuisance including: ▪ The use of double glazing or heavyweight single glazing on windows and glass doors to bedrooms and living areas of dwellings; ▪ The provision of acoustic insulation in external walls, non-glazed doors and roofs of dwellings; i. A Landscaping Plan should be prepared and implemented at subdivision clearance stage as a condition of subdivision, which provides for street trees and incorporates the retention of native vegetation and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. j. A Buffer Planting Plan should be prepared and implemented at subdivision clearance stage as a condition of subdivision, which details

No.	Description of land	Restricted Use	Conditions
RU14	Portion of Sussex Location 2080 Cowaramup Light Industry Area Lot 46 Treeton Road, Cowaramup Cont'd		the augmentation/establishment and maintenance of vegetated buffers along the North Treeton Road boundary and the northern boundary of the site to provide a visual screen of the development. k. No building shall exceed lots 8 metres in height measured from natural ground level to the highest point of any building. l. the local government will not permit the construction of any building of which external surfaces and/or finishes are considered by the local government to be reflective. All materials consisting of unpainted metal sheeting, zincalume or white surfaces coating will not be permitted. m. At the time of subdivision, the local government shall recommend to the Western Australian Planning Commission that developer contribution conditions relating to the following matters be imposed on any subdivision approval; a) Local Drainage b) Local Roads n. Prior to the issuance of an approval for any "Transport Depot" by the local government, the applicant shall demonstrate to the satisfaction of the local government and Main Roads Western Australia that the intersection of Bussell Highway and Treeton Road is at a suitable standard to accommodate the vehicle types intended for the transport depot.
RU15	Lot 60 Grosse Road, Hamelin Bay *AMD 41 1/7/16*	1. Proposed Lot 601 of Lot 60 Grosse Road, Hamelin Bay (as indicated on the Subdivision and Development Guide Plan). The permitted uses are: 1. Chalets (maximum of 6) 2. Single Dwelling 3. Bushland Conservation Area	a) Subdivision and Development Guide Plan (i) Subdivision and development of the land shall be generally in accordance with the Subdivision and Development Guide Plan, dated October 2009, and attached to the Scheme Amendment report to Town Planning Scheme No.207 to revoked Scheme No.11 or a subsequent Structure Plan

No.	Description of land	Restricted Use	Conditions
		4. Recreational Activities 5. Rural Pursuit (including rural shed) 6. Ancillary Uses as determined by the Shire 2. Proposed Lot 602 of Lot 60 Grosse Road, Hamelin Bay (as indicated on the Subdivision and Development Guide Plan) The permitted uses are: a) Chalets (maximum of 4) b) Intensive Agriculture c) Art and Craft Studio and Sales d) Gallery/Museum e) Shop/Café f) Single Dwelling g) Bushland Conservation Area h) Recreational Activities such as giant chess and sculpture trail i) Rural Pursuit (including rural shed) j) Ancillary Uses as determined by the Shire	and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. b) No further subdivision other than that indicated on the Subdivision and Development Guide Plan will be supported by Council. **Prior to Subdivision** c) Council will request as conditions of subdivision approval that: (i) The subdivider entering into a conservation covenant with the Department of Environment and Conservation or an alternative authority acceptable to the Western Australian Planning Commission to ensure protection of the conservation values and remnant vegetation in perpetuity in Bushland Conservation areas as shown on the Subdivision and Development Guide Plan. (ii) Prior to the issue of clearances for the proposed subdivision, the subdivider is to prepare and Environmental Management Plan that demonstrates to the satisfaction of the Shire how the Bushland Conservation Areas are to be managed and protected in perpetuity. (iii) A Traffic Management Plan shall be prepared by the developer to the satisfaction of the Shire and Main Roads Western Australia (MRWA) including but not be limited to vehicle access, road upgrades, speed limits and traffic calming along Grosse Road and Caves Road. Grosse Road, as far as the proposed site entrance, must be sealed, at no cost to the Shire. (iv) A Landscaping Plan and Rehabilitation Plan shall be prepared and implemented to the satisfaction of the Shire. The plan shall detail the use of native species, planting with effluent disposal areas to promote evapo-transpiration and the use of fire retardant species within building protection zones.

No.	Description of land	Restricted Use	Conditions
RU15	Lot 60 Grosse Road, Hamelin Bay Cont'd *AMD 41 1/7/16*		(v) A Weed Management Plan shall be prepared and implemented to the satisfaction of the Shire. **Environmental Protection** d) No vegetation shall be cleared on any lot except for the purposes of: (i) Compliance with an approved Fire Management Plan; (ii) In accordance with relevant Regulations; (iii) Weed Management; (iv) Construction of access ways and pathways as shown on the Subdivision Development Guide Plan; and (v) Clearing to facilitate approved development. e) The keeping of domestic cats by householders in newly created lots is prohibited. f) A Specially Protected (Threatened) fauna survey shall be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 56 and the DEC database Servicing. g) In considering any proposal for development the following shall be addressed to the satisfaction of the Shire: (i) The disposal of effluent wastewater to be carried out by Aerobic Treatment Units or alternative treatment units, for sewerage treatment and disposal, to the satisfaction of the Shire and the Western Australian Department of Health. (ii) A minimum separation of 50 metres is to be retained between a wastewater effluent disposal site and a perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. (iii) Grey water disposal and reuse systems are to be installed to the satisfaction of Shire and the Western Australian Department of Health.

No.	Description of land	Restricted Use	Conditions
RU15	Lot 60 Grosse Road, Hamelin Bay Cont'd *AMD 41 1/7/16*		(iv) A potable water supply of sufficient volume and quality shall be provided to service the development, to the satisfaction of the Local Government. (v) Potable water supply per habitable building shall be provided in the form of a 120,000-litre rainwater tank or provided with an alternative source of potable water supply to the satisfaction of Shire. At least 10,000 litres shall be available for fire fighting with an appropriate fire brigade connection point. (vi) The applicant shall prepare a Local Water Management Plan to the satisfaction of the Shire to address runoff from sealed roads, parking area and other impervious surfaces. (vii) The preparation and implementation of a Fire Management Plan (FMP) shall be in accordance with the approved Fire Management Plan and updated SDGP (October 2009), with a particular emphasis on emergency access from the property to the satisfaction of the Shire and FESA. **Fire Management** h) All buildings shall comply with Australian Standards 3959 "Construction of Buildings in Bush Fire Prone Areas" or subsequent revisions applicable at the time of building. i) A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that there is a Fire Management Plan for the land, its requirements and landowner obligations. **Development** j) A landscape assessment prepared by a suitably qualified individual is to accompany any application for development approval to demonstrate that the buildings are "inevident" in the

No.	Description of land	Restricted Use	Conditions
RU15	Lot 60 Grosse Road, Hamelin Bay Cont'd *AMD 41 1/7/16*		landscape, including information regarding location, scale, design, colours, materials and landscaping. Notwithstanding, the Art and Craft Studio buildings as shown on the Subdivision and Development Guide Plan shall be restricted to a height of 6 metres from the lowest point of the building site. The maximum height of dwellings, chalets and rural sheds shall be 4.5 metres from the lowest point of the building site. **Agriculture and Rural Landscape** k) A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located directly to the north of a licensed lime sand extraction operation, which can legally extract to within 30m of its northern boundary, and that this may have a nuisance effect.
RU16	Lot 115 Tunbridge Street, Margaret River *AMD 29 GG 24/3/16*	Development of the land is restricted to 'Community Purposes'. No other uses are permitted.	Development shall be designed to address and mitigate light and noise emanating from the site with particular consideration to surrounding residential use. Development shall be designed to maintain the privacy and protect the residential amenity of surrounding residential properties, through the provision of appropriate building setbacks, window locations, screen landscaping and boundary fencing. The Local Government will consult with adjoining residential landowners in regard to any application for development approval prior to determining the application.
RU 17A	Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River *AMD 66 GG 04/12/2020*	"Buffer Industry" Industry - Cottage (P) Industry - Service (P) Industry - Light (D)* Art Gallery (P) Brewery (D) Car Park (P) Club Premises (A) Convenience Store (D)	Any noise generating activities are to be confined to an indoor area, with all buildings to be oriented to front the new internal road. Any major openings are to be located on building facades facing away from sensitive land uses. Access to the proposed lots is restricted to the internal subdivision road, with no access from Darch

No.	Description of land	Restricted Use	Conditions
RU 17A	Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River *AMD 66 GG 04/12/2020* *continued*	Educational Establishment (D) Exhibition Centre (D) Laundromat/Drycleaner (D) Lunch Bar (D) Place of Worship (A) Storage (P) *AMD 80 GG 11/04/25* Telecommunications Infrastructure (P) Trade Display (P) Veterinary Centre (D) Warehouse (P) *AMD 80 GG 11/04/25* *Conditions relating to "Industry - Light" in RU 17B apply	Road. Additional screening and landscaping requirements for lots adjacent to the proposed perimeter bypass and main entry roads may be imposed through the preparation and adoption of Design Guidelines. Future development applications shall be accompanied by an Environmental Management Plan to adequately address matters relating to acceptable noise levels/ mitigation measures, dust and odour control as relevant to the proposed use and considered in the context of nearby sensitive land uses external to the Restricted Use Zone. In the event that-reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to: • The minimum lot size being 2,450m2. • The land uses established thereon not generating more than 540 litres of effluent per day/ per 2000m2 land area as required by Health Department WA criteria. • The development layout on each individual lot being able to establish a dedicated disposal area of maximum 270m2. This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta-Margaret River. Land uses that are likely to exceed the above parameters are considered to be "wet industries" and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority.
RU17A *AMD 80 GG 11/4/25*		Farm Supply Centre (D) Landscape Supplies (D) Motor Vehicle, Boat, Caravan Sales (A) Motor Vehicle Repair (D) Plant Nursery (D) Service Station (D)	Retail activity is limited to that which is incidental to the predominant land use occurring on the site. The maximum Caretaker's Dwelling size shall be 150m2.

No.	Description of land	Restricted Use	Conditions
		Caretaker's Dwelling (A)	
RU17B	Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River *AMD 66 GG 04/12/2020*	"Light Industry" Uses permitted in RU17A with the exception of Caretaker's Dwelling. *AMD 80 GG 11/04/2025* Uses permitted in RU 17A. (Note: In circumstance where uses below are also listed in RU 17A, the symbol marked against such uses listed below apply for the RU17B precinct and outlines the permissibility of those uses): Bus Depot (D) Contractors Yard (D) Fuel Depot (D) Industry - General (D) Industry - Light (P) Industry - Rural (D) Motor Vehicle Repairs (D) Salvage / Wrecking Yard (A) Sawmill (A) Sawmill - Portable (A) Transport Depot (D) Winery (D)	Development is required to meet acceptable buffer distances from surrounding land. Due regard will be given to EPA Guidance for the "Assessment of Environmental Factors - Separation Distances Between Industrial and Sensitive Land Uses (2005)", as may be amended from time to time, in determining acceptable separation distances from sensitive land use on surrounding land. In the event that-reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to: • The minimum lot size being 2,450m2. • The land uses established thereon not generating more than 540 litres of effluent per day/ per 2000m2 land area as required by Health Department WA criteria. • The development layout on each individual lot being able to establish a dedicated disposal area of maximum 270m2. This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta - Margaret River. Land uses that are likely to exceed the above parameters are considered to be "wet industries" and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority. Retail activity is limited to that which is incidental to the predominant land use occurring on the site. *AMD 80 GG 11/04/2025*
RU 17C	Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River *AMD 66 GG 04/12/2020*	"General Industry' Uses permitted in RU 17B	Development is required to meet acceptable buffer distances from surrounding land. Due regard will be given to EPA Guidance for the "Assessment of Environmental Factors - Separation Distances Between

No.	Description of land	Restricted Use	Conditions
RU 17C	Portion of Lot 32 Darch Road and Margaret River Perimeter Road, Margaret River Cont'd *AMD 66 GG 04/12/2020*		Industrial and Sensitive Land Uses (2005)", as may be amended from time to time, in determining acceptable separation distances from sensitive land use on surrounding land. In the event that-reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to: • The minimum lot size being 2.450m2. • The land uses established thereon not generating more than 540 litres of effluent per day/per 2000m2 land area as required by Health Department WA criteria. • The development layout on each individual lot being able to establish a dedicated disposal area of maximum 270m2. This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta – Margaret River. Land uses that are likely to exceed the above parameters are considered to be "wet industries" and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority. Retail activity is limited to that which is incidental to the predominant land use occurring on the site. *AMD 80 GG 11/04/2025*
RU18	Portions of Common Property (CP) 23 and all of CP 22 on Survey-Strata Plan 45225, Cowaramup Bay Road, Cowaramup. *AMD 57 GG 17/8/18*	Development Approval of the land is restricted to the following use classes only: • Dam • Recreation – private All other uses are prohibited.	The uses so listed are deemed to be "D" or discretionary uses, whereby they are not permitted unless the local government has exercised its discretion by granting development

Schedule 4 - Special Use Zones

(Clause 4.7)

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S1	Sussex Location 1172 Armstrong Road, Cowaramup	Recreational/Corporate Training and Educational Centre including on-site accommodation used in conjunction therewith.	Development to comply with the development approval granted for the uses and development on the land.
S2	Lot 303 Mitchell Drive, Prevelly *AMD29 GG 24/3/16*	• Shop • Single Dwelling • Restaurant • Tourist accommodation	1. The development being designed to harmonise with the nearby Greek Orthodox Church and the landscape of Prevelly Park generally, to local government's satisfaction. 2. In considering applications for development the local government shall also have regard to the matters set out in clause 67 of the Deemed Provisions with particular regard to the following: • Prevelly/Gnarabup Landscape • Aesthetics • Visual Impact • Effluent Disposal • Drainage • Landscaping • Servicing • Parking • Retention of Existing Vegetation • Soil and Landform Protection
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup	Artisan Village – Tourist Related Business and Short Stay Accommodation, Residential Development including Single Dwellings, grouped and multiple dwellings and Rural Production Lots. PERMISSIBLE LAND USES • The following list indicates the uses,	PURPOSE • The purpose of this Special Use Zone affecting the subject land is to provide for: • site specific controls and other provisions for the establishment of an integrated village that is specifically intended to provide for: • The manufacture and/or sale of artisan, gourmet food and other agricultural products including wines.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup Cont'd	which may be permitted in the various land use categories nominated on the approved Development Concept Plan. **1.1 Residential Lots** <u>"P" Use Category</u> • Home occupation • Professional Office <u>"D" Use Category</u> • Single Dwelling • Grouped Dwelling <u>"A" Use Category</u> • Cottage Industry • Day Care Centre **1.2 Group Accommodation Lots** <u>P" Use Category</u> • Home Occupation <u>"D" Use Category</u> • Single Dwelling • Grouped Dwelling • Caretaker's Dwelling <u>"A" Use Category</u>	• Provision of tourist related opportunities and services. • On-site permanent residential accommodation for artisans and other persons involved in the manufacture and/or sale of products or the provision of ancillary services on the subject land. • Residential expansion of the Cowaramup townsite and limited on-site short-stay tourist accommodation. OBJECTIVES • Overall: o To provide for flexibility in the zoning controls to allow for mixed, integrated development in a village environment through innovative approaches to subdivision, land use and on-going management. o To provide for a transitional development area that accounts for the environmental qualities of the site, surrounding agricultural uses and a desire to provide for increased lifestyle choices that are compatible with the character of agriculture, arts and crafts production, tourism of the location and the local government in general. o To provide for development design and construction standards and guidelines that minimise adverse environmental impacts and that are compatible with the surrounding rural character of the locality. o To provide for a focal village centre for the specific exhibition and sale of artisans' products and ancillary services with a range of nodal residential opportunities within and around the periphery of the village centre which facilitates a mix of workshops, studios, galleries, display areas in addition to limited complementary tourist uses.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup Cont'd	• Nil **1.3 Short Stay Accommodation Lots** <u>"P" Use Category</u> • Nil <u>"D" Use Category</u> • Caretaker's Dwelling • Single Dwelling • Grouped Dwelling • Residential Building • Motel • Including where such uses are intended to be used for short-stay purposes. <u>"A" Use Category</u> • Nil. **1.4 Village Artisan Lot with Apartments** <u>"P" Use Category</u> • Home Occupation • Professional Office <u>"D" Use Category</u> • Single Dwelling • Grouped Dwelling • Arts and Craft Studio and Sales	○ To ensure that commercial and community orientated development within the village centre is complementary to, and does not adversely compete, with existing commercial or community services or opportunities for such services within the existing Cowaramup town centre. ○ To minimise the loss of significant remnant vegetation through appropriate subdivision design and controls. ○ To provide for detailed on-going land use and environmental management provisions through the use of management plans and caveats that can be integrated with appropriate land tenure mechanisms. ○ To ensure that development occurs only once appropriate infrastructure and services have been provided for. DEVELOPMENT CONCEPT PLAN • Subdivision and development shall be generally in accordance with the approved Cowaramup Village Development Concept Plan (dated 4 June 2002) as included in Town Planning Scheme Amendment No 125 to revoked Scheme No 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. THE ARTISAN VILLAGE The following provisions shall apply to all land nominated as Artisan Village on the approved Development Concept Plan. 1. Development will be in accordance with design guidelines approved by the local government. The design guidelines shall address but not be limited to: a) Front Setbacks b) Side Setbacks

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup Cont'd	"A" Use Category • Nil. **1.5 Village Centre Artisan Lots with Apartments Above** "P" Use Category • Markets (where such a use is not conducted for more than a two consecutive day period during any given week) • Home Occupation "D" Use Category • Single Dwelling • Arts and Crafts Studio and Sales • Markets "A" Use Category • Health Centre • Health Studio • Educational Establishment (where such a use is only associated with education relating to the production of arts and crafts or natural health remedies and/or practices) • Cottage Industry	c) Building Height d) Multiunit Development e) Mixed Use Development f) Overshadowing g) Front Fencing h) Boundary Fencing i) Levels j) Roofscapes k) Outbuildings and Other Structures l) Other Design Considerations m) All development is to be connected to a reticulated water supply and a reticulated sewerage scheme. 2. No trees or substantial native vegetation shall be felled or removed from the site except where: • required for approved development or subdivision works; • required to fulfil the provisions or requirements of an approved Bush Fire Management; • required by a local government Firebreak Order; or • Trees are dead, diseased or dangerous. 3. The local government will request that the Western Australian Planning Commission impose a condition of subdivision requiring the preparation, to the satisfaction of the local government, of management statements for the Village centre.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup Cont'd	**1.5 Village – Buildings** <u>"P" Use Category</u> • Markets (where such a use is not held for more than a 2 consecutive day period during any given week) <u>"D" Use Category</u> • Shop (only where such a use is associated with the display and/or sale of arts and craft products, gourmet or delicatessen foods, floral products and plants, or health care products) • Restaurant • Lunch Bar • Take-away Food Outlet • Fish Shop • Office • Professional Office • Consulting Rooms • Art and Craft Studio and sales • Wine Shop • Hotel • Health Centre • Markets <u>"A" Use Category</u> • Private Club	

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S3	Lot 21 of Sussex Location 4298 Brockman Road, Cowaramup Cont'd	**1.6 Remnant Vegetation Protection** <u>"P" Use Category</u> • Private Parks and Gardens • Native Vegetation • Rehabilitation • Bush Fire Management • Works (where such works are in accordance with a local government approved bushfire management plan) • Private road and Drainage works <u>"D" Use Category</u> • Markets • Outdoor events <u>"A" Use Category</u> Uses other than those listed in clause 1.1 to 1.7 inclusively of this Schedule as it relates to the subject property are prohibited except where it can be demonstrated that those uses are incidental or ancillary to an approved permitted use.	
S4	Sussex Location 2703 Caves Road, Forest Grove	Multiple Occupancy	1. The development within this Location shall generally be in accordance with the submission entitled "Boranup Community, Multiple Occupancy Development Application, April 1984" adopted by Local Government at the Ordinary Meeting held on 24 January 1985.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S4	Sussex Location 2703 Caves Road, Forest Grove Cont'd		2. Notwithstanding Point (a), any facilities constructed on the Location should be for "Residents" Purposes Only, unless otherwise approved by local government. 3. No commercial activity is permitted other than the sale of produce or cottage crafts grown or made on the property unless otherwise approved by local government.
S5	Lot 152 Yates Road, Margaret River	1. Clustered Rural-Residential subdivision as shown on the adopted Subdivision and Development Guide Plan forming part of Amendment No. 152 to revoked Scheme No. 11, or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. The uses that may be permitted as "P" uses within the Rural Residential Cluster component of the Special Use zone are: • Single Dwelling For the purposes of this clause residential outbuildings *and* ancillary dwelling ancillary to a Single Dwelling shall form a unified group with the main building and should be of similar form, colour and materials.	1. Subdivision and development of the land shall generally be in accordance with the Subdivision and Development guide Plan forming part of Amendment No. 152 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. Objective 2. Clustered Rural Residential subdivision and development of Lot 152 must maintain, protect and enhance the landscape and conservation values of the site. Subdivision 3. No further subdivision that that shown on the Subdivision and Development Guide Plan will be supported. 4. Prior to subdivision, the subdivider shall demonstrate to the satisfaction of the local government how the Bushland Conservation common areas are to be managed and protected in perpetuity. Management shall be in accordance with the principles established within the Amendment report. 5. The local government will request as conditions of subdivision approval that:

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S5	Lot 152 Yates Road, Margaret River Cont'd	3. Uses which may be permitted as incidental uses within the Rural-Residential Cluster component of the Special Use Zone are: • Home Occupation; and • Professional Office 4. Uses which may be permitted as "D" uses within the Rural Residential Cluster component of the Special Use Zone are: • Cottage Industry.	(a) The Rural Residential cluster component shall be provided with underground power, sealed roads and access to on-site water supply; (b) Degraded areas including remnant vegetation, watercourses or cleared land for areas indicated on common land indicated as Bushland Conservation Common as shown on the Subdivision and Development Guide Plan shall be the subject of the preparation and implementation of a detailed an Environmental Management Plan in accordance with the outline provided within the report to the afore-mentioned Scheme Amendment. (c) Areas indicated on the Subdivision and Development Guide Plan as areas of tree planting shall be subject of a planting programme to be implemented at the time of subdivision. (d) A suitable natural barrier be constructed to demarcate the Rural Residential cluster component from the bushland conservation Common components with provision for pedestrian and emergency vehicle access. (e) A Fire Management Plan (FMP) be prepared and implemented in accordance with the Western Australian Planning Commission's "Planning for Bush Fire Protection" Policy and generally in accordance with the Fire Management Plan contained within the Scheme amendment report, with a particular emphasis on fire emergency access from the property – and how such access can be secured and assured into the future, the Western Australian Planning Commission Policy DC 3.7, and Western Australian Planning Commission "Planning for Bush Fire Protection" Policy to the satisfaction of the local government and FESA.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S5	Lot 152 Yates Road, Margaret River Cont'd		(f) A Management Statement be prepared to the satisfaction of the local government that shall address but not be limited to: • The establishment of a strata company; • The control, management and use of land in conjunction with the protection, rehabilitation and on-going management of common land; • Incorporation of the approved Subdivision and Development Guide Plan; • The local government approval for the management and structure of the proposal; • Dispute resolution procedures. 6. A Section 70A Notification shall be placed on all titles to alert the first and all subsequent purchasers of the strata lots of their obligations pursuant to the provisions of the Scheme Amendment, including their specific responsibility to implement the Environmental Management Plan for ongoing management and rehabilitation of the Bushland Conservation Common Area in perpetuity, and the Fire Management Plan. Land Use and Development 7. Residential and ancillary residential outbuildings shall be limited to building envelopes on those portions of the lots indicated as the "Rural Residential Cluster" component as shown on the Subdivision and Development Guide Plan. Notwithstanding the requirements of conditions 8, 9 and 10 above, the local government may at its discretion, consider approving minor private recreational facilities and outbuildings as "A" uses on common land including the Bushland Conservation Common and as shown on the Subdivision and Development Guide Plan, where it can be demonstrated that

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S5	Lot 152 Yates Road, Margaret River Cont'd		such development, by their type and scale, will benefit the operation and on-going management of the overall development in accordance with the Environmental Management Plan, and will not have a detrimental impact on the landscape and conservation values of the land. 8. Boundary fencing of individual lots comprising the Rural Residential Cluster component shall be of an open rural standard to the satisfaction of the local government and no fencing shall be erected on common land unless temporarily required for land rehabilitation. 9. No vegetation shall be cleared within any lot or common land except for the purposes of: • compliance with an approved Fire Management Plan; • construction of access ways and pathways as shown on the Subdivision and Development Guide Plan; • as provided for by an approved Environmental management Plan for site rehabilitation; and • clearing required to implement approved development. 10. Any revegetation or landscape works shall consist of local indigenous species, which complement the landscape or environmental values of the land and shall comply with the Fire Management Plan. 11. Disposal of on-site effluent shall be by effluent disposal systems with nutrient retention capability to the specification and satisfaction of the local government and the Department of Health and shall be situated 50 metres or more from any wetland. 12. Each dwelling shall be provided with a supply of potable water, to be in the form of a water tank with a minimum capacity of 140,000 litres.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S5	Lot 152 Yates Road, Margaret River Cont'd		13. Only non-reflective building and roofing materials are permitted and shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites. 14. Grazing of animals is prohibited. 15. Domestic cats are prohibited. 16. A Landscape Plan shall be prepared to show appropriate landscape screening that is required to protect the proposal allotments and neighbouring properties.
S6	Lot 544 Wandoo Place Cowaramup Formerly part of Lot 100	"D" Uses:- • Trade display and open air display in the Cultural Activities Precinct shown on the Guide Plan. "A' Uses:- Day Care Centre in the Residential Precinct and Concert, Market and Public Amusement in the Cultural Amenities Precinct where Concert means land used for entertainment with a focus on cultural events, Market means any land or building used for the display and sale of goods from stalls by independent vendors and 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 or for any other temporary use which the local government considers to meet the general meaning of the term "Public Amusement".	1. No permanent buildings/structures will be permitted, however, the following short term/temporary land uses may be permitted: <u>"P" use Category</u> • Nil <u>"D" Use Category</u> • Trade Display • Open Air Display "<u>A" Use Category</u> • Concert (means any land used for entertainment with a focus on cultural events) • Markets (means any land or building used for the display and sale of goods from stalls by independent vendors) • 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 or any other temporary use which the local authority considers meets the general meaning of "public amusement".

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S6	Lot 544 Wandoo Place Cowaramup Formerly part of Lot 100 Cont'd		• Prior to the local government considering any proposed use within the cultural Activities Precinct the proponent is to prepare a management plan which addresses the following:- • frequency of proposed use; • hours of operation; • potential noise impacts; • traffic and parking management; • public toilet facilities; • crowd control and security; • vegetation protection; • methods to reduce any potential land use conflict; and • any other matter and/or special events policy required by the local government to demonstrate the suitability of the proposed use. 3. Uses other than those listed in the Special Use column of this Schedule as it relates to the subject property are prohibited except where it can be demonstrated, to the satisfaction of the local government, that those uses are incidental or ancillary to an approval permitted use.
S7	Lot 10 Fisher Road Augusta	Caravan Park consisting 105 caravan bays and 45 chalets	1. The effluent disposal scheme shall be designed and operated to the satisfaction of the EPA, Department of Health and the local government. 2. A foreshore Management Plan to the satisfaction and approval of the EPA, DP and the local government shall be produced for the whole of the foreshore area and other portions of the land subject to periodic inundation, prior to development approval being issued, and the Foreshore Management Plan shall thereafter be implemented and maintained to the satisfaction of the local government.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S7	Lot 10 Fisher Road Augusta Cont'd		3. Any proposals requiring the dredging of the Blackwood River or construction of foreshore facilities shall be approved by the EPA, DP and the local government, prior to development approval being issued. 4. The proposed Parks and Recreation Reserve shall be excised and ceded to the Crown free of cost, prior to development approval being issued. 5. Fisher Road shall be upgraded to the satisfaction of the local government prior to development approval being issued. 6. The landscape buffer to Fisher Road shall have supplementary planting added to the satisfaction of the local government. 7. There shall be no strata titling of the caravan bays within the development.
S8	Lot 20 Brockman Road, Cowaramup	PURPOSE (a) The purpose of this Special Use Zone affecting the subject land is to provide for: • Site specific controls and other provisions for the establishment of the residential extension to the existing village located on adjoining land. • Expansion of the Cowaramup Townsite in a manner that is consistent with the objectives and guidelines of the Leeuwin Naturaliste Ridge Statement of Planning Policy No. 7 and the West Cowaramup Townsite Strategy.	SUBDIVISION AND DEVELOPMENT GUIDE PLAN 1. Subdivision and development shall be generally in accordance with the approved Subdivision and Development Guide Plan dated 7/4/09 forming part of Amendment 168 of Scheme No.11 or a subsequent Structure and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. DEVELOPMENT Residential Lots 2. The following provisions shall apply to all land nominated as Residential Lots on the approved Subdivision and Development Guide Plan. 3. All development/lots shall be connected to a reticulated water supply and reticulated sewerage scheme.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd	OBJECTIVES Overall (b) To provide for flexibility in the zoning controls to allow for the extension of residential development through innovative approaches to subdivision, land use and on-going management: a. To provide for a transitional development area that accounts for the environmental qualities of the site, surrounding agricultural uses and a desire to provide for increased lifestyle choices that are compatible with the character of agriculture, arts and crafts production and tourism of the location and Shire in general. b. To provide for development design and construction standards and guidelines that minimise adverse environmental impacts and that are compatible with the surrounding rural character of the locality. c. To minimise the loss of significant remnant vegetation through appropriate subdivision design and controls.	4. Residential development density shall be in accordance with the R Code nominated on the Subdivision and Development Guide Plan. 5. Single Dwellings and habitable buildings shall be constructed to meet Australian Standard AS 3959 "Construction of buildings in Bush Fire Prone Areas". 6. Residential development shall comply with the Scheme and R-Codes unless varied by design guidelines endorsed by the local government and the Western Australian Planning Commission that may address, but not be limited to: (a) Setbacks (b) Building Materials (c) Building Height (d) Grouped Dwellings, where applicable (e) Overlooking and Overshadowing (f) Fencing, including the requirement for open style post and wire fencing for R10 lots in excess of 1,500m². (g) Levels, Earthworks and Retaining Walls (h) Roofscape (i) Outbuildings and Other Structures (j) Security (k) Solar Orientation (l) Mitigation of risk from wildfire. 7. The local government may request as a condition of subdivision approval that the Western Australian Planning Commission require building envelopes, or modified building setback requirements, for all vegetated lots to maximise vegetation protection and retain fire management clearing requirements within the proposed lots where possible. All residences and outbuildings shall be contained within the envelope/setback area and where the local government approves a building envelope or setback variation these shall supersede the setback requirement of the R-Codes.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd	d. To provide for detailed on-going land use and environmental management provisions through the use of management plans and caveats that can be integrated with appropriate land tenure mechanisms. e. To ensure that development occurs only once appropriate infrastructure and services have been provided for, and all land use management plans approved. PERMISSIBLE LAND USES (c) The following list indicates the uses which may be permitted in the various landuse categories nominated on the approved Subdivision and Development Guide Plan: a. Residential Lots: (a) "P" Use Category Single Dwelling (b) "IP" Use Category Home Occupation (c) "AA" Use Category Nil	Fire Protection 8. At the time of subdivision, the local government may request that the WAPC impose a condition requiring the preparation and implementation of a Fire Management Plan, generally in accordance with the draft Fire Management Plan contained in the Amendment report to the satisfaction of the local government and FESA. Vegetation Protection 9. No trees or substantial native vegetation shall be felled or removed from the site except where: • required for approved development or subdivision works; • required to fulfil the provisions or requirements of an approved Bush Fire Management Plan; • required by a the local government Firebreak Order; or • Trees are declared by a qualified person to be dead, diseased or dangerous. Drainage 10. At the time of subdivision, the local government may request that the WAPC impose a condition requiring the preparation of a drainage strategy for the site and the strategy is to be implemented on a staged basis as subdivision occurs. The drainage strategy may include, but will not be limited to, the following: • Incorporation of the principles and best management practices for Water Sensitive Urban Design. • Incorporation of the principles of the Stormwater Management Manual for Western Australia (Department for Environment, 2004).

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd	(d) "SA" Use Category Day Care Centre b. Remnant Vegetation Protection: (a) "P" Use Category Nil (b) "IP" Use Category: Nil (c) "AA" Use Category: Discretionary uses (AA), as determined by the local government, are to be consistent with the Environmental Management Plan (referred to in clause 7.1 and/or the Subdivision and Development Guide Plan and are to be incidental to the Intended protection of the vegetation and passive recreational uses of the land. (d) "SA" Use Category: Nil c. Uses other than those listed in clause 4.1 and 4.2 inclusively of this Schedule as it relates to the subject property are prohibited except where it can be demonstrated, to the satisfaction	• The protection of water quality and ecology of the downstream surface and groundwater receiving environment. • Stormwater from residential development should not be directly discharged into any waterways. 11. At the time of subdivision, the local government may request that the WAPC impose a condition requiring the subdivider to prepare a subdivisional works management plan to demonstrate that site works will not interfere, alter or pollute any wetland, watercourse, surface water expression or groundwater in the area, or alter water qualify. The subdivisional works management plan is to be submitted prior to the commencement of subdivision or development works. Remnant Vegetation Protection 12. Prior to subdivision, the subdivider is to demonstrate how the Remnant Vegetation Protection areas are to be managed and protected in perpetuity. However, such management is to be generally in accordance with the principles established within the Amendment report. 13. At the time of subdivision, the local government may request that the WAPC impose a condition requiring the subdivider to prepare and implement an Environmental Management Plan for Remnant Vegetation Protection areas. The Environmental Management Plan may include, but will not be limited to, the following: o Description and mapping of remnant vegetation and watercourses. o Description of regional conservation values. o Management of remnant vegetation and watercourses to avoid potential impacts and landuse conflicts through addressing but not limited to the following:

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd	of the local government, that those uses are incidental or ancillary to an approved permitted use.	a) clearing restrictions; b) relocation of suitable native flora species and seed collection for revegetation works at the time of subdivision; c) fencing guidelines detailing appropriate materials and promoting uniformity; d) signage; e) weed control; f) fire management and paths; g) rehabilitation; h) mosquito and midge control; i) pets; j) monitoring; k) incorporation of public open space; and l) provision of pathways. m) the use of boardwalks, educational and interpretive infrastructure. ○ Description of how potential impacts and potential land use conflicts will be avoided through appropriate buffers and land use management. ○ Provision of details of contingency plans in the event the development has an adverse impact upon environmental values. 14. At the time of subdivision, the local government may recommend the WAPC impose a condition that the pathways indicated on the Subdivision and Development Guide Plan shall be constructed in keeping with the recommendations of the Environmental Management Plan prior to any clearance of subdivision conditions. 15. At the time of subdivision, the local government may recommend the WAPC impose a condition requiring the preparation and implementation of a landscaping and rehabilitation plan that incorporates the retention of native vegetation and revegetation with appropriate native locally occurring plant species.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd		16. At the time of sub-division the local government may request that the WAPC impose a condition to ensure significant vegetation on residential lots is identified and protected where possible. 17. At the time of subdivision, the local government may request that the WAPC impose a condition requiring the preparation and implementation of guidelines to encourage the planting of native vegetation as part of the landscaping of residential lots. 18. At the time of subdivision, the local government may request that the WAPC impose a condition requiring a Section 70A notification on all titles to alert the first and subsequent purchasers of residential lots of the landscape guidelines. 19. At the time of subdivision, the local government may recommend that the WAPC impose a condition that covenants or similar controls be implemented to prohibit the keeping of cats. 20. At the time of subdivision, the local government may recommend that the WAPC impose a condition that a fauna survey be conducted prior to the commencement of subdivision or development works by a qualified consultant to the satisfaction of the Department of Environment and Conservation and the local government. 21. At the time of subdivision, the local government may recommend that the WAPC impose a condition that a spring flora and vegetation survey be conducted prior to the commencement of subdivision or development works by a qualified consultant.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S8	Lot 20 Brockman Road, Cowaramup Cont'd		22. Prior to undertaking any subdivision or development works, the proponent is to submit a dieback survey by a qualified consultant. Dependant on the results of the dieback survey, at the time of subdivision, the local government may recommend that the WAPC impose a condition that a dieback management plan is prepared by qualified consultant. 23. At the time of subdivision, the local government may recommend that the WAPC impose a condition that an ethnographic and archaeological survey be conducted by a qualified consultant. 24. At the time of subdivision, the local government may recommend that the WAPC impose a condition that a notification be placed on title under Section 70A of the *Transfer of Land Act 1893* notifying the first and all subsequent purchasers of lots purchasers that: ▪ This lot is located within a rural area where rural pursuits and activities on adjacent land may impact periodically upon the residential amenity of the property.
S9	Lot 4 Wallcliffe Road, Margaret River *AMD 40 GG 02/06/17*	**Purpose** The purpose of this Special Use Zone is to provide for: • Additional Rural Residential Development in the form of an innovative cluster consistent with the objectives and policies of the Leeuwin-Naturaliste Ridge State Planning Policy. • Providing for clubhouse, restaurant, function and tourist accommodation facilities in association with the Margaret River Golf Course.	**Special Provisions** The following provisions shall apply to proposed development and/or subdivision in accordance with the approved Development Guide Plan and Subdivision Guide Plan. 1. Building materials used shall be sympathetic to the surrounding landscape. 2. New development shall be restricted to a height of 8 metres (unless varied under Clause 5.12.3 or subject to Clause 5.13.4) as calculated in accordance with the local government's Scheme and Policy requirements.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S9	Lot 4 Wallcliffe Road, Margaret River Cont'd *AMD 40 GG 02/06/17*	• Site specific provisions and Guide Plans to indicate the disbursement of development and illustrate the interrelationship of the rural-residential cluster and tourism component, Margaret River Golf Course and surrounding land. **Overall Objectives** • To provide for flexibility in the zoning controls to allow for clustered Rural Residential living in a suitable area taking advantage of the amenity afforded by the Margaret River Golf Course. • To provide for an interesting form of Rural Residential Living that respects environmental qualities of the site and integrates with surrounding land uses and provides an alternative form of lifestyle compatible with tourism and the amenity of the location. • To provide for development location, design and construction standards to be compatible with the surrounding character. • To provide function/restaurant and tourist accommodation facilities associated with the Margaret River Golf Course. • To enable the Margaret River Golf Club to further develop the Margaret River Golf Course as a community asset incorporating the recycled water scheme and grey water reuse,	3. All new buildings are to be supplied with underground power. 4. The existing access road should be upgraded and new internal roads servicing the chalets and the rural residential dwellings should be constructed to satisfaction of the Shire. 5. On-site car parking shall be provided in accordance with the local government's requirements. **Waste Disposal** 6. A site and soil evaluation shall be submitted at the time of development or subdivision, by a suitably qualified person in accordance with Australian Standards and Government guidelines to determine an appropriate onsite domestic waste water treatment system and waste water reuse systems. 7. The proposed development should be connected to reticulated sewerage. Should this not be available, on-site effluent disposal system designed for long term usage (such as Aerobic Treatment Unit which will attenuate nutrients) should be in place prior to any further development to the satisfaction of the local government. Septic tanks or leach drains will not be acceptable. 8. On-site effluent disposal facilities shall be constructed at least 100 metres away from the high water mark of any watercourse or soak and must have 2 metres of vertical separation from the highest known water table or bedrock. 9. An Integrated Water Servicing plan for the proposed water use and recycling detailing water conveyancing, rainwater harvesting, wastewater treatment, wastewater reuse and operator license details and obligations for all existing and proposed structures and for irrigation of the golf course areas should be submitted to the satisfaction of the local government prior to further development or subdivision.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S9	Lot 4 Wallcliffe Road, Margaret River Cont'd *AMD 40 GG 02/06/17*	improving the irrigation system and providing better facilities for residents, tourists and the wider community. **Development Guide Plan** 1. Development shall be generally in accordance with a Development Guide Plan approved by the local government and Western Australian Planning Commission by Amendment 203 of the revoked TPS 11 or a subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. 2. Further clearing of remnant vegetation other than that shown on the Development Guide Plan for development and fire management purposes shall not be permitted. **Subdivision Guide Plan** 3. Subdivision shall generally be in accordance with a Subdivision Guide Plan approved by the local government and Western Australian Planning Commission, or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions.	**Recycled Water/Grey Reuse** 10. Participation in the Margaret River Recycled Water Scheme shall be encouraged. 11. Grey water reuse systems are to be investigated and should be incorporated into future development together with appropriate buffers and screening to minimise occupant contact and recycled water spray drift into areas of public access. **Water Supply** 12. Any future development will be required to be connected to the Margaret River Reticulated Scheme water supply. 13. Development should investigate and incorporate rooftop harvesting and provision of rainwater storage tanks. This should be included in the Water Servicing Plan. **Stormwater** 14. Stormwater and water management within the development site shall include, but not be limited to: 15. Incorporation of Water Sensitive Urban Design principles; 16. Systems for collection and reuse of rain water; and 17. Systems for treatment and recycling of grey water. 18. A stormwater management plan or strategy to be prepared and implemented at either development or subdivision stage incorporating the principles and best management practices detailed in the Planning and Management Guidelines for Water Sensitive Urban Design (Western Australian Planning Commission, 1994) and the Stormwater Management Manual for Western Australia (Department of Environment, 2004).

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S9	Lot 4 Wallcliffe Road, Margaret River Cont'd *AMD 40 GG 02/06/17*	**Permissible Land Use** 4. The site has been designated into two land use areas. They are Golf Club/Course Tourism and Rural Residential Cluster. The following list indicates the uses which may be permitted in the land use areas nominated on the approved development guide plan. ○ Golf Club/Course Tourism Area • Manager's Residence "P" • Shop (Golf) "D" • Residential Building "A" • Holiday Cabin and Chalets "A" • Licensed Restaurant "A" • Eating House "A" • Function Centre "A" • Golf Club House "P" • Storage and Workshop Building for Golf Club Use "P" • Golf Course "P" • Recreation Facilities "P" • Ancillary uses consistent with the objectives of the zone. • Telecommunications Infrastructure "A" ○ Management Provisions for Golf Club/Course Tourism Area • No person shall occupy any chalet for more than a total of 3 months in any one 12-month	Stormwater from residential developments should not be directly discharged into any waterways. Stormwater should not be connected to "Conservation" Category or Environmental Protection Policy (EPP) Wetlands. Any stormwater management plan should be to the satisfaction of the Department of Water. **Environment** 19. Prior to development or subdivision on areas proposed for clearing a fauna survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 56 (June 2004) – Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. 20. Prior to development or sub-division a flora and vegetation survey should be conducted on areas proposed for clearing by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004) – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia. 21. During construction, areas of native vegetation must not be damaged by any works including the placement of fill, rubble, rubbish or any other material, nor is any removal, clearing or damage to occur to any vegetation. Clearing of vegetation will only permitted in those areas approved for development and fire management purposes. 22. Site works must not commence until the local government has approved detailed engineering plans and specifications of the works, including earthworks, roads, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S9	Lot 4 Wallcliffe Road, Margaret River Cont'd *AMD 40 GG 02/06/17*	period. • Onsite manager's residence is to house the manager of the chalets. • In the event of any future subdivision, arrangements must be made to ensure that the Golf Club remains responsible for Fire Management Plan requirements and management of the tourism component. • Subsequent landowners are informed of these arrangements. • the local government may request, at the time of subdivision, a Condition requiring preparation of a Management Statement in accordance with Section 5C of the *Strata Titles Act 1985.* ○ Rural Residential Cluster • Grouped Dwellings "P" • Home Occupation "P" • Short Stay Use of Single Dwelling "A" • Single Dwelling "P" ○ Management Provisions for Rural Residential Cluster • In the event of any future subdivision, arrangements must be made to ensure that the Golf Club remains responsible for Fire Management requirements	23. A landscape master plan shall be prepared and implemented to the satisfaction of the local government prior to commencement of development or subdivision. This landscape master plan shall incorporate the retention of native vegetation on site and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. 24. Prior to commencement of site works the Department of Indigenous Affairs may require the applicant to prepare an ethnographic and archaeological survey of the application area and document archaeological monitoring procedures to the specifications of the Department of Indigenous Affairs. **Fire Management** 25. The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bushfires Notice applies to this property. 26. A Fire Management Plan (FMP) shall be prepared and approved by the local government and implemented prior to development or subdivision, or prior to the commencement of site works. The FMP may include but not be limited to the following information: a. Fire assessment in accordance with DC3.7 (WAPC) b. Low fuel zones c. Strategic fire breaks d. Emergency exits/entries and gates in fences e. Water supplies for fire fighting f. Sprinkler systems g. Building design compliant with AS3959 h. Hydrant systems i. Use of fire-retardant species in landscaping areas.

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
	Lot 4 Wallcliffe Road, Margaret River Cont'd *AMD 40 GG 02/06/17*	and management of common property. • Subsequent landowners are informed of these arrangements.	27. Proponents shall supply a Fire Management Plan for the development in accordance with the local government's Bushfire Risk Management strategy and other conditions that may be set by FESA or the local government. FESA may set conditions and requirements for the inclusion of hydrants, booster pumps and auxiliaries, hose and reels, and fire extinguishers. 28. Prior to consideration of an application for development a Fire Hazard Assessment Type 3 shall be provided to The Shire, accompanied by a contour map of the property or area to be developed.

Schedule 5 - Exempted Advertisements

Deemed Provisions Clause 61

Signs that are exempt from the need for a development approval and can be anticipated as being acceptable are denoted by “E” in Table 1.
Numbers in brackets behind some of the symbol letters denote the maximum number of signs that are exempt on any one lot or for any one enterprise.)

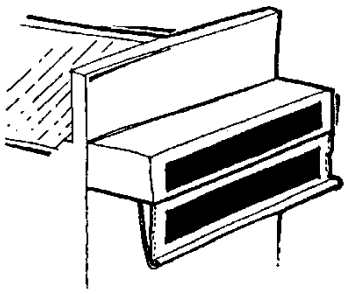
Types of Signs

AMD 29 GG 24/3/16

Signs may fall under the following categories:

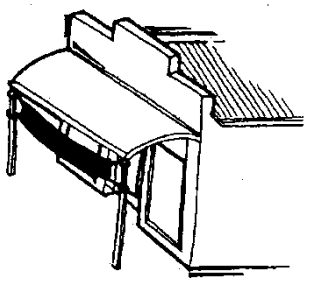
Sign A1 – Awning Sign

A sign displayed on the outer fascia of a veranda or awning and includes signs on blinds, sunshades and other devices attached to the awning where there is one sign for any occupant with a minimum 10 metre of street frontage, the sign is contained within the width of the building and the sign is not more than 10 square metres in size.



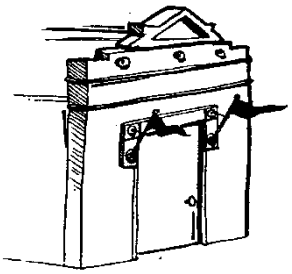
Sign B1 – Banner Sign

A temporary sign on non rigid material hung on a building under a veranda or eaves that does not exceed 4 square metres and is displayed for no longer than 4 weeks during any 12-month period.



Sign C1 - Flag Sign

An advertising sign printed on a flag and flown from a pole where the flag has a maximum area of 1 square metre, is attached to a building and is no higher than the building on which it is mounted.

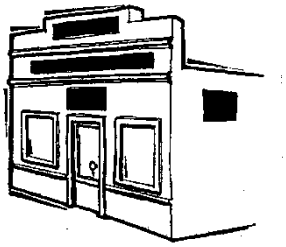


Sign C3 - Flag Sign
A plain or coloured flag without any advertising text, logos or images flown from a pole where the flag has a maximum area of 2 square metres, has a minimum boundary setback of 2 metres from any boundary, is no greater than 4 metres above the ground.

Sign C5 – Flags, National and International Flags
Any official national or international flag, not exceeding 4 metres in height or the height of a building immediately adjacent to the flag, whichever is the greater.

Sign C6 – Flag Sign Bunting Temporary Events
Small flags or strips of coloured material strung along a rope attached to a structure, sign or tree.

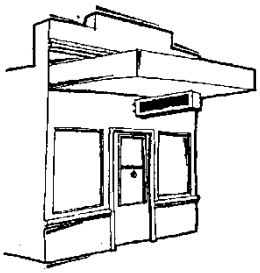
Sign D1 – Wall Sign
A sign attached to or painted on the wall of a residential building that identifies the name of the building or business operating from the building, not greater than 0.2 square metres in size.



Sign D2 – Wall Sign
A sign attached to or painted on the wall of a building other than a residential building that identifies the name of the building or business operating from the building, where the total area of signage is not greater than 5 square metres per wall

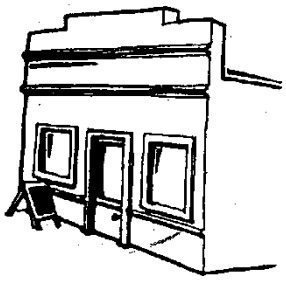
Sign E1 - Window Sign
A sign on or inside a window that is visible from the outside of the property.

Sign F1- Under Verandah Sign
A sign fixed under a veranda or awning facing pedestrians walking under the veranda or awning that is no greater than 1.2 square metres and a ground clearance of not less than 2.75 metres.



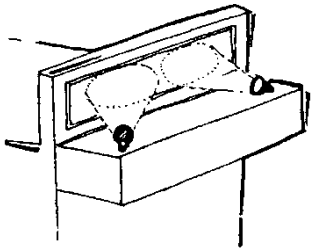
Sign G1 – Portable Sign

A portable sign placed on the ground outside a shop or business no greater than 0.8 metre high or 0.6 metre. *AMD 29 GG 24/3/16*



Sign H1 – Sign Illumination

The application of illumination to a sign complying with a particular category under these definitions within private property.

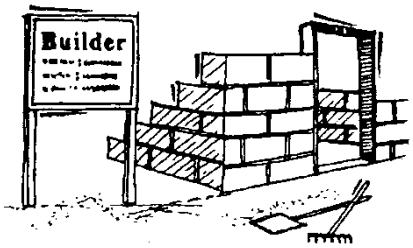


Sign N1 - Map Sign

A sign, not visible from the road or street, displaying a message, directions or a map or a combination of some or all of those features directing patrons of one site when leaving to another property or business

Sign P1 – Construction Site Sign

An advertising sign erected at a building site that contains information about the development and companies involved in the development not exceeding 1.1 square metres for sites up to 5000m² and not exceeding 2.9 square metres for sites exceeding 5000 square metres and only displayed while construction is in progress but not for a period greater than 2 years.



Sign P2 – Construction Site Sign
An advertising sign erected at a building site that contains information about the development and companies involved in the development other than defined under Sign P1.

Sign Q1 – Real Estate Sign – Large
A sign placed on or in front of a property advertising the sale or lease of a building, property or business, where the sign is no greater than 2.9 square metres in size and does not protrude above surrounding elements of the landscape. *AMD 29 GG 24/3/16*

Sign Q2 – Real Estate Signs Standard
A sign placed on or in front of a property advertising the sale or lease of a building, property or business where the sign is no greater than 0.6 metres above the ground to its underside and no greater than 1.1 square metres in size. *AMD 29 GG 24/3/16*

Sign R1 – Statutory Signs
A sign placed on private property required for compliance with a regulation or statutory requirement or required as a condition of development approval.

TABLE 1

	Town Centre Zone	Service Commercial and Composite Industry	Industry	Residential	Rural Residential	Village centre Zone	Reserves and Conservation Zones	Priority and General Agriculture
A1 Awning Sign	E(1)	E(1)	E(1)			E(1)		
B1 Banner Sign	E(1)	E(1)	E(1)			E(1)		
C1 Flag Sign			E(2)					E(2)
C3 Flag Sign	E(2)		E(2)		E(2)	E(2)		E(2)
C5 Flag Sign	E(1)	E(1)	E(1)	E(1)	E(1)	E(1)	E(1)	E(1)
C6 Flag Bunting temporary	E	E	E			E		E
D1 Wall Sign	E	E	E	E	E	E	E	E
D2 Wall Sign	E	E	E					
E1 Window Sign		E	E					E
F1 Under Verandah	E(1)	E(1)	E(1)			E(1)		E
G1 Portable Sign	E(1)	E(1)	E(1)			E(1)	E(1)	
H1 Sign Illumination	E	E(1)	E(1)			E		
N1 Map Sign			E		E		E	E
P1 Construction Site	E(1)	E(2)	E(2)	E(1)	E(1)	E(1)	E(1)	E(2)
P2 Construction Site		E(2)	E(2)					E(2)
Q1 Real Estate Large			E		E(1)			E(2)
Q2 Real Estate Std	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)
Directional signs Information signs and street signs	E	E	E	E	E	E	E	E
R1 Statutory Sign	E	E	E	E	E	E	E	E

NB: Tourism Zoned sites and Special Use zoned sites will be considered as Town Centre in Urban areas or Rural in Rural or Rural residential areas.

NB: Numbers in brackets "(2)" means the number of signs that can be exempted.

Schedule 6 - Environmental Conditions

(Clause 5.6.1)

Scheme or Amendment No.	Gazettal Date	Environmental Conditions

Schedule 7 - Special provisions relating to development on land Zoned "Rural-Residential Zone"

(Clause 4.21) Site Specific Requirements

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R1	Pt Sussex Location 265 Caves Road Corner Redgate Road, Margaret River	1. No livestock may be kept on any lot created from the subdivision of this land.
R-R2	Pt Sussex Location 3805 and 2179, portion of Lot 2 of Sussex Locations 1013 and 1014 and Portion Sussex Location 1407 Caves, Boodjidup and Redgate Roads, Margaret River	1. No clearing of flora from lots created from the subdivision of this land is permitted, whether or not the clearing is within the building envelope shown for each lot, unless approval has first been sought and obtained from the local government pursuant to this Scheme. The local government may at its discretion limit the extent of clearing of indigenous flora within the building envelopes. 2. Only the existing cleared areas of Lots 1, 2, 5, 6 and 9 as shown on the approved Subdivision Plan for this land may be fenced and used for grazing of livestock. Uncleared areas are to be protected from penetration by livestock and no stock may be kept on the remaining lots within the subdivision. 3. Following the removal of pine trees from lots 10 and 11 indigenous vegetation shall be planted to the satisfaction of the local authority. 4. The construction of boundary fences outside of the designated building envelopes shown on the Subdivision Guide Plan is not permitted unless the fence construction does not require the clearing or removal of vegetation which exceeds 1 metre in height. 5. Lot owners are required to provide gates within fences on any boundary adjoining private or public land to allow free and easy movement of fire tenders in times of emergency.
R-R3	Portion of Sussex Location 1492 (now Lot 31-38) Bussell Highway, Augusta	1. Subdivision will be generally in accordance with the Plan of Subdivision Plan attached to the Scheme Amendment Reports to Town Planning Scheme Amendment Nos. 67 and 205 to revoked Scheme No. 11, or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. The minimum lot size is to be no less than 3.0 hectares. 3. Clearing requirements: a. A top northwestern portion of the subject land is recognised as an "Environmentally Sensitive Area" by Department of Environment and Conservation. These are areas that can NOT be cleared under the exemptions in the Environmental Protection (Clearing of Native Vegetation) Regulations.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R3 Cont'd	Portion of Sussex Location 1492 (now Lot 31-38) Bussell Highway, Augusta	4. Liquid and Solid Waste 4.1 The disposal of liquid and solid waste is to be carried out by the installation of an on-site sewerage treatment and disposal system, to the satisfaction of the Local Government and the Department of Health and shall be: • Aerobic treatment Units with a minimum separation distance of 50 metres from any existing water system. Septic tanks or leach drains are not acceptable. Grey water disposal and reuse systems are to be installed to the satisfaction of the local government. 5. The proponent shall provide a stormwater management plan to the satisfaction of the local government. This plan should incorporating water sensitive urban design principles to ensure that stormwater and drainage runoff from the property does not exceed pre-development flows. The stormwater management plan should aim to prevent pollution of groundwater and Westbay Creek watercourse and prevent erosion of creek banks with limited impact on the Environmental Sensitive Areas (ESA). 6. Where appropriate, due to the impact on landscape amenity, the local government may preclude the use of reflective building materials when determining Development Applications. 7. The approval of is required prior to the construction of any new dams. 8. If required, strategic firebreaks shall be constructed by the subdivider to the local governments and FESA's specifications. 9. A water supply point for fire tenders shall be constructed and an easement placed over the supply point to allow for legal access. The construction and easement are to be to the local government's satisfaction. 10. If required by the local government, lot owners shall provide gates within fences on any boundary adjoining private or public land to allow free and easy movement of fire tenders in times of emergency. 11. A Landscape Protection Zone (LPZ) shall apply to the perimeter of the property where it fronts Bussell Highway and Caves Road as indicated on the plan of subdivision. 12. No dams shall be constructed within the LPZ with the exception of the Fire Protection water supply point. No pumping of water shall take place from within the LPZs. 13. No further subdivision of lots shall be permitted. 14. Revegetation of the LPZ along Bussell Highway and Caves Road shall be to the satisfaction of the local government. 15. Potable water: 15.1 A potable water supply of sufficient volume and quality shall be provided to service the development; potable

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R3 Cont'd	Portion of Sussex Location 1492 (now Lot 31-38) Bussell Highway, Augusta	water supply shall be in the form of rainwater storage tank(s) with a minimum 140,000 litre to the satisfaction of the Local Government. 16. A Fire Management Plan shall be prepared and implemented to the satisfaction of the local government and FESA. 17. Notwithstanding Provisions 1 to 16 above, the subdivision of Lot 31 shall be in accordance with the Plan of Subdivision (Plan No. 2). 18. Vehicle access onto Bussell Highway to be to the satisfaction of Main Roads WA.
R-R4	Lot 12 of Sussex Location 1309 Cowaramup Bay Road, Gracetown	1. Landscape Protection Zone (LPZ) 30 metres in width, applies to the perimeter of the property where it fronts Cowaramup Bay Road and along the main watercourse through the subdivision and the minor watercourse adjacent to the northern boundary of the land. The LPZs over the watercourses shall not be burnt. 2. No boundary fences may be constructed on lots created from the subdivision of this land. 3. No livestock shall be grazed or maintained on any lot created from the subdivision of this land. 4. No storage of toxic chemicals in amounts in excess of that required for domestic purposes is permitted and no fuel or oil shall be kept in drums due to the risk of groundwater contamination. 5. No activities are to take place outside the building envelopes on land to the west of the creek line (portion of Lot 4 and the majority of lot 3 on the Subdivision Guide Plan for the area) which, in the view of the local government will compromise the function of their land as a flora and fauna corridor.
R-R5	Lot 1 of Sussex Location 994 Sheridan Road, Margaret River	1. Each lot to be created from the subdivision of this land shall be connected to the reticulated water supply to the satisfaction and specification of the Water Corporation. 2. Those portions of land indicated on the Subdivision Guide Plan as areas of tree planting program by the subdivider to the satisfaction of the local government.
R-R6	Lot 1 lots 7 -28, 101-104 Mentelle and Dallip Spring Roads Margaret River. Lot 1 Kilcarnup Road, Kilcarnup. *AMD 1 GG 9/11/12*	1. No further subdivision permitted other than for Lot 1 in accordance with approved plan of subdivision dated 26 October 2009, WAPC Ref: 140145, any subsequent approval generally consistent with that approval, or…; or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Building envelopes shall be as identified in the approved plan of subdivision or a subsequent structure plan...; and may be varied to avoid areas of granite outcropping for effluent disposal. 3. Within areas designated as "Landscape Protection" on the Rural Residential Concept Plan, no trees or other flora is to be removed other than for Bushfire management.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R6 Cont'd	Lot 1 lots 7 -28, 101-104 Mentelle and Dallip Spring Roads Margaret River. Lot 1 Kilcarnup Road, Kilcarnup. *AMD 1 GG 9/11/12*	4. Clearing of flora shall only be permitted in those areas designated as building envelopes other than for access and bushfire protection purposes. 5. Effluent disposal systems are to be 100 metres from any water source. This may be reduced to 5 metres in the event that a nutrient retention system is installed. 6. Buildings on land greater than 1:10 shall be of split level or pier construction to minimise the amount of cut and fill. 7. Buildings should be designed of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local government. 8. Non-reflective building materials only will be permitted and non reflective roofing materials shall be of a colour consistent with vegetation and/or predominant colours of the individual building sites. 9. No livestock shall be permitted within the lots identified on the Rural Residential Concept Plan. 10. Fencing of boundaries will not be permitted in the interests of wildlife movement and fire safety.
R-R7	Pt Sussex Location 200 Treeton Road, Cowaramup	1. Each lot to be created from the subdivision of this land shall be connected to the Cowaramup townsite water supply. 2. Radio masts/TV antennae, satellite dishes and wind turbines shall be located such that they do not detract from the visual amenity of the locality.
R-R8	Pt Sussex Location 1309 Cowaramup Bay Road, Corner Caves Road, Gracetown	1. The 50-metre wide landscape buffer strip shown on the subdivision guide plan shall be permanently maintained with landscaping by the lot owners to the satisfaction of the local government.
R-R9	Pt Sussex Location 1362, Hamelin Bay Road, Karridale *AMD 54 GG 10/8/18*	Consistent with the covenants between the land owners and the local government the following conditions shall apply: 1. The building envelope for any lot within this land holding requires the prior approval of the local government and no development, other than for the construction of a vehicular access way as approved by the local government, shall not be undertaken or be permitted nor any earthworks undertaken on any lot outside the approved building envelope. 2. No person shall use or permit to be used any vehicle on any lot within this land holding in such a manner as to cause soil erosion or damage to vegetation. 3. No vegetation shall be cleared, removed or destroyed except as may be permitted in accordance with the provisions of clause 10.1. 4. All vehicular access to lots within this subdivision requires the prior approval of the local government and no such access shall be constructed until approval has been sought and obtained.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R9 Cont'd	Pt Sussex Location 1362, Hamelin Bay Road, Karridale *AMD 54 GG 10/8/18*	5. The grazing of animals on any lot within the subdivision is not permitted unless otherwise approved by the local government for the purpose of fuel reduction or for fire prevention purposes in a manner as approved by the local government. 6. No cat may be kept on any lot within this subdivision and the keeping of any dog on any lot shall be confined to an area fenced within the approved building envelope. 7. No fence shall be erected on any lot within the subdivision except as boundary fencing to an approved building envelope. 8. Further subdivision of the land within this area shall be deemed to be inconsistent with the provisions of the Scheme and subdivision for the purpose of this clause includes subdivision by strata or by any other means. 9. Within the approved building envelope the only buildings, which are permitted are a single residential dwelling with associated outbuildings. 10. In respect of lots potentially visible from Caves Road and Hamelin Bay Road, no development in the forms of buildings or earthworks shall be carried out on any lot unless the prior approval of the local government has been obtained and all such structures and earthworks are fully screened from those roads.
R-R10	Pt Sussex Loc 407 Caves Road and portion of Sussex Loc. 287 Kilcarnup Road, Margaret River	1. Subdivision shall generally be in accordance with the Structure Plan dated 6 May 2003 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 104 to revoked Scheme No. 11, or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Clearing of flora shall only take place within those areas designated as building envelopes on the Subdivision Guide Plan, with the following exceptions: a) clearing to gain vehicular access to the lots. In any event the local government may specify on the plan of subdivision the approximate location for cross-overs to the respective lots; b) clearing to comply with the *Bush Fires Act 1954;* and c) clearing trees that are dead, diseased or dangerous. 3 All development of dwelling houses and all ancillary buildings shall comply with the following development guidelines: a) buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick of steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the local government and shall be compatible with the rural character of the locality; b) all services within the lot boundaries shall be underground; c) a minimum of 150 millimetres topsoil shall be stripped from the earthworks areas and replaced immediately after

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R10 Cont'd	Pt Sussex Loc 407 Caves Road and portion of Sussex Loc. 287 Kilcarnup Road, Margaret River	construction onto disturbed areas; and d) landscaping should be with materials that are sympathetic to the surrounding natural landscape. 4. The carrying of stock on any lot in the zone is not permitted unless otherwise approved by the local government. 5. The disposal of liquid and/or solid wastes shall be carried out by the installation of an effluent disposal system approved by the local government. Effluent disposal shall be setback a minimum of 50 metres from water course for alternative effluent disposal systems or 100 metres for conventional systems. No house shall be occupied without the prior approval and installation of such a disposal syster 6. Prior to the subdivision of the land, the subdivider shall prepare and implement a detailed Fire Management Plan to the satisfaction of the local government and the Fire and Emergency Services Authority. The subject land shall not be used or developed otherwise in conformity with the above-mentioned approved Fire Management Plan. 7. A copy of the Fire Management Plan shall be kept at the office of the local government and be available for public inspection during normal office hours. 8. Each lot purchaser shall be provided with a copy of the approved Fire Management Plan. 9. A Fire Management Plan may be varied from time to time by the local government provided that the owner/s of any land affected by the variation is notified in writing of the terms of the variation. 10. A revegetation programme shall be prepared and implemented for the land in accordance with the Subdivision Guide Plan and approved by the local government prior to subdivision with particular emphasis on rehabilitation of the proposed public open space reserve. 11. No dams shall be permitted on any lot unless otherwise approved by the local government and the Water and Rivers Commission. 12. Development on all lots will be confined to building envelopes as illustrated on the Subdivision Guide Plan but subject to approved variation as provided for in clause 8.9. 13. Each dwelling shall be connected to a rainwater storage tank of not less than 140,000 litres capacity connected to a roof catchment of not less than 200 square metres. 14. The local government may request the establishment of a Management Plan identifying the implementation requirements for public open space as identified on the Subdivision Guide Plan as a condition of subdivision.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R11	Southern Portion of Sussex Loc. 482, Burnside and Caves Roads, Margaret River *AMD 1 GG 9/11/12*	1. Subdivision shall generally be in accordance with the Subdivision Guide Plan for the land dated 14th November 2003 (DGN 1350_sgp_rev10), or a subsequent Structure Plan prepared and approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Any revised Structure Plan is to specifically include reference to: a. Vegetation protection controls; including a declared rare flora survey; b. Conservation covenants to be entered into with an appropriate covenanting agency for proposed lots 3, 4 and 20; c. A fire management plan to be prepared and implemented; d. Building envelope restrictions; e. Potable water supply and alternative effluent disposal system requirements; f. Records on title advising of potential rural activities on nearby agricultural land; g. Construction of the Burnside Road re-alignment; and h. Strategic re-planting, particularly along Caves Road and the Burnside Road re-alignment and re-vegetation areas to be shown on the revised Structure Plan and implemented at the time of the proposed subdivision.
R-R12	Pt Sussex Loc 403 Caves Road, Margaret River	**Structure Plan** 1. Subdivision and development shall be generally in accordance with a Structure Plan endorsed by the Local Government and the WAPC. or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. The minimum lot size shall be 1 hectare. **Landscape Protection** 3. Clearing of flora shall only take place within those areas designated as building envelopes on the Structure Plan, with the following exceptions: a. clearing to gain vehicular access to the lots. In any event the local government on the plan of subdivision may specify the approximate location of the crossovers to the respective lots, and b. Clearing to comply with the *Bush Fires Act, 1954*. 4. A Landscape Protection Area shall apply to all watercourses with a definable bed and banks, and central remnant vegetation areas identified on the Structure Plan. The minimum width of the Landscape Protection Area shall be 20 metre including the stream width. 5. At the time of subdivision Local Government will request that the WAPC impose a condition requiring that a Landscaping and Rehabilitation Plan be prepared and implemented for the entire Structure Plan and incorporates the retention of native vegetation, revegetation including the augmentation and/or establishment of buffers and additional planting, as shown on the Structure Plan

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R12	Pt Sussex Loc 403 Caves Road, Margaret River	with appropriate native plant species, know to naturally occur in the subject area. 6. At the time of subdivision Local Government will request that the WAPC impose a condition requiring that a Foreshore Management Plan be prepared and implemented for the entire Structure Plan by the developer during the subdivision stage. 7. The existing 20 metre wide landscape buffer along Caves Road shall be maintained by the developer and individual landowners to the satisfaction of Local Government. **Fire Management** 8. The Fire Management Plan may be varied from time to time by the Local Government provided that the owner/s of any land affected by the variation is notified in writing of the terms of the variation. 9. At the time of subdivision the Local Government will request that the WAPC impose a condition requiring that the subdivider implements, to the satisfaction of the Western Australian Planning Commission, the FESA approved Fire Management Plan, which is applicable to Lot 403 Caves Road. 10. All dwellings within the zone shall comply with A53959-1999 – Construction of Houses in Bushfire Prone Area in lots 7-12 and 15-19 adjoining bush areas. **Stock and Pets** 11. The carrying of any stock on any lot created in accordance with an approved Structure Plan is not permitted unless approval is granted by the Local Government. 12. At the time of subdivision, the Local Government may request that the WAPC impose a condition that a restrictive covenant pursuant to section 129BA of the *Transfer of Land Act 1893* (as amended) is to be placed on Certificates of Title of newly created lots prohibiting the keeping of domestic cats so as to protect native fauna. 13. Fencing shall be permitted within the building envelopes as identified by the Structure Plan in a design and style allowing unrestricted wild life movement. **Development** 14. All development of Dwelling houses and all ancillary buildings shall comply with the following development guidelines: a. Buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Local Government and shall be compatible with the rural character of the locality.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R12 Cont'd	Pt Sussex Loc 403 Caves Road, Margaret River	b. Buildings on land steeper than gradients of 1:10 shall be split level or pier construction to minimise the amount of cut and fill. c. All services within the lot boundaries shall be underground. d. A minimum of 150 millimetres topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas. e. Landscaping should be with materials that are sympathetic with the surrounding natural landscape. f. Strategic planting within each lot, using local indigenous species, shall be provided in the locations shown on the Structure Plan. 15. There shall be a height limit on buildings of 8 metres. 16. Outbuildings should form a unified group with the main building and should be of similar form, colour and materials. **Traffic and Pathways** 17. At the time of subdivision, the Local Government may request that the WAPC impose a condition requiring a contribution to the provision of a dual use path along Caves Road to link with the existing path network along Wallcliffe Road. 18. At the time of subdivision, the Local Government may request that the WAPC impose a condition requiring a Traffic Management Plan addressing vehicle access to Caves Road, the outcomes of which are to be implemented by the development during the subdivision stage. **Drainage** 19. Prior to subdivision, the subdivider is to prepare a Local Water Management Plan for the whole Structure Plan area to the satisfaction of the Local Government and the Department of Water. 20. At the time of the Local Government may request that the WAPC impose a condition that the Local Water Management Plan is implemented to the satisfaction of Local Government and the Department of Water. **Acid Sulphate Soils** 21. At the time of subdivision, the Local Government may request that the WAPC impose a condition for lots that may impact on a water course that: a. A preliminary site investigation shall be undertaken to determine whether acid sulphate soils are present on the land and, if present, their extent and severity; b. If the site is found to contain acid sulphate soils, an acid sulphate soil management plan shall be submitted and approved by the Department of Environment and Conservation; and c. All site works shall be carried out in accordance with the provisions of the approved management plan.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R12 Cont'd	Pt Sussex Loc 403 Caves Road, Margaret River	**Effluent Disposal** 22. All dwellings are to comply with the following guidelines relating to on-site effluent disposal: a. Aerobic Treatment Unit(s) and effluent disposal system(s) or alternative effluent treatment and disposal system(s), capable of minimising the movement of nutrients including phosphorous and nitrogen from the disposal area, shall be installed to provide for the treatment and disposal of effluent waste, to the satisfaction of the Local Government and the Department of Health. b. Effluent disposal and waste water reuse systems design shall incorporate subsurface infiltration and clay bunds or suitable alternative means for the containment and treatment of effluent waste water, to the satisfaction of the Local Government and the Department of Health. c. Prior to subdivision a site and soil evaluation shall be undertaken for each proposed lot by a suitably qualified person and in accordance with Australian Standards and Government guidelines to determine a suitable location for accommodation of Aerobic Treatment Unit(s) or alternative effluent treatment and disposal system(s) for each lot, to the satisfaction of the Shire. Details of the site and soil evaluation for each lot are to be submitted to the Local Government and shall include the following: • Demonstrate that a suitable area relative to the future designated building envelope can be provided for each new lot, to accommodate the onsite disposal of effluent waste water in a manner that complies with the criterion of Policy PE.26 appendix 1 and 2 and relevant legislation. • Details of site gradient (site contour plan). • Depth to highest known ground water from ground level. • Depth of bedrock or impervious clay (not less than 1.2 metres). • Depth of free draining soil (not less than 1.2 metres). • Depth of free draining soil (not less than 1.2 metres). • Setback from water body (not less than 30 metres). • Soil structure and profile to a depth of 2 metres (include nature of material, soil type, colour and characteristics). • Phosphorous Retention Index to depth of 1 metre.
R-R13	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	<u>Subdivision Guide Plan</u> 1. Subdivision and development shall be generally in accordance with a Subdivision Guide Plan dated 3 February 2009 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 188 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan in accordance with the process set out in the Deemed Provisions. 2. At the time of subdivision, the local government shall recommend a minimum lot size of 1.0 hectare. 3. At the time of subdivision landowners of Lots 1 and 2 of Sussex Location 727 are to co-ordinate over the provision and

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R13 Cont'd	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	construction of the road and road reserve to create the cul-de-sac as shown on the Subdivision and Development Guide Plan or alternatively the local government and the Western Australian Planning Commission may be prepared to support the cul-de-sac being created solely from either lot. 4. At the time of subdivision landowners of Lots 10 and 12 of Sussex Location 403 are to coordinate over the provision and construction of battleaxe access as shown on the Subdivision Guide Plan. <u>Landscape Protection</u> 5. A 40-metre wide Landscape Protection Zone shall apply to all water courses as shown on the Subdivision Guide Plan. No development, with the exception of tree planting shall be permitted within the Landscape Protection Zone. At the time of subdivision, the local government may request that the WAPC impose a condition requiring that the Landscape Protection Zone be subject to a tree planting programme. 6. A Landscape and Tree Buffer shall apply to a depth of 30 metres from the Caves Road reserve frontage and 20 metres from both the Roxburgh and Salmon Road reserves. 7. At the time of subdivision, road widening of Caves Road is required in accordance with the approved Subdivision Guide Plan. 8. At the time of subdivision, the local government will request that the WAPC impose a condition requiring a Landscaping and Rehabilitation Plan to be prepared and implemented that incorporates the retention of native vegetation, revegetation including the augmentation and/or establishment of buffers and additional planting, particularly between any remaining vineyard and future rural residential lot, as shown on the Subdivision Guide Plan with appropriate native plant species, know to naturally occur in the subject area. 9. Clearing of flora shall only take place within those areas designated as building envelopes on the Subdivision Guide Plan, with the following exceptions: a. Clearing to gain vehicle access to the lots. In any event, the local government may specify the approximate location of crossovers to respective lots; b. Clearing to comply with the *Bush Fires Act 1954*; and c. Clearing of trees that are dead, diseased or dangerous. <u>Building Envelopes</u> 10. Development on all lots will be confined to building envelopes as illustrated on the Subdivision Guide Plan however, such building envelopes as depicted on the Plan may be varied at the discretion of t provided that: a. the local government is satisfied that the location of the new envelope will not be intrusive or impact on the overall development and surrounding environs.

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R-R13 Cont'd	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	b. it is demonstrated to the local government's satisfaction that there are sound reasons for relocating the building envelope to a new site. c. no valid objections (in the opinion of the local government) are raised by any adjoining or affected landowner. <u>Access</u> 11. At the time of subdivision the local government may request that the WAPC impose a condition that requires the potential dedication and construction of shared driveways to minimise the number of water course crossings and that any shared access be secured in perpetuity through a reciprocal rights of access easement. 12. At the time of subdivision, the local government may request that the WAPC impose a condition that no lots are to gain vehicle access to the Roxburgh Road or Salmon Road reserves with the exception of proposed Lot 1000 as shown on the Subdivision Guide Plan. 13. Subject to the local government confirming a practical alignment, at the time of subdivision, the local government may request that the WAPC impose a condition subdividers contribute to the provision of a dual use path along Caves Road to link with the existing path network along Wallcliffe Road. <u>Fire Management</u> 14. At the time of subdivision, the subdivider is to implement a Fire Management Plan endorsed by the local government and the Fire and Emergency Services Authority of Western Australia. 15. At the time of subdivision, the local government may request that the WAPC impose a condition that a notification be placed on title under Section 70A of the *Transfer of Land Act 1893* to notify purchasers of their rights and obligations under the Fire Management Plan endorsed by the local government and the Fire and Emergency Services Authority of Western Australia. <u>Onsite Effluent Disposal</u> 16. The disposal of liquid and solid waste shall be carried out by the installation of a sewerage disposal system, to the satisfaction of the Local Government subject to: a. Disposal of effluent is to be via aerobic treatment units and effluent disposal systems or alternative effluent treatment and disposal systems, capable of minimising phosphorous movement from each lot shall be installed to provide for the treatment and disposal of effluent waste water. b. A minimum separation of 50 metres is to be retained between effluent waste water disposal sites and perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. c. Grey water disposal and waste water reuse systems are to be installed to the satisfaction of the local government and the Department of Health.

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R-R13 Cont'd	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	17. At the time of development landowners are to submit a site and soil evaluation for each lot by a suitably qualified consultant in accordance with Australian Standards and Government guidelines to determine an appropriate on-site domestic wastewater treatment system and its location to meet health and environmental objectives to the satisfaction of the local government and Department of Health. 18. At the time of subdivision, the local government may request that the WAPC impose a condition requiring a Notification in the form of a Section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificate(s) of Title of the proposed lot(s) advising that a reticulated sewerage is not provided to the land as a consequence owners will be required to provide onsite effluent disposal and grey water reuse to the specifications of Local Government. <u>Drainage</u> 19. Prior to subdivision, the subdivider is to prepare an Urban Water Management Plan for the whole Subdivision Guide Plan area to the satisfaction of the local government and the Department of Water. 20. At the time of subdivision, the local government may request that the WAPC impose a condition that the Urban Water Management Plan is implemented to the satisfaction of the local government and the Department of Water. <u>Development</u> 21. All development shall comply with the following development guidelines: a. Buildings shall not be constructed of a height greater than 8 metres; b. Buildings on land steeper than gradients of 1:10 should be of split level or pier construction to minimise the amount of cut and fill; c. Buildings should be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local authority; d. Non-reflective roofing materials shall only be permitted unless it can be demonstrated to the satisfaction of the local government that potentially reflective building materials will not impact on landscape amenity. e. Outbuildings shall form a unified group with the main building and should be of a similar form, colour and material; f. All services inside the lot shall be underground; g. A minimum of 150mm topsoil should be stripped from earthworks areas and replaced immediately after construction onto disturbed areas; h. Landscaping should comprise native plant species and materials that are sympathetic to the surrounding natural landscape. i. Driveways and watercourse crossings are to be positioned and constructed to minimise the loss of vegetation and impacts on any watercourse.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R13 Cont'd	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	j. Buildings when approved within lots created by the subdivision of Lot 5 Sussex Location 403 and Lot 1 Sussex Location 727 shall be staggered in their distance from the Roxburgh Road boundary. <u>Stock and Pets</u> 22. The carrying of any stock on any lot in the zone is not permitted unless otherwise approved by the local government and shall approvals granted shall be subject to any effected Landscape Protection Zone to be fenced in order to control erosion, pollution and degradation of vegetation with the zone. 23. At the time of subdivision, the local government may request that the WAPC impose a condition that Notification in the form of a Section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificate(s) of Title of the newly created lots, advising that domestic cats are not permitted to be kept as pets, to protect the biodiversity of the area. <u>Entry Statements</u> 24. In addition to standard Scheme provisions for fencing the development of suburban-style entry statements or walled entrances will not be permitted in order to preserve the semi-rural character of the area. <u>Dams</u> 25. The construction of new dams or soaks will not be permitted. Dams existing prior to this amendment are to be maintained in a safe operating condition. The use of existing dams should remain consistent with their use prior to this amendment being gazetted. <u>Water Supply</u> 26. Each dwelling shall be connected to an on-site potable water supply, to be in the form of a water storage tank with a minimum capacity of 140 kilolitres and connected to a sufficient rainwater catchments area of not less than 200 square metres and or provided with an alternative source of water supply to the specifications of the Local Government. 27. At the time of subdivision, the local government may request that the WAPC impose a condition that Notification in the form of a section 70 notification, pursuant to the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificate(s) of Title of the proposed lot(s) advising that a reticulated water supply is not provided to the land by a licensed water service supplier and as a consequence owners will be required to provide an adequate and safe supply of potable water to the specifications of Local Government.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R13 Cont'd	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	<u>Building</u> 28. At the time of subdivision, the local government may request that the WAPC impose a condition that prospective purchasers are advised of the Building Code of Australia energy rating requirements. 29. At the time of development the local government may impose condition(s) requiring development controls sufficient to attenuate the impacts from neighbouring agricultural practises including: a. the use of double glazing or heavyweight single glazing on windows and glass doors to bedrooms and living areas of dwellings; b. the provision of acoustic insulation in external walls, non-glazed doors and roofs of dwellings; c. the use of noise attenuation barriers or screens along the northern and eastern boundary of the development bordering the existing rural land; d. the use of vegetative buffers along the eastern and northern boundary of the development bordering the existing rural land. 30. At the time of subdivision, the local government may request the Western Australian Planning Commission that a notification be placed on title under Section 70A of the *Transfer of Land Act 1893* notifying purchasers that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. <u>Acid Sulfate Soils</u> 31. At the time of subdivision, the local government may request the WAPC impose a condition for lots that may impact on a water course that: a. a preliminary site investigation shall be undertaken to determine whether acid sulphate soils are present on the land and, if present, their extent and severity; b. iIf the site is found to contain acid sulphate soils, an acid sulphate soil management plan shall be submitted and approved by the Department of Environment and Conservation; and All site works shall be carried out in accordance with the provisions of the approved management plan.
R–R14	Lot 30 Gimbel Road, Deepdene, Augusta.	1. Subdivision and development shall be generally in accordance with the Subdivision and Development Guide Plan for the land dated September 2006 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 184 to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. Building envelopes must not exceed 1500square metres. All development shall be contained in the building envelope.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R14 Cont'd	Lot 30 Gimbel Road, Deepdene, Augusta. .	3. Building envelopes must be a least 30 metres from Bussell Highway and at least 20 metres from all other boundaries. All habitable buildings shall be a minimum of 40 metres from all lot boundaries to comply with the endorsed Fire Management Plan. 4. Prior to subdivision, a preliminary site investigation shall be undertaken to determine whether acid sulphate soils are present on the land and, if present their extent and severity; if the site is found to contain acid sulphate soils, an acid sulphate soil management plan shall be submitted and approved by the Department of Environment and Conservation; and all site works shall be carried out in accordance with the provisions of the approved management plan. 5. At the time of subdivision, a subdivisional works management plan demonstrating that site works will not interfere, alter or pollute any wetland, watercourse, surface water expression or ground water in the area, or alter the water quality of such waters is to be submitted prior to the commencement of site works and all development activity on the land is to comply with that plan. 6. At the time of subdivision the developer shall prepare an Environmental Management Plan to the satisfaction of the local government. 7. Prior to subdivision, a fauna survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 56 (June 2004) – Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. 8. A covenant be placed on the development to prevent people having cats as pets so that biodiversity values can be protected and maintained. 9. Boundary fencing is prohibited without the written approval of the Local Government. No internal fencing of lot boundaries will be permitted within the Vegetation Protection Area. 10. The carrying of stock on any lot is prohibited. 11. Clearing of vegetation shall only take place within those areas designated as building envelopes and necessary for the construction of a dwelling and associated uses, with the following exceptions: • Clearing to gain vehicular access to the lots; • Clearing to comply with the *Bush Fires Act (1954)* and the endorsed Fire Management Plan. 12. A Conservation Covenant with either the Department of Environment and Conservation or the National Trust, pursuant to Section 129BA of the *Transfer of Land Act 1893* (as amended) is to be placed on the Certificate of Title of the proposed lot(s) advising of the existence of a restriction on the use of the land to protect areas identified for conservation. Notice of this restriction to be included on the Deposited Plan.

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		13. Prior to subdivision, the subdivider shall prepare and implement a Fire Management Plan to the satisfaction of the local government and the Fire and Emergency Services Authority and the Fire Management Plan shall have due regard to the significant conservation values of the site and shall, where possible, minimise requirements for the clearing and fragmentation of native vegetation. 14. At the time of subdivision, notifications shall be placed on all created titles under Section 165 of the *Planning and Development Act 2005* advising of the landowners obligations under the Fire Management and Environmental Management Plans. 15. A notification in the form of a Section 70A notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed lot(s) advising that a reticulated water supply is not provided to the land by a licensed water service supplier and as a consequence owners will be required to provide an adequate and safe supply of potable water to the satisfaction of the local government. 16. Each dwelling shall be connected to an on-site potable water supply, to be in the form of a water storage tank with a minimum capacity of 140 kilolitres and connected to a sufficient rainwater catchment area of not less than 200 square metres and or provided with an alternative source of water supply to the specifications of the Local Government. 17. A notification in the form of a Section 70A notification pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed lot(s) advising that a reticulated sewerage is not provided to the land as a consequence owners will be required to provide onsite effluent disposal and grey water reuse to the specifications of the Shire. 18. A requirement that each proposed lot be required to install a wastewater effluent treatment and disposal system to the satisfaction of the Shire subject to: o Aerobic treatment units and effluent disposal systems or alternative effluent treatment and disposal systems, capable of minimising phosphorous movement from the designated disposal area for each lot, shall be installed to provide for the treatment and disposal of effluent wastewater. o A minimum separation of 50 metres is to be retained between effluent wastewater disposal sites and perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. o Grey water disposal and reuse systems are to be installed to the satisfaction of the Shire. 19. A site and soil evaluation shall be submitted for each lot at the time of development, by a suitably qualified person in accordance with Australian Standards and Government Guidelines to determine an appropriate on site domestic wastewater treatment system and its location to meet health and environmental objectives to the satisfaction of the Shire.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
		20. A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amened) shall be placed on the Certificate(s) of Title of the proposed lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. 21. At the time of subdivision Gimbel Road shall be upgraded and access to each lot as well as drainage easements shall be provided by the developer, at the developers cost, to the satisfaction of the local government. 22. At the time of subdivision access from Bussell Highway will be designed and constructed to the satisfaction of Main Roads. 23. Buildings shall be constructed of non-reflective materials. All such materials shall be compatible with the rural character of the area to the satisfaction of the local government. 24. All services within the lot boundaries are to be underground. 25. A minimum of 150 millimetres of topsoil shall be stripped from earthworks areas and replaced immediately after construction on to disturbed areas. 26. Buildings shall not exceed 8 metres in height.
R-R15	Lots 59 - 66 Kevill Road East, Lots 34 & 35 Kevill Road East, Lots 28 – 46 Ironstone Place, Kevill Road East and Zani Place, Lots 20 – 22 and 26 Culhane Road, Lot 2 Zani Place and Kevill Road West and Lots 1 – 8 Trinder Drive, Margaret River. Lots 12, 18 and 19 Kevill Road East Margaret River. Lots 56, 57 and 58 Kevill Road East, Margaret River. *AMD 31 GG 18/3/16;* *AMD 32 GG 29/08/17*	1. The local government will not support any proposal to re-subdivide the land until such time as a Local Structure Plan has been prepared and adopted for the land. 2. Subject to the overriding consideration that as much existing vegetation as possible shall be preserved, vegetation on the land may only be removed where it is dead or dangerous or required to be removed to give effect to an approved subdivision or development or to satisfy a bushfire requirement. 3. Notwithstanding the provisions of Clause 4.21 of the Scheme, the minimum lot size for any re-subdivision of the land shall not be less than 1hectare. 4. Structure planning and subdivision is to consider foreshore widening requirements as may be recommended by the Margaret River Foreshore Reserve Action Plan.
R-R16	Lot 4 of Sussex Loc 994, Harrington Road, Boodjidup	1. Subdivision shall be generally in accordance with the Plan of Subdivision and Development Guide Plan Revision B dated December 2007 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 167 to revoked Scheme No. 11, or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Clearing of flora shall only take place within those areas designated as building envelopes on the plan of subdivision, with the exceptions specified under the EPA's Clearing Regulations.

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		3. The disposal of liquid and solid waste shall be carried out by the installation of a sewerage disposal system, to the satisfaction of the local authority and located no closer than 30 metres from any natural water course and be at least a minimum of 2 metres vertical separation from the highest known water table or bedrock. 4. The construction of dams requires the approval of the local government. 5. Each dwelling shall be serviced by a storage tank from rainfall collection of no less than 92,000 litres. 6. All development shall comply with the following development guidelines: (i) buildings shall not be constructed of a height greater than 8 metres in accordance with the local government's formulae for determining height. (ii) Buildings shall be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local authority. (iii) Outbuildings should be of a similar form, colour and materials as the associated dwelling. 7. Livestock shall only be permitted on those lots that are predominantly cleared and shall not reach levels as to cause land degradation. In such circumstances, the local government may direct a landowner to remove such livestock. 8. Strategic firebreaks and individual lot firebreaks shall be constructed by the developer to the satisfaction of the local Authority and the Fire and Emergency Services Authority. 9. At the time of subdivision, the local government shall recommend to the Western Australian Planning Commission that the subdivider be required to prepare a detailed Fire Management Plan to the satisfaction of the local government and the Fire and Emergency Services Authority. The land the subject of this amendment shall not be developed or used unless in conformity with the abovementioned Fire Management Plan. The Fire Management Plan may be varied from time to time by the local government provided that affected landowners are notified in writing. A copy of the Fire Management Plan shall be provided to the landowners and a copy shall be kept at the office of the local government and made available for public inspection during normal office hours. 10. At the time of subdivision, the local government shall recommend to the Western Australian Planning Commission that a condition be imposed on any approval that a 15-metre setback for the vineyard from the western boundary be implemented by removal of some vine rows. Within this setback, buffer planting to a width of 5 metres shall also be required with appropriate species to the satisfaction of the local government.

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		11. At the time of subdivision tree planting as depicted on the guide plan shall be implemented to the satisfaction of the local government. 12. The existing cottage located on proposed Lot 41 (see subdivision guide plan) may be used for accommodation purposes which are to be ancillary to the main single dwelling.
R-R17	Lots 9, 10, 37, 1238, 391 AND 392 Devon Drive and 36 Kevill Road, Margaret River. Lot 36 Kevill Road East *AMD 29 GG 24/3/16* *AMD 54 GG 10/8/18* *AMD 51 GG 26/04/19*	1. The local government will not support any proposal to re-subdivide the land until such time a Structure Plan has been approved by Western Australian Planning Commission in accordance with Part 4 of the Deemed Provisions. All subdivision and development is to be in accordance with an approved Structure Plan. 2. All vegetation on the land shall be preserved unless dead or dangerous or required to be removed to give effect to an approved subdivision or development. 3. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for re-subdivision of the land shall be 1 hectare. 4. Fencing is restricted to the building envelope areas only.
R-R18	Pt Sussex Location 724 Basildene Estate, Wallcliffe Road, Margaret River	1. No building development will be permitted within the odour buffer area as identified by the Water Corporation.
R-R19	Sussex Location 414, Part Sussex Location 481 Caves Road, Margaret River and all of Sussex Location 995 Boodjidup Road, Margaret River.	1. The minimum lot size shall be 2.0 hectares.
R-R20	Part Sussex Location 743, Redgate Road	1. The average lot size shall be not less than 3.0 hectares and the minimum lot size shall be not less than 2.5 hectares.
R-R21	Lot 9001 Caves Road Margaret River	1. The lot may be subdivided into 2 separate lots subject to the preparation of a Structure Plan approved by Western Australian Planning Commission in accordance with Part 4 of the Deemed Provisions.
R-R22	Sussex Location 1072 Caves Road Augusta	1. Subdivision shall be generally in accordance with the Subdivision and Development Guide Plan Revision C dated Jan. 2008 forming part of Amendment No.200 of the revoked Scheme No.11. or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Clearing of flora shall only take place within those areas designated as building envelopes and necessary for the construction of a dwelling and associated uses, with the following exceptions – a. Clearing to gain vehicular access b. Clearing to comply with the *Bush Fires Act 1954* and endorsed Fire Management Plan; and c. Clearing trees that are dead, diseased or dangerous.

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		3. Development of dwelling and associated buildings shall comply with the following – a. Buildings shall be constructed with non-reflective materials. All such materials shall be compatible with the rural character of the areas to the satisfaction of the local government; b. All services within the lot boundaries are to be underground; c. A minimum of 150 millimetres of topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas; d. Building height shall not exceed eight metres in height; and e. Each dwelling shall be provided with a minimum 140,000-litre rainwater tank, connected to a minimum roof catchment of 200 square metres. 4. The carrying of stock on any lot is prohibited unless authorised by the local government in writing. 5. Prior to subdivision of the land, the subdivider shall prepare and implement a Fire Management Plan to the satisfaction of the local government and the Fire and Emergency Services Authority. 6. At the time of subdivision, notifications shall be placed on all created titles under Section 165 of the *Planning and Development Act 2005* advising of the landowners obligations under the Fire Management Plan. 7. At the time of subdivision a covenant shall be placed on all residential lots preventing the keeping of cats and ensuing that dogs are within a fenced yard.
R-R23	Lots 51 and 54 Kevill Road (West), Margaret River	**Subdivision and Development Guide Plan** 1. Subdivision and development of the land shall be in accordance with the Subdivision and Development Guide Plan forming part of Amendment No. 176 of the revoked Town Planning Scheme No. 11. or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. No further subdivision than that shown on the Subdivision and Development Guide Plan will be supported by the local government. **Prior to Subdivision** 3. The local government will request as conditions of subdivision approval that: o The proposed lots shall be provided with underground power, sealed roads and access to reticulated water supply. o Lot 54 will be subject to a subdivision into a maximum of 2 lots minimum size of 1 hectare with such subdivision to be carried out in conjunction with the strata title subdivision of the adjoining Lot 51. A 5-metre excision from Lot 54 for amalgamation into the leg of Lot 51 will be required to be established as part of the overall development to increase the access to the strata title component to a width of 10

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		metres consistent with the Development Guide Plan. o The access from Wallcliffe Road shall be closed and will only be permitted for emergency access use only. o An Environmental Management Plan shall be prepared for the entire subdivision by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005) – Environmental Guidance for Planning and Development in accordance with the outline provided within the Scheme Amendment report. o The preparation and implementation of a Fire Management Plan (FMP) shall be in accordance with the approved Fire Management Plan contained within the Scheme Amendment report, with a particular emphasis on emergency access from the property – and how such access can be secured and assured into the future, and the Western Australian Planning Commission Policy DC3.7, to the satisfaction of the local government and FESA. o The preparation of a Strata Title Management Statement consistent with the outline provided within the Scheme Amendment report to the satisfaction of the local government. o The placement of a Section 70A Memorial on all titles to alert the first and all subsequent purchasers of the strata lots of their obligations pursuant to the provisions of the Scheme Amendment, including their specific responsibility to implement the Environmental Management Plan for ongoing management and rehabilitation of the common property in perpetuity and the Fire Management Plan. o An Indigenous Heritage Study shall be prepared by a suitably qualified consultant prior to subdivision stage. **Development** 4. Development shall be limited to building envelopes as shown on the Subdivision and Development Guide Plan. 5. Development of the private passive recreation lot shall be as specified in the Environmental Management Plan and Fire Management Plan. Any further development not specified will require an updated Environmental Management Plan and Fire Management Plan. The land uses will be limited to uses for conservation purposes such as walkways, low key nature studies, bird hides and such conservation development as permitted as the discretion of the local authority. **Landscape Protection** 6. No vegetation shall be cleared within any lot or common land except for the purposes of: a) Compliance with an approved Fire Management Plan; b) Construction of access ways and pathways as shown on the Development Guide Plan; c) As provided for by an approved Environmental Management Plan for site rehabilitation; and d) Clearing to facilitate approved development.

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		7. Boundary fencing of individual lots is discouraged in the interests of wildlife movement and in any event shall be of an open rural standard only, to the satisfaction of the Local Authority. No fencing shall be erected on common land unless temporarily required for land rehabilitation. 8. A Landscaping and Rehabilitation Plan shall be prepared for the entire subdivision and implemented to reflect the Development Guide Plan and Environmental Management Plan to the satisfaction of the local government. 9. Prior to subdivision, the subdivider is to demonstrate to the satisfaction of the local government how the Landscape Protection Areas as shown on the Development Guide Plan will be managed and protected in perpetuity. **Pets and Livestock** 10. No livestock shall be kept on the proposed lots or common property components as shown on the Development Guide Plan. 11. The keeping of domestic cats by householders in newly created lots is prohibited, and a covenant shall be placed on all new titles. **Roads and Pathways** 12. Site works must not commence until the local government has approved detailed engineering plans and specifications of the works, including earthworks, roads and paths, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction. 13. Internal roads to the north and east of Lot 53 may be subject to minor road alignment revision and boundary buffer planting shall be required to ensure visual and noise impacts are kept to a minimum. **Effluent Disposal and Water Management** 14. Effluent disposal and waste water reuse systems design shall incorporate subsurface infiltration and clay bunds or a suitable alternative means for the containment and treatment of effluent waste water, to the satisfaction of the Local Government and the Department of Health. 15. A minimum horizontal separation of 50 metres is to be retained between a waste water effluent disposal apparatus and a perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel. 16. The disposal of effluent wastewater is to be carried out by the installation of Aerobic Treatment Units and effluent disposal systems or alternative effluent treatment and disposal systems, capable of minimising phosphorous movement from the designated disposal area.

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		17. Water conservation initiatives including rooftop harvesting and provision of rainwater storage tanks to be more self-sufficient, avoid the potential for reticulation of non-native gardens and to utilise rainwater from roof catchment, is to be investigated and incorporated into all future development.
R-R24	Lot 1 of Sussex Location 201 Caves Road, Margaret River	1. Subdivision shall be generally in accordance with the Subdivision Guide Plan for the land as approved by the Shire and WAPC as attached to the Scheme Amendment No. 182 of the revoked Town Planning Scheme No.11. or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Clearing of flora shall only take place within those areas designated as building envelopes on the subdivision guide plan, with the following exceptions: o Clearing to gain vehicular access to the lots. In any event the local government on the plan of subdivision may specify the approximate location of the crossovers to the respective lots, and o Clearing to comply with the *Bush Fires Act, 1954*. 3. All development of Dwelling houses and all ancillary buildings shall comply with the following development guidelines: o Buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour (s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the local government and shall be compatible with the rural character of the locality. o Buildings on land steeper than gradients of 1:10 shall be split level or pier construction to minimise the amount of cut and fill. o All services within the lot boundaries shall be underground. o A minimum of 150 millimetres topsoil shall be stripped from earthwork areas and replaced immediately after construction onto disturbed areas. o Landscaping should be with materials that are sympathetic with the surrounding natural landscape. o All dwellings within the zone shall comply with AS3959-1991 – Construction of Houses in Bushfire Prone Areas. 4. The carrying of any stock on any lot in the zone is not permitted. 5. All lots are to be serviced by Alternative Treatment Units (ATU's) to the satisfaction of the Shire and the Department of Water. This will include retrofitting and decommissioning of the existing effluent disposal systems for the existing dwellings on proposed Lots 5 and 6, prior to the issue of title for these lots. 6. Each lot shall be supplied with reticulated water at the time of subdivision.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R24 Cont'd	Lot 1 of Sussex Location 201 Caves Road, Margaret River	7. Prior to the subdivision of the land, the subdivider shall prepare a detailed Fire Management Plan to the satisfaction of the local government and the Bushfires Board. The land the subject of this scheme amendment shall not be developed or used unless in conformity with the abovementioned approved Fire Management Plan. 8. A copy of the Fire Management Plan shall be kept at the office of the local government and available for public inspection during normal office hours. 9. Each lot purchaser is to be provided with a copy of the approved Fire Management Plan. 10. The Fire Management Plan may be varied from time to time by the local government provided that the owner/s of any land affected by the variation is notified in writing of the terms of the variation. 11. Fencing shall be permitted only within the building envelopes as identified by the Subdivision Guide Plan. 12. No dams shall be permitted on any lot unless otherwise approved by the local government and the Water and Rivers Commission. 13. The location of future dwellings on proposed Lots 1, 2, 3 and 4 are to be fixed as shown on the Subdivision Guide Plan. This is to minimise the quantity of remnant vegetation to be cleared for building envelopes, access and fire management. 14. There shall be a height limit on buildings of 8 metres. 15. Buildings, water tanks and other structures should be located away from ridge-tops so as not to be silhouetted against the skyline. 16. Outbuildings should form a unified group with the main building and should be of similar form, colour and materials. 17. Prior to the issue of titles for Lots 5 and 6, the foreshore reserve is to be transferred to the Crown free of cost, as depicted in the approved Subdivision Guide Plan. 18. Prior to the issue of titles for Lots 5 and 6, a Foreshore Management Plan is to be prepared and implemented to the satisfaction of the Department of Water and the Local Government. The Foreshore Management Plan shall include provision for: • Emergency vehicle access; • Public footpaths; • Weed and erosion control; • Re-vegetation; • Fencing; and • Management of the heritage garden. 19. Prior to the issue of title for proposed Lot 5, a restrictive covenant is to be lodged which restricts the construction of any infrastructure between the existing dwelling and the river.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
R-R27	Lot 1 Caves Road, Margaret River *AMD 7 GG 22/3/13*	1. Subdivision and development shall be generally in accordance with the adopted Structure Plan for the land. 2. The minimum lot size shall be 1ha.
R-R28	Location 1035 Rowe Road, Witchcliffe *AMD 10 GG 22/3/13*	1. Lot size and configuration shall generally be in accordance with a structure plan adopted under Part 6 of the Scheme. 2. At the time of subdivision and development the relevant components of the Fire Management Plan endorsed by the Local Government and the Department of Fire and Emergency Services shall be implemented. 3. The land is a 'Bush Fire Prone Area' for the purpose of the Building Code of Australia and accordingly all dwellings within the zone shall comply with AS3959—Construction of Buildings in Bushfire Prone Areas (as amended from time to time). 4. The Fire Management Plan may be varied from time to time by the Local Government provided the owner/s of any land affected by the variation is notified in writing of the terms of the variation. 5. At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses the following to the satisfaction of the Shire of Augusta- Margaret River and DEC— – Fauna and flora protection measures. – Landscape buffers to screen dwellings from Bussell Highway and the Rails to Trails. – Landscape buffers adjoining Lot 12 incorporating all trees and to appropriately rehabilitate the understorey. – Landscape buffers areas are to be marked on site with steel posts in order to protect vegetation. 6. At the time of subdivision an Urban Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance. 7. At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider.
R-R29	Lots 72 and 73 Kevill Road, Margaret River *AMD 14 GG 7/04/14*	1. Subdivision and development shall be generally in accordance with the adopted Structure Plan for the land. 2. The minimum lot size shall be 1 ha.
R-R30	Lots 1-12 Matthews / Diana Road, Augusta *AMD 21 GG 16/1/15*	1. Subdivision and development shall be generally in accordance with the adopted Structure Plan for the land. 2. The minimum lot size shall be 1 hectare.
R-R33	Lots 2 and 3 West Bay Creek Road, Augusta *AMD 33 GG 18/3/16*	1. Subdivision and development shall have due regard for an approved Structure Plan for the land. 2. The maximum lot yield shall be 4 lots.
R-R34	Lot 112 Caves Road, Gracetown *AMD 39 GG 13/01/17*	1. Subdivision shall have due regard for the approved Structure Plan prepared for the land. 2. The minimum lot size shall be 3 hectares. 3. At the time of subdivision the local government will request that the Western Australian Planning Commission (WAPC) impose conditions requiring the subdivider to:

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
		(a) Effect the relevant provisions of the endorsed Fire Management Plan applicable to the Structure Plan area. (b) Implement the visual landscape buffer in accordance with the Structure Plan. (c) Place a notification on the title of Lot 102 advising prospective purchasers that the land is located near a National Park which is subject to fire management regimes undertaken by the State government; and (d) Create access to both lots from Cowaramup Bay Road as shown on the Structure Plan under a reciprocal rights access agreement. 4. Clearing of remnant vegetation shall only take place within those areas designated as building envelopes on the Structure Plan with the following exceptions: • Clearing to gain vehicular access to the lots. • Clearing to comply with the requirements of the Fire Management Plan; or • Clearing trees that are dead, diseased or dangerous.
R-R35	Lots 3, 4, 5, 6, 7, 8, 9,10 & 11 Doyle Place, Margaret River. *AMD 45 GG 18/1/19*	1. Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan endorsed by the Western Australian Planning Commission. 2. Flora/Fauna investigations shall be submitted in support of any subsequent structure plan prepared in respect of Lots 3 and/or 6. 3. At the time of subdivision the Local Government will request that the Western Australian Planning Commission impose conditions requiring the subdivider to: • Prepare a Fauna Management Plan. • Prepare a Foreshore management Plan (including revegetation and weed management); and • Prepare a Stormwater Management Plan. 4. Prior to subdivision of the land a developer contribution scheme shall be prepared for the upgrade of Doyle Place.
R-R36	Lot 21 Caves Road, Hamelin. *AMD 49 GG 8/5/2020*	1. Subdivision will be generally in accordance with the adopted Structure Plan and associated provisions for the land. 2. Notwithstanding the Zoning Table, the following use classes are not permitted on Lots 1-14 in the Structure Plan (the north-western portion of the Rural Residential area): - Home Business - Guest House - Convenience Store - Industry – Cottage - Agriculture – extensive - Dam 3. As a variation to Clause 4.22.2(c), clearing of land outside the building envelope is permitted to the extent necessary to comply with the approved Bushfire Management Plan forming part of the adopted Structure Plan. Consistent with this, clearing of land is prohibited in the following areas shown on the adopted Structure Plan, except for the purposes of constructing and maintaining

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
		boundary fencing: - Proposed Conservation Area - Managed Bushland - Vegetation to be Retained - Screening Vegetation 4. All dwellings and outbuildings are to be confirmed to the identified building envelopes. 5. Any dwelling located on Lots 1-3, 11-12 and 18-20, as outlined on the Structure Plan Map is to be constructed to a minimum BAL-29 rating, in accordance with the requirements of the Bushfire Management Plan. 6. At the development stage, building setbacks are to comply with the BAL contour map forming part of the Bushfire Management Plan (refer Figure 20. BAL Contour Map) 7. All applications for residential development are to be supported by information confirming their consistency with the approved landscape assessment including having particular regard to the maximum height of building pads. 8. A consistent type and standard of boundary fencing is required for all lots in accordance with Clause 4.22.7(a). In addition to boundary fencing, any fencing of building envelopes shall be visually permeable, unobtrusive and sensitive to the objective of maintaining the rural character and visual amenity of land within the Zone. Solid fencing such as corrugated fibro cement and iron is prohibited. 9. The areas identified as Managed Bushland in the adopted Structure Plan are to be fenced with a suitable standard of rural fencing to protect vegetation and landscape values as a condition of subdivision approval. 10. No direct access to Caves Road will be permitted from proposed lots adjoining Caves Road. 11. At the time of subdivision and development, the following approved management plans consistent with the adopted Structure Plan will be required to be implemented: - Urban Water Management Plan - Bushfire Management Plan - Landscape Management Plan 12. The land identified as proposed 'Natural Parks and Nature Reserves' is to be ceded to the Crown free of cost at the first stage of subdivision.
R-R38	Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lots 110 & 111 Waller Place; and Lots 104, 105, 106, 107 &	1. The local government will not support any proposal to re-subdivide the land until such time as a Structure Plan has been prepared and adopted for the land in accordance with the Scheme or subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the processes set out in part 4 of the deemed provisions.

Scheme Map Ref No.	Site Description	Specific Conditions and Requirements
	108 Boodjidup Road. *AMD 58 GG 14/08/2020*	2. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for any re-subdivision of the land shall be 1 hectare.
R-R39	Lots 20, 231,232,233,243, 252, 253 Merino Way, Lots 16, 26, 151, 152, 213, 221, 222, 241, 242, 251, 271, 272, 273, 281, 282, 283, 291, 292, 293, 351, 352, 353, 361, 362, 363, 380, 403 Illawarra Avenue, Lots 153, 161, 162, 170, 171, 181, 182, 191, 192, 193, 211, 212 Hereford Place, Lots 371, 372, 373, 374, 375, 376, 377, 378, 379 Percheron Place and Lots 401 & 402 Clydesdale Place, Margaret River. *AMD 60 GG 14/08/2020*	1. The local government will not support any proposal to re-subdivide the land until such time a Structure Plan has been prepared and adopted for the land in accordance with the Scheme or subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. All vegetation on the land shall be preserved unless dead or dangerous or required to be removed to give effect to an approved subdivision or development. 3. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for re-subdivision of the land shall 1 hectare.
R-R40	Lot 48 Treeton Road and Lot 49 Frieslan Street, Cowaramup *AMD 61 GG 5/4/2022*	1. Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan endorsed by the Western Australian Commission. 2. Notwithstanding the provisions of clause 4.22.1 (a) an average lot area of 1 hectare shall be achieved. 3. No further subdivision than provided for in the approved Structure Plan will be supported.
R-R41	Lots 23 and 24 Eucalyptus Court Margaret River *AMD 73 GG 28/7/2023*	1. Notwithstanding the provisions of Clause 4.22 of the Scheme, the average lot size for re-subdivision of the land shall 1 hectare. 2. Unless otherwise approved by local government, subdivision design shall ensure future development and the implementation of associated bushfire safety measures occurs without the removal of vegetation. 3. If necessary, implementation of any bushfire management plan measures shall be undertaken under the direction of a DBCA authorised fauna spotter to ensure the protection of fauna on site.
R-R42	Lot 2 Fisher Road, Kudardup *AMD 77 GG 28/10/2025*	1. The minimum lot size is to be no less than 1.0 hectare.
R-R44	Lot 201 Burnside Road, Burnside *AMD 79 GG 6/2/2024*	1. All Vegetation on the land shall be preserved unless dead or dangerours or required to be removed to give effect to an approved subdivision or development. 2. Notwithstanding the provisions of Clause 4.22 of the Scheme, the average lot size for re-subdivision of the land shall 1.5 hectares. 3. Landscape Protection Areas (LPA) are to be identified on any future Subdivision Plan, and revegetated at the time of subdivision.

Schedule 8 - Car Parking and Related Requirements

(nla = net lettable area – See Schedule No. 1)
(Clause 5.8.1)

Use Type (Under Broad Class Grouping)	Parking	Qualifications, Requirements Or Conditions
Residential Uses		
All residential development to which the R Codes apply.	As per R-Codes.	
Residential Building *AMD 1 GG 9/11/12*	1 bay for every 2 beds.	Visitor parking to be identified as such in each bay.
Commercial Uses		
Offices	1 space per 25m² nla.	Where office development is located at levels, other than ground level, within a building where there is no provision for public pedestrian access to the satisfaction of the local government, then the car parking requirement may be reduced to 1 space per 40m$^{2.}$ or above and not fronting footpaths of other pedestrian movement.
Retail/Shops	1 space per 25m² nla.	
Home Store	1 space per 25m^2 nla of retail floor space plus 1 space for the dwelling.	
Restaurant/Cafes	1 space per 4 seats.	In the Town Centre, Service Commercial and Tourist Development Zones, reciprocal parking arrangements may be approved by the local government where it can be demonstrated that the need for parking accommodation occur at different times of the day.
Fast Food Outlet/ Lunch Bar	1 space per 4 seats or 1 space per 25m^2 nla whichever is the greater.	
Hotel/Tavern, Small Bar and Brewery *AMD 1 GG 9/11/12*	1 space per 6m^2 of bar space (areas occupied by customers) (excluding servery areas) and 1 space per unit of accommodation where appropriate.	
Showrooms	1 space per 50m² nla.	
Service Station/Convenience Store	2 spaces per service bay plus 1 space per 25m² of nla.	Where use is located in an industrial zone, the standard for motor vehicle repair stations may be applied.

Use Type (Under Broad Class Grouping)	Parking	Qualifications, Requirements Or Conditions
Car Tyre and Car Accessory Retail Outlets/ Motor Vehicle Repairs	2 spaces per service bay plus 1 space per 25m² of nla.	
Vehicle Showrooms and Sales Yards – Motor/Caravan/Boat	1 space per 50m² of nla except that, where servicing facilities are incorporated, 2 spaces for each such service bay.	
Warehouses	1 space per 50m² nla up to 200m² plus 1 space per 100m² above 200m².	
Funeral Parlours	1 space for every 4 persons the premises are designed to accommodate for family gatherings, memorial services and the like.	
Plant Nursery (retail or wholesale) landscape suppliers	1 space per 50m² nla – where nla refers to area used for plants.	
Transport Depot	1 space for each transport vehicle capable of being accommodated on the site.	
Roadside Stall	4 spaces minimum.	
Commercial Uses *AMD 34 GG 22/1/16* (Margaret River Town Centre and Tourism zone only)		
Retail/Shops/Offices/Home Store	1 bay per 30m² NLA plus 1 bay for dwelling (home store only).	A parking requirement of 1 bay per 40m²NLA is applicable to upper floor office space when there is no provision for public pedestrian access, to the satisfaction of the local government.
Restaurant/Cafe	1 space per 5 seats or 1 space per 30m² nla whichever is the greater.	Reciprocal parking arrangements may be approved by the local government where it can be demonstrated that the need for parking accommodation occur at different times of the day.
Fast Food Outlet / Lunch Bar	1 space per 5 seats or 1 space for 30m² nla whichever is the greater.	
Hotel / Tavern, Small Bar, Brewery	1 bay per unit of accommodation where applicable plus 1 bay per 7.5m² of bar space (areas occupied by customers, excluding servery areas) or where determined by the local government - 1 space per 7.5 patrons.	

Use Type (Under Broad Class Grouping)	Parking	Qualifications, Requirements Or Conditions
Industrial Uses		
General, Light and Service Industrial Uses	1 space per 50m² nla.	
Car Wrecking/Salvage Yards	1 space per 50m² of nla.	
Open Storage Depot	1 space per 250m^2 of site area.	
Public Buildings and Administrative Uses		
Public Meeting Places	1 space per 4 persons or 4 seats the venue is designed to accommodate to be determined by the local government in each case.	Standard includes open air venues, places of worship, concert venues, and public halls.
Public Events, Exhibitions etc. Function Rooms/Reception Centres	1 space per 4 persons the building is designed to accommodate.	
Public Buildings including Museums, Galleries, Exhibition Centres and Libraries	1 space per 40m² of public floor areas plus 1 space per 40m² for administrative office space.	
Civic Administrative Buildings	1 space per 25m² nla.	
Public Health Buildings – Hospitals	1 space per 4 patient beds plus 1 space per 40m² for administration accommodation.	
Clinics, Health Centres, Consulting Rooms, Medical Centres and the like	4 spaces for each practitioner the premises are designed to accommodate at any one time.	
Educational Establishments Including all schools, kindergartens and child/day care centres	To be determined by the local government in each case having regard to the number of teachers in attendance at any one time and the number of support personnel also in attendance.	Adequate pick up and set down facilities and bus bays with turning facilities are also required to be provided on site. For tertiary establishments where students are of driving age additional parking accommodation will be required in each case and the parking requirement determined by the local government in each case.
Drive-In Theatre, Theatre, Cinema	1 space for every 4 persons the premises are designed to accommodate.	
Tennis Courts, Bowling Greens	3 spaces per court or 15 spaces per green as appropriate.	
Gymnasium, Fitness Centres, Basketball Courts, Squash Courts, etc	1 space per 25m² of floor space to which the patrons have access plus 1 space for every 40m^2 of administrative office space	

Use Type (Under Broad Class Grouping)	Parking	Qualifications, Requirements Or Conditions
Sports Venues, Football, Cricket and Hockey Grounds	1 space for every 4 seats for spectators or 1 space for every 4.5m² of spectator accommodation area whichever is greater plus adequate space for sports participant parking as assessment by the local government in each case.	
Clubs	As determined by the local government in each case based on the maximum number of persons likely to be on the premises at any one time.	
Marinas/Jetties	1 space per berth or boat hard stand area.	
<u>Tourist Uses</u> Caravan Parks and Camping Grounds	1 space per site plus 1 additional space for every 4 sites for visitors parking.	
Bed and Breakfast and Guesthouse	1 space for each room of accommodation plus one for the principal dwelling.	
Motel/Resort	1 space per unit plus 1 additional space for every 4 units for visitor parking.	Bus parking will be required for facilities containing 20 or more units. Restaurants and function centres will be separately assessed and total number of spaces fixed accordingly.
Chalet/Farm-stay Accommodation	1 space per chalet plus 1 visitor parking space for every 4 chalets.	
Holiday House *AMD 1 GG 9/11/12* *AMD 54 GG 10/8/18*	1 space per room used for accommodation. Grouped Dwellings – Minimum 2 Bays.	

Schedule 9 - Development Standards

Zone	Site Coverage %	Plot Ratio	Setback			Landscaping %	Special Conditions/Comments
			Front	Rear	Side		
Residential	As per Residential Design Code						
Future Development	As per Residential Design Code						For development other than Residential the Structure Plan shall show the appropriate zone standard that shall apply in each case and the standards relevant to that zone will apply or where not specified on the Structure Plan will be determined by the local government using the most appropriate zone standard as a guide.
Composite Industry	50	0.5	10	*	*	5	Screening of non-residential development will be required. Residential development shall comply with the relevant R code except that the minimum setback may be reduced to 6m for dwellings.
Town Centre	75	1	Nil	*	Nil	*	Landscaping in parking areas will be required. Service yards and waste management facilities shall be provided.
Village Centre	50	0.5	Nil	*	Nil	*	Landscaping in parking areas will be required. Service yards and waste management facilities shall be provided.
Service Commercial	75	0.5	10	*	Nil**	5	Landscaping along street frontage will be expected. Service yards and waste management facilities shall be provided.
Chalet and Camping Zone	30	0.3	20****	10	*	5	See clause 4.19.2
Tourism Zone	50	0.5	10****	5	*	5	
Industry	75	0.5	10	*	Nil **	5	Landscaping along street frontage will be required. Service yards and waste management facilities shall be provided.
Priority Agriculture #	N/A	N/A	30***	20	20	N/A	See clause 4.16.1 for additional setback requirements for the Priority and General Agriculture Zones. For lots within the Rural-Residential zone, the setbacks set out in this Schedule only apply where building envelopes are not specified for the lot.
General Agriculture #	N/A	N/A	30***	20	20	N/A	
Rural Residential	N/A	0.1	30***	30	10	*	
LNR Conservation, Landscape Amenity and Southern Ocean Foreshore Protection	*	*	*	*	*	*	

* Standard to be set by the local government in each case having regard to the likely impact of a planning proposal on adjoining properties, the requirements of the Scheme in relation to travel route corridors and the LNRSPP Landscape Policies and Guidelines where they relate to the subject land.

** Where parking and servicing areas are located to the rear of buildings the nil setback will apply to one side only

*** A 60m setback shall apply to development on land abutting Highways, Main Roads and Travel Route Corridors within the Scheme

**** A 60m setback shall apply to development on the land abutting Highways, Main Roads and Travel Route Corridors outside designated townsites *AMD 29 GG 24/3/16*

See clause 4.15 for setback variations for intensive agriculture.

NB. Refer to clause 5.13 for building height controls.

Schedule 10 - Community infrastructure development contribution plan for development contribution areas

Cl 6.3
AMD 35 GG 9/12/16

Scheme Reference	**DCP1a - Margaret River Cultural Centre**
Development Contribution Area	DCA1
Relationship to planning instruments	Redevelopment of the Cultural Centre is identified in the Shire's Long Term Financial Plan, the Shire's Corporate Plan, the Community Infrastructure Plan and the Supertown Growth Plan.
Infrastructure and administrative items to be funded.	The items to be funded from this DCP are a proportional share of Stages 1 and 2 of the redevelopment of the Margaret River Cultural Centre at Wallcliffe Road, Margaret River, as identified in the Wilcox and Associates drawings of 2015 and includes: **Stage One Multi Use Space** • Re-pitch squash court and wet area roofs to remove industrial box gutter and replace asbestos roof with Colorbond roofing and insulation. Construct covered walkway to car park. • Convert squash courts into multi-purpose gallery/expo/performance/conferencing space of 243m² divisible by three by retractable acoustic walls and also including relocated 180 seat retractable seating from the main theatre. • Create a connecting foyer between the existing theatre and the newly refurbished multipurpose space created by the squash courts, including new bar/servery facilities. • Construct a new commercial kitchen to service all areas from the central foyer location. • Renovate toilet area and construct new universally accessible toilet, green room, storeroom and rehearsal/conference break-out and future office accommodation area. • Renovate courtyard replacing asbestos roof to number 3 basketball court and courtyard verandah with Colorbond, extend verandah, reclad basketball court façade and create new universally accessible entry to the theatre along the old verandah on the north side of the courtyard. **Stage Two Auditorium** • Refurbish theatre and install new technology as per the Stuart report (see section 2.4.3 below). • Install permanent theatre style seating for 310 patrons. • Construct new theatre foyer and new northern façade. • Refurbish toilets and construct new universally accessible toilet. • Create new office space in old kitchen with independent external access doors. • Install climate controlled air conditioning to theatre auditorium. • Replace asbestos roofing to auditorium and fly tower with Colorbond roofing and insulation. • Install PVC Solar Panels on auditorium roof.

	Cost estimates include: • Planning and design. • Partial demolition and reconstruction. • Landscaping. • Project management and administrative fees associated with construction.
Method for calculating contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve the Cultural Centre to cater for future growth. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan. This calculation includes recognition of the residual value of the retained components of the existing Cultural Centre; and excludes a component of future usage that will be generated by development outside of the Shire. In this regard the proportion of usage for conference purposes are anticipated to be funded through grant income.
Period of operation	15 years
Priority and timing	This is the highest ranking community project in the DCA1 catchment, it is anticipated to commence development in 2016/2017.
Review process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP1b - Gloucester Park**
Development Contribution Area	DCA1
Relationship to Planning Instruments	Redevelopment of Gloucester Park is identified in the Shire's Long term Financial Plan, the Shire's Corporate Plan and the Community Infrastructure Plan.
Infrastructure and Administrative Items to be Funded	Proportional share of increasing capacity at the Gloucester Park recreation area, including: • Gloucester Park drainage (between Bowling Club and Rec Centre). • Gloucester Park – Lower Western Oval Drainage. • GP Sport playing fields Expansion – Lower Western Oval. • Gloucester Park Signage. • GP Soccer/Cricket/Hockey clubs pavilion – Additional change room facilities to northern side of Pavilion – single storey, change area and adjoining showers and toilet. • GP Rugby/Tennis Club Pavilion – Additional undercover area on western side of Pavilion. • GP Extend Cricket Club Nets. • Gloucester Park Landscaping. • Gloucester Park Pathways. • Gloucester Park Trails.
Method of Calculating Contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve Gloucester Park to cater for future growth. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan. This calculation excludes:

	• The demand for additional facilities created by the existing community, to be funded through general revenue (projected at 50%). • The ability to secure grant funding for substantial improvements that will benefit existing and future users. • Future usage – the proportion of usage that will be generated by development outside of the development plan timeframe.
Period of Operation	10 years - as a District level facility the level of improvements are significant.
Priority and Timing	This is the second highest ranking community project in the DCA1 catchment, implementation has commenced as at 2015.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP1c - Margaret River Youthspace**
Development Contribution Area	DCA1
Relationship to Planning Instruments	Redevelopment of the Youthspace is identified in the Shire's Long term Financial Plan, the Shire's Corporate Plan and the Community Infrastructure Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportional share of Stages 1 and 2 of the redevelopment of the Margaret River Youthspace at Wallcliffe Road, Margaret River, as identified in the COVIC drawings of 2014 and includes: • Stage 1: o Zone room breakout space; o Half-court basketball; o Unique skateable features; o Snake run; o Mini ramps; o WSUD landscaping. • Stage 2: o Connection paths and entry plazas; o Unique skateable features; o BBQ's; o Shade structures; o Turf mounding to compliment stage area; o WSUD landscaping. Cost estimates include: • Planning and design. • Partial demolition and reconstruction. • Landscaping. Project management and administrative fees associated with construction.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportional share of Stages 1 and 2 of the redevelopment of the Margaret River Youthspace at Wallcliffe Road, Margaret River, as identified in the COVIC drawings of 2014 and includes: • Stage 1: o Zone room breakout space;

	○ Half-court basketball; ○ Unique skateable features; ○ Snake run; ○ Mini ramps; ○ WSUD landscaping. • Stage 2: ○ Connection paths and entry plazas; ○ Unique skateable features; ○ BBQ's; ○ Shade structures; ○ Turf mounding to compliment stage area; ○ WSUD landscaping. Cost estimates include: • Planning and design. • Partial demolition and reconstruction. • Landscaping. Project management and administrative fees associated with construction.
Method of Calculating Contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve the Margaret River Youthspace to cater for future growth, and given the existing facility is at the end of its useful life. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan and recognising the existing benefits that accrue from the retained infrastructure in the Youthspace complex. This calculation excludes: • The residual value of the retained components of the Youthspace; • Future usage – the proportion of usage that will be generated by development outside of the planning period.
Period of Operation	10 years
Priority and Timing	This is the third ranking community project in the DCA1 catchment, it is anticipated to commence development in 2017/18.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP2a - Margaret River Footpath Improvements**
Development Contribution Area	DCA2a (portion of DCA2 relating to infill development in the Margaret River townsite).
Relationship to Planning Instruments	Path improvements are identified in the Shire's Long Term Financial Plan, the Integrated Transport Strategy and the Shire's Path Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportion of the infill related path infrastructure identified in the Shire's Path Plan (2015).
Method of Calculating Contributions	Applies to infill development/grouped dwellings only. Calculations are based on a proportional share of infill related path infrastructure identified in the Shire's Path Plan, as follows:

	1. The cost of providing infill related footpath infrastructure is identified in the Shire's Path Plan. The total cost allocation foe these paths is extracted from the ten year budget allocation in the Long Term Financial Plan. 2. The proportion of new infill dwellings anticipated within the ten year planning period is estimated. 3. The total estimated cost of infill path improvements is divided proportionally by the number of expected infill related dwellings expected over the ten year planning period.
Period of Operation	10 years
Priority and Timing	Projects will be undertaken when sufficient funding is available as identified in the Shire's Long Term Financial Plan.
Review Process	Annually
Scheme Reference	**DCP2b - Station Road Stormwater**
Development Contribution Area	DCA2b
Relationship to Planning Instruments	Area identified for commercial intensification and residential infill through LPS1 zoning.
Infrastructure and Administrative Items to be Funded	Two 1000m^2 bio-retention basins in the Doyle Place road reserve.
Method of Calculating Contributions	Two stages of development are identified for each proposed detention basin: • Stage 1 funding the initial 1,000m² detention basin providing for lots that have already been developed or have a condition applied to existing development approvals, which includes Lots 21, 38, 256 and 100; • Stage 2 will make proportional contributions from the balance of the land to a second 1,000m² detention basin in the Doyle Place Road Reserve. For each stage the projected cost of detention basins is to be allocated across undeveloped lots based on an anticipated total impervious area of 80% at full development.
Period of Operation	5 years
Priority and Training	As sufficient contribution revenue received.
Review Process	Annually
Scheme Reference	**DCP2c - Kevill Road**
Development Contribution Area	DCA2c
Relationship to Planning Instruments	Resubdivision of the RR15 Rural Residential area is provided for under LPS1 and associated Detailed Area Plan adopted under LPS1.
Infrastructure and Administrative Items to be Funded	Upgrading of approximately 1.6km of Kevill Road East from Wallcliffe Road north, improving the road from approximately 4m in seal width to a 6m bitumen two coat seal with appropriate drainage, together with allocation for design and survey of works.

Method of Calculating Contributions	Total cost of works divided between the number of new lots provided for under endorsed Detailed Area Plans, with the cost of works reduced by contributions taken as at the initiation of Amendment 35 to LPS1 (16/12/2014).
Period of Operation	10 years
Priority and Timing	Works are to be undertaken in three stages in the following order of priority as sufficient funds are collected: • Stage 1: Kevill Road East from Wallcliffe Road to 430m north (first 31 lots). • Stage 2: Kevill Road East from 430m north of Wallcliffe Road to the southern extent of Lots 61 and 62 Kevill Road East (next 35 lots). • Stage 3: Kevill Road East from the southern extent of Lots 61 and 62 Kevill Road East north to the western extent of Lot 59 Kevill Road East (remaining 30 lots). *AMD 32 GG 29/08/17*
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP2d - Ashton Street SPA14**
Development Contribution Area	DCA2d
Relationship to Planning Instruments	Infrastructure required as a consequence of re-subdivision within the SPA14 area and endorsed Structure Plan.
Infrastructure and Administrative Items to be Funded	• Ashton Street road upgrade – widening of Ashton Street to 6.0m, provision of kerbing, resurfacing and installation of signs and line-marking along the frontages of Lots 1 to 13. • Ashton Street pathway – provision of a pathway along one side of Ashton Street. • Ashton Street stormwater drainage – construction of a stormwater drainage system servicing the Ashton Street road pavement between Lots 1 and 13, including swale drain, pipes and pits. • Ashton Street stormwater treatment – construction of a bio-retention basin for the treatment of stormwater from the Ashton Street road pavement. • Ashton Street street lighting – provision of poles and lanterns along Ashton Street to Western Power specifications. • Foreshore Management – preparation and implementation of a foreshore management plan to protect and enhance the Margaret River and Merchant Brook foreshore reserves abutting Lots 1 to 8. • River Access Upgrade – improvements to pedestrian access ways to a compacted gravel standard and on street parking in the Ashton Street Road Reserve adjacent to Lots 2 and 3 (pedestrian access from between Lots 2 and 3, and from the cul-de-sac head in lot 6). • Public Open Space land – land will be ceded at subdivision by the owners of Lots 12 and 13 for the provision of public open space to service the R5 zoned lots within the ODP area. • Public Open Space development – the development of the public open space land including weed control, landscaping, pathways, park furniture and maintenance for a two year period. • Scheme Administration - an allowance for has been made for scheme administration to reflect the Shire's role in development and ongoing monitoring of the scheme, project management and financial administration.
Method of Calculating Contributions	Contributions will be calculated based on: • A proportional share of the costs of infrastructure projects based on a per lot contribution. • A proportional share of POS provision spread on an area basis through land zoned Residential R5.

	• A proportional share of implementation of the foreshore management plan for the SPA14 area spread between lots 1-13.
Period of Operation	10 years
Priority and Timing	Projects will be undertaken when sufficient funding is available.
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP3a - Augusta Path Improvements**
Development Contribution Area	DCA3
Relationship to Planning Instruments	Path improvements are identified in the Shire's Long Term Financial Plan and the Shire's Path Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportion of the infill related path infrastructure identified in the Shire's Path Plan (2015).
Method of Calculating Contributions	Applies to infill development/grouped dwellings only. Calculations are based on a proportional share of infill related path infrastructure identified in the Shire's Path Plan, as follows: 1. The cost of providing infill related footpath infrastructure is identified in the Shire's Path Plan. The total cost allocation foe these paths is extracted from the ten year budget allocation in the Long Term Financial Plan. 2. The proportion of new infill dwellings anticipated within the ten year planning period is estimated. 3. The total estimated cost of infill path improvements is divided proportionally by the number of expected infill related dwellings expected over the ten year planning period.
Period of Operation	10 years
Priority and Timing	Projects will be undertaken when sufficient funding is available as identified in the Shire's Long Term Financial Plan.
Review Process	Annually
Scheme Reference	**DCP3b - Augusta Planning Area 6**
Development Contribution Area	DCA3b
Relationship to Planning Instruments	Infrastructure required as a consequence of subdivision and development within Structure Plan Area 6.
Infrastructure and Administrative Items to be Funded	Implementation of the following infrastructure improvements: • Hillview Road & Ellis Street path (completed). • Hillview Road upgrade. • Ellis Street upgrade. • Hart Road path. • Hart Road South upgrade. • Hart Road North & Luke Road upgrade. • Bussell Highway link road.

<table>
<tr><td></td><td>

Bussell Highway link road path.
Scheme Administration.

</td></tr>
<tr><td>Method of Calculating Contributions</td><td>
Apportionment of costs is based on the percentage of net subdividable area within each development area designated as Areas A, B and C, and the assumed lot yields for each of these areas, as follows:
<table>
<tr><th>Area</th><th>Anticipated Lot Yield</th><th>Apportionment (%)</th></tr>
<tr><td>Area A</td><td>975</td><td>66.8</td></tr>
<tr><td>Area B</td><td>182</td><td>12.5</td></tr>
<tr><td>Area C</td><td>260</td><td>17.8</td></tr>
<tr><td>Shire</td><td>Existing LIA (42)</td><td>2.9</td></tr>
<tr><td>Total</td><td>1459</td><td>100</td></tr>
</table>
The Policy includes a requirement for contributions from Developers of Areas A, B and C towards the construction of the Bussell Highway Link Road and Path. The existing Light Industrial Area (LIA) is considered to be a beneficiary of the Link Road and therefore the Shire of Augusta Margaret River has made contribution to these works.

Due to the protracted timeframe for full development within DCP3b full infrastructure delivery under this DCP, timeframes and contribution requirements are to be delivered on completion of 66% of lots within DCA3b.
</td></tr>
<tr><td>Period of Operation</td><td>10 years</td></tr>
<tr><td>Priority and Timing</td><td>
Due to the likely timeframe for the development of all lots within DCP3b contribution requirements have been apportioned through delivery of two thirds of anticipated development in the area. The prioritisation of projects and trigger points for delivery will be as follows:

Note: All projects highlighted below are anticipated to be outside the planning period due to expected growth rates.
<table>
<tr><th>Project</th><th>Priority</th><th>Cumulative Number of Lots</th></tr>
<tr><td>Hillview Road & Ellis Street path (completed).</td><td>1</td><td>81</td></tr>
<tr><td>Hillview Road upgrade.</td><td>2</td><td>154</td></tr>
<tr><td>Ellis Street upgrade.</td><td>3</td><td>258</td></tr>
<tr><td>Hart Road path.</td><td>4</td><td>327</td></tr>
<tr><td>Hart Road South upgrade.</td><td>5</td><td>459</td></tr>
<tr><td>Hart Road North & Luke Road upgrade.</td><td>6</td><td>595</td></tr>
<tr><td>Bussell Highway link road.</td><td>7</td><td>929</td></tr>
<tr><td>Bussell Highway link road path.</td><td>8</td><td>977</td></tr>
<tr><td>Scheme Administration.</td><td>9</td><td>984</td></tr>
</table>
</td></tr>
<tr><td>Review Process</td><td>This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.</td></tr>
<tr><td>Scheme Reference</td><td>DCP3c - Augusta Civic Park</td></tr>
<tr><td>Development Contribution Area</td><td>DCA3</td></tr>
<tr><td>Relationship to Planning Instruments</td><td>Infrastructure required as a consequence of subdivision and development and consistent with the Shire's Long Term Financial Plan and endorsed Civic Park Masterplan.</td></tr>
</table>

Infrastructure and Administrative Items to be Funded	Implementation of the following infrastructure improvements: • Upgrading of the recreation centre; and • Upgrading of the library. As detailed in the Shire's Augusta Civic Park Masterplan.
Method of Calculating Contributions	Contributions will be calculated based on a share of the total project cost proportional to the amount of population growth projected through the planning period, with costs divided evenly between existing and future residents.
Period of Operation	10 years
Priority and Timing	These projects are programmed to commence in the 2017/18 financial year and be completed in three years.
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution Funded projects.
Schemes Reference	**DCP4 – Cowaramup**
Development	DCA4
Relationship to Planning Instruments	Further subdivision and development in Cowaramup is identified in State Planning Policy 6.1 – Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Cowaramup Village Strategy.
Infrastructure and Administrative Items to be Funded	• Shade/lighting/drinking fountain (skate park). • Construct additional car-parking in proximity to town centre. • Hall upgrades. • Additional male and female public toilets (extend existing). • Wadandi trail – construct from Cowaramup to northern Shire boundary. • Pavilion and parking – West Cowaramup oval. • Selected improvements Cowaramup Oval.
Method of Calculating Contributions	Contributions will be calculated having regard to the extent to which the infrastructure items benefit the lots to which the contributions accrue and the Cowaramup community more broadly. The exception is items which benefit east or west Cowaramup most specifically.
Period of Operation	10 years
Priority and Timing	Over the next 10 years, it is anticipated that 212 of the 750 lots available for subdivision will be created. As such, items ranked with a lower priority are unlikely to be funded by this mechanism over the life of the DCP. Items have been ranked in order of priority for implementation as follows: 1. Shade/lighting/drinking fountain (skate park). 2. Construct additional car-parking in proximity to town centre. 3. Additional male and female public toilets (extend existing). 4. Hall upgrades. 5. Wadandi trail. 6. Pavilion and parking – West Cowaramup oval. 7. Selected improvements Cowaramup Oval. 8. Dual use paths.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.

Scheme Reference	**DCP5 – Witchcliffe**
Development Contribution Area	DCA5
Relationship to Planning Instruments	Further subdivision and development in Witchcliffe is identified in State Planning Policy 6.1 – Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Witchcliffe Village Strategy. Much of this land is zoned for Future Development and guided by endorsed structure plans.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are the facilities identified through *Witchcliffe: Evolving Towards Tomorrow* Community Infrastructure Plan and include: 1. Rails to trails: Development of the Wadandi trail from Witchcliffe to Calgardup Road; 2. Upgrading of the community (Druids) hall; 3. Refurbishment and enhancement of existing hardcourts; 4. Construction of linking pathways; 5. Improvements to passive open space; 6. Public Art program; 7. Main Street activation; and 8. Implementation of a community environmental project (community garden).
Method of Calculating Contributions	Contributions will be calculated as the total costs of projects divided by the number of lots proposed for Witchcliffe.
Period of Operation	10 years
Priority and Timing	These projects, as developer funded, have been ranked in order of priority for implementation as follows: 1. Rails to trails: Development of the Wadandi trail from Witchcliffe to Calgardup Road; 2. Upgrading of the community (Druids) hall; 3. Refurbishment and enhancement of existing hardcourts; 4. Construction of linking pathways; 5. Improvements to passive open space; 6. Public Art program; 7. Main Street activation; and 8. Implementation of a community environmental project (community garden).
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP6 – Karridale**
Development Contribution Area	DCA6
Relationship to Planning Instruments	Further subdivision and development in Karridale is identified in State Planning Policy 6.1 – Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Karridale Hamlet Settlement Strategy. The three identified development sites are at various stages in the rezoning/structure planning/subdivision process.
Infrastructure and Administrative Items to be Funded	• Kitchen refurbishment and hall upgrades. • Improve water catchment and supply hall/Bushfire Brigade. • 1x 100,000 litre tank • Path plan and feasibility study – Investigate crossroads to school path

	link/crossroads to Wadandi track link/Wadandi track Karridale to Augusta • Construction of 2km of pathways as per feasibility study.
Method of Calculating Contributions	The contributions are calculated by dividing the total project cost by the number of expected lots to be created.
Period of Operation	5 years
Priority and Timing	Over the life of this DCP, it is anticipated that 50 of the 201 lots available for subdivision will be created. As such, items ranked with a lower priority are unlikely to be funded by this mechanism over the life of the DCP. The items have been ranked in order of priority for implementation as follows: • Kitchen refurbishment and hall upgrades. • Improve water catchment and supply hall/Bushfire Brigade. • Path plan and feasibility study – Investigate crossroads to school path link/crossroads to Wadandi track link/Wadandi track Karridale to Augusta. • Construct agreed path network.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP7 - Kudardup**
Development Contribution Area	DCA7
Relationship to Planning Instruments	Further subdivision and development in Kudardup is identified in State Planning Policy 6.1 – Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Kudardup Settlement Strategy. Around half of this land is zoned for Future Development and guided by endorsed structure plans.
Infrastructure and Administrative Items to be Funded	• Community hub: refurbishment and improvements to the existing community building, including a separate office space for community environmental group at Reserve 17936, providing for additional capacity in the facility. • Poole Road Wadandi Track connection. Shared path to be located along the edge of the existing road carriageway, approximately 1100m at gravel standard. • Wadandi Track contribution. Proportional contribution to Karridale to Augusta section of the Wadandi Track (Rails to Trails reserve). • Shared path network in the primary local park at Reserve 18866, 260m at gravel standard. • Selected improvements to the primary local park at Reserve 18866: o Outdoor hard court (Shared basketball/netball court). o Playground. o Toilet block. o 8 bay sealed carpark.
Method of Calculating Contributions	Contributions will be calculated as the total costs of projects divided by the number of lots proposed for Kudardup.
Period of Operation	20 years
Priority and Timing	These projects, as developer funded, have been ranked in order of priority for implementation as follows: • 1 - Community hub; • 2 - Poole Road Wadandi Track connection;

	• 3 - Wadandi Track contribution. Proportional contribution to Karridale to Augusta section of the Wadandi Track (Rails to Trails reserve); • 4 - Shared path network in the primary local park at Reserve 18866; • 5 - Selected improvements to the primary local park at Reserve 18866: o Outdoor hard court (Shared basketball/netball court). o Playground. o Toilet block. 8 bay sealed carpark.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	**DCP8 – Gracetown**

Schedule 10A – 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 and 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 and Input Tax Credit (3-6)			$	(7)
Less adjusted profit and risk allowance as per SPP3.6				
Market determined profit & risk allowance	%			(8)
Less fixed profit allowance per SPP3.6	10%			(9)
Risk rate applied (8-9)	= %			(10)
EXPLANATION: (10) to be expressed as a whole number eg 15%=15				
Ie Risk = (7) multiplied by (10)/100+(10)			$	(11)
Balance after profit and 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)
Develop cost after Input Tax Credit (13-14)		$		(15)
Add interest on net development costs (15)				
For ½ development and ½ selling term				
@ Applicable market rates				
(15) Multiplied by % rate		$		(16)
(15+16)			$	(17)
Balance after deduction of development costs 7 interest (12-17)			$	(18)
Less interest on land value, rates and taxes and stamp duty				
Assessed over ½ development and ½ selling term				
@ applicable market rates				
(18) Multiplied by (%rate/100+%rate)			$	(19)
Balance after interest on land (18-19)			$	(20)
Less rates and taxes			$	(21)
Balance after rates and 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 consideration (22-23)		$	(24)	
Add GST (24) +GST at prevailing statutory rate			$	(25)
ASSESSED STATUTORY CONTRIBUTION PER SPP3.6 (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 % profit applied in SPP3.6.

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 the 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 a 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 11 - Structure Plan Areas

Deemed Provisions - Part 4

Area numbers in the Table below relate to Structure Plan Areas (SPA) shown on the Scheme Map. (eg SPA 1)

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
1	Industrial Area, Hillview Road, Augusta	Light industrial	Due regard shall be paid to the character and amenity of the area. Special attention shall be paid to the nature and quality of natural vegetation in the area and the value any low lying land to the overall landscape value, environmental and ecological well-being of the locality. Notwithstanding the Industrial zoning, it should not be interpreted to imply that all of the vegetated land will be open to development.	Nil.
2	Area bounded by Turner, Trigg, and Loch Streets and Albany Terrace, Augusta	Single and grouped residential	Subdivision and development is to be consistent with the principles of sustainability and the established character and amenity of the surrounding area. Natural vegetation in the area and the extent of clearing necessary to implement the plan. Requirements for drainage and filling in view of the low lying nature of portions of the land. The impact of filling and the provision of essential services on vegetation on the land and on adjoining road reserves. The ultimate subdivision pattern based upon slope analysis, site constraints and adjoining land uses. The need for public open spaces.	All lots created within each area shall be connected to the reticulated water and sewerage systems.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
3	Area bounded generally by Blackwood Avenue, Allnutt Terrace and the rear boundaries of properties fronting Manning Street, Augusta	Commercial retail area	Development to accord with the Augusta Town Centre Strategy as amended from time to time or such other strategy. Individual lot development within the area is not encouraged. Preference will be given to the consolidation and subsequent development of land holdings that promote a coordinated sustainable development outcome.	Nil.
4	Area Bounded by Allnutt Terrace, Ellis Street, Blackwood Avenue and the side boundaries of properties in Peters Place, Augusta	Part Commercial/Retail and Residential	Development to accord with the Augusta Town Centre Strategy as amended from time to time or such other strategy. Individual lot development within the area is not encouraged. Preference will be given to the consolidation and subsequent development of land holdings that promote a coordinated sustainable development outcome.	Nil
5	East Margaret River *AMD 43 GG 26/7/16*	Townsite Expansion	Generally in accordance with the East Margaret River District Structure Plan 2015 or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions.	Land Use and development in accordance with the approved Structure Plan.
6	Hillview Road, West Augusta	Residential, with local neighbourhood centres and local community facilities.	Subdivision and development to be designed having regard to both the principles of liveable neighbourhoods and the established character of Augusta. A range of lot sizes to be incorporated into any design of subdivision. Where practicable affordable housing development shall be provided for within the design.	All lots and development within this area shall be connected to the reticulated water and sewerage.
7	Lots 20, 21 and 63, Boodjidup & Caves Roads, Boodjidup	Rural-Residential	Subdivision and development shall have regard for the landscape and scenic values along Caves Road. Clustered development should be examined.	Nil.
8	Lot 302 Higgins Street, Margaret River	Residential	Particular attention shall be paid to the existing vegetation on the land and means by which the land can be developed retaining as much of the vegetation as is practicable.	Nil.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
9	Lot 102 Bussell Highway/ Miamup Road and Lot 101 O'Brien Street Cowaramup	Residential and commercial uses as outlined in the Approved Structure Plan.	Subdivision and development shall be generally in accordance with the Approved Structure Plan or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions.	Nil.
10	Lot 302 Treeton Road and Lot 4800 Waverley Road Cowaramup	Orderly and proper expansion of the Cowaramup Townsite in accordance with the Cowaramup Village Strategy.	Subdivision design and construction to be generally consistent with the character and amenity of the existing and planned character of the Cowaramup Townsite as per the approved CVS adopted 2006, or a subsequent Plan approved by the Commission. The intended stormwater regime by way of a Local Water Management Plan. Road upgrade requirements which are to be investigated by way of traffic analysis report. Investigation and address sustainability measures such as water capture and use, grey water reuse, alternative power provision and solar passive subdivision and building design. Landscape and rehabilitation requirements for the creek line and dam area by way of a suitably prepared plan which is to incorporate the use of native vegetation, and is to be in accordance with the Shire of Augusta-Margaret River "Watercourse Restoration/Management Guidelines".	All lots must be connected to the reticulated water supply system. All lots must be connected to the reticulated sewerage system or alternative waste water treatment system to the satisfaction of the Local Authority. The existing stand of vegetation along Treeton Road is to be retained as much as is practicable.
11	Loc 2183 and Lot 2 and Lot 1 Redgate Road Witchcliffe	Orderly and proper expansion of the Witchcliffe Townsite to be generally in accordance with the Witchcliffe Village Strategy	The following issues are to be investigated and methods of resolution/implementation are to be addressed by the structure plan: • Provision of upgraded services to existing dwellings within the Witchcliffe Village; • Provision of electricity via sustainable sources; • Provision of an alternative and sustainable waste water recycling scheme provided by the developer and implemented to the satisfaction of the local authority; • Provision of rainwater tanks or other mechanisms to catch and use rainwater; • Drainage based on water sensitive design principles;	Unless all relevant Government authorities including the Local Government Authority approve the alternative servicing arrangements, all lots and development shall be connected to a conventional reticulated water and sewerage system. The Structure Plan is to be accompanied by the following studies: • Environmental Assessment; • Environmental Corridor/Stream Zone Management Plan;

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
11 Cont'd	Loc 2183 and Lot 2 and Lot 1 Redgate Road Witchcliffe		• Provision of affordable housing; • Preparation of design guidelines to ensure a sustainable from of housing including solar passive design and orientation; • Solar passive lot orientation; • Reuse of greywater.	• Public Open Space and Landscaping Plan • Traffic Management Plan; • Fire Management Plan including appropriate setbacks from native vegetation recognising the objective to minimise clearing of quality vegetation; • An ethnological survey conducted by a qualified consultant and • A Community Infrastructure and Facilities Needs Plan, including the proposed primary school site and the investigation of developer contributions to implement the plan where necessary. • The Structure Plan may identify areas which require the preparation and endorsement of a further detailed structure plan and associated studies prior to any subdivision or development occurring on those identified areas. These identified areas will require sufficient planning detail on the proposed Structure Plan to guide future detailed structure planning to the satisfaction of the Local Government and the Western Australian Planning Commission and to ensure co-ordinated urban design environmental protection, landuse and development over the entire Structure Plan area. • Where there is a dispute between the local government and the proponent as to the level of detail required to meet the above requirements, the Department of Planning will act as arbitrator.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
12	Loc 1032 Redgate Road Witchcliffe	Orderly and proper expansion of the Witchcliffe Townsite to be generally in accordance with the Witchcliffe Village Strategy	The following issues are to be investigated and methods of resolution/implementation are to be addressed by the structure plan: • Provision of upgraded services to existing dwellings within the Witchcliffe Village; • Provision of electricity via sustainable sources; • Provision of an alternative and sustainable waste water recycling scheme provided by the developer and implemented to the satisfaction of the local authority; • Provision of rainwater tanks or other mechanisms to catch and use rainwater; • Drainage based on water sensitive design principles; • Provision of affordable housing; • Preparation of design guidelines to ensure a sustainable from of housing including solar passive design and orientation; • Solar passive lot orientation; • Reuse of greywater.	Unless all relevant Government authorities including the Local Government Authority approve the alternative servicing arrangements, all lots and development shall be connected to a conventional reticulated water and sewerage system. The Structure Plan is to be accompanied by the following studies: • Environmental Assessment; • Environmental Corridor/Stream Zone Management Plan; • Public Open Space and Landscaping Plan • Traffic Management Plan; • Fire Management Plan including appropriate setbacks from native vegetation recognising the objective to minimise clearing of quality vegetation; • An ethnological survey conducted by a qualified consultant and • A Community Infrastructure and Facilities Needs Plan, including the proposed primary school site and the investigation of developer contributions to implement the plan where necessary. • The Structure Plan may identify areas which require the preparation and endorsement of a further detailed structure plan and associated studies prior to any subdivision or development occurring on those identified areas. These identified areas will require sufficient planning detail on the proposed Structure Plan to guide future detailed structure planning to the satisfaction of the Local Government and the Western Australian Planning Commission and to ensure co-ordinated urban design environmental protection, landuse and development over the entire Structure Plan area.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
12 Con'td	Loc 1032 Redgate Road Witchcliffe			• Where there is a dispute between the local government and the proponent as to the level of detail required to meet the above requirements, the Department of Planning will act as arbitrator.
13	Ashton Street Lots 11-15, 431-433, 18-20 and 22	Rural residential land use. *AMD 47 GG 7/09/18*	Additions to the river foreshore for the purposes of environmental protection and/or public access.	1. Notwithstanding the provisions of clause 4.22.1 (a) an average lot area of 1 hectare shall be achieved. 2. Tourist development comprising low density development may be permitted providing such development has a minimal impact on the character and amenity of the area, facilitates public access to the Margaret River and, where appropriate, results in a wider public foreshore area being created. 3. Subdivision and/or development of the area shall be in accordance with the adopted Structure Plan or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. 4. Lots created from the subdivision of Lot 22 Ashton Street are to be limited in their development to a single dwelling land use, with associated outbuildings. 5. Low key tourism development will only be supported where it can be located to minimise impact on the natural environment and the function of the area as an environmental corridor, where it can be clearly demonstrated that a proposal ensures compliance with bushfire planning requirements.

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13 Con'td	Ashton Street Lots 11-15, 431-433, 18-20 and 22			6. Prior to the subdivision of land, a Bushfire Management Plan shall be prepared adopted and implemented in accordance with the provisions of State Planning Policy 3.7 Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas to the satisfaction of the Department of Fire and Emergency Services.
14	Ashton Street Lots 1-13	Area to be redeveloped into a high standard for rural residential through re-subdivision of existing 3 hectare lots that complements the surrounding land uses, natural character and existing townscapes.	• The physical, topographical and environmental characteristics of the land including slope, soil type, vegetation and drainage characteristics and the need to protect such areas as the vegetation corridor along the Margaret River, high erosion areas or areas subject to flooding or inundation. • Existing built development and land uses. • Proposed lot sizes and the location, width and standard of proposed roads and their connection with the road and public recreation network in the locality. • The provision of public open space and drainage reserves and their management to protect the natural qualities of the area. • Where any lots back onto a public road or area of open space the local government will require individual lot access and the standard of fencing deemed compatible with the objectives of protecting visual and landscape amenity. • A comprehensive effluent disposal report of the soils within the area to support on site effluent disposal and recommendations on lot size. • A comprehensive drainage strategy necessary to service further subdivision and development and management measures to protect the environment integrity of the area, particularly in regard to stormwater discharge from additional subdivision.	Subdivision and/or development of the area is to be in accordance with the adopted Structure Plan, or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. *AMD 24 GG 18/9/15*
15	Fearn Avenue Lots 140, 100, 15, 11, 13-16, 23-26, 271, 283, 284 and 14	Commercial retail area in accordance with the town centre strategy, on the basis of a consolidated land holding(s).	Consolidation through amalgamation of land into a site or sites appropriate for the proposed development; The proposed traffic circulation, parking system and servicing method; and A visual and pedestrian link between the development in the Bussell Highway.	Individual lot development within the area will not be supported by the local government unless the local government is satisfied that the principles outlined in the town centre strategy in conjunction with this scheme, have been achieved.

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16	Mann Street/ Stewart Street. Lots 47 - 49	A range of clustered and mixed use medium density residential and tourist development.	No additional provisions.	Subdivision and/or development shall be generally in accordance with the adopted Structure Plan (Outline Development Plan 10683-4-001 dated 25 October 2007, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the Deemed Provisions.
17	Tyron Loop Lots 1-25 and 9000	Residential Use.	No additional provisions.	Subdivision and/or development shall be generally in accordance with the adopted Structure Plan (Outline Development Plan 03249P-10 dated 25 21/7/2006 specifically relating to landscaping and landscape buffers, or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the Deemed Provisions.
18	60 Salkilld Place, lots 59, 10, E, 130 and 4 Blackwood Avenue and Lots 3 and 6-9 Ellis Street	Town Centre uses.	Prior to any development approval being granted by the local government, a Local Development Plan shall be submitted and approved detailing the land uses and building form proposed.	Nil.
19	Lot 1 Blackwood Avenue Augusta	Residential Use R25 density	Subdivision and/or development of the land shall be preceded by an Structure Plan and/or Local Development Plan prepared in accordance with the Deemed Provisions and which examines and makes recommendations on the following: a. An Urban Water Management Plan incorporating the principles of Water Sensitive Urban Design in accordance with the local government's Policy (PE 53). b. Water saving and water reuse strategies, to the satisfaction of the local government. c. Proposed lot sizes, solar passive orientation in lot design and building design layout, to the satisfaction of the local government. d. Details of a landscape plan and its implementation which incorporates the retention of trees and native vegetation on site and revegetation with appropriate native plant species. In particular, the plan shall address the retention and augmentation of the visual buffer provided by existing trees along Blackwood Avenue.	The local government shall support a diversity of lot sizes, development design and land uses to cater for the sustainable expansion of the town, whilst maintaining an average density of R25. In this regard, variations to the standard provisions of the Residential Design Codes (e.g. minimum lot sizes, setbacks, open space etc) can be applied in order to achieve design provided the average density requirements are not exceeded.

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19 Cont'd	Lot 1 Blackwood Avenue Augusta		e. A traffic and pedestrian access plan addressing access to Blackwood Avenue and Bussell Highway, traffic generation and safety of intersections, pedestrian linkages to Augusta Centre and recreational trails, to the satisfaction of the local government. f. A Geotechnical report covering the entire site. g. The provision of the open space and foreshore reserve areas and their management. The foreshore reserve boundary to appropriately link to the foreshore reserve on the north-east and south-east boundary of the site. h. Development shall not be permitted in a "gated" format and internal streets and paths shall be open and accessible to the general public. i. Development shall provide for public pedestrian and vehicular access into the site from Cassidy Street. j. A preliminary Western Ringtail Possum assessment survey undertaken by a suitably qualified and experienced (arboreal mammal) biologist. Dependent on results from the preliminary assessment the proponent may be required to develop and implement a WRP Mitigation Plan and/or undertaken further surveys. Preliminary assessment must be submitted to DEC for review. k. An ethnographic and archaeological survey being conducted on site with input from the traditional Noongar custodians from this area. l. The identification of any or all of the dwellings within the Structure Plan as suitable for tourist accommodation (for example short stay accommodation use), and an appropriate management strategy to manage permanent residents and tourist uses.	
20	Lots 103 -106 Bussell Highway Margaret River *AMD 1 GG 9/11/12*	Residential Use	The Structure Plan shall be prepared in accordance with Clause 4 of the Deemed Provisions and shall address the following:- 1. Subdivision and development shall be at a density of R20, with the exception that the minimum lot size may be reduced to 320square metre to facilitate the protection and retention of remnant vegetation. 2. Appropriate setbacks to creek-lines to the	a) The primary use of the subject land, comprising lots 103-106 (inclusive) Bussell Highway, Margaret River shall be residential. Development shall generally be in accordance with a Local Development Plan approved by the local government. All applications for residential development shall be assessed in accordance with the R25

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
20 Cont'd	Lots 103 -106 Bussell Highway Margaret River *AMD 1 GG 9/11/12*		satisfaction of the Department of Water. 3. Consolidated areas of vegetation should be retained, specifically those areas with higher condition ratings as determined in the flora and vegetation survey, including the northwest section of Lot 105. A landscaping plan (with an emphasis on native species and retention of remnant vegetation) and a Foreshore Management Plan will be required to address the long term management of these issues. 4. A Preliminary Site Assessment must be prepared in accordance with the Department of Environment and Conservation Guidelines, which includes assessment for potential acid sulphate soils, and an examination of groundwater levels and the potential for water logging at the site. 5. A Traffic Management Plan addressing access to Bussell Highway for all four lots must be submitted to the satisfaction of the Shire and Main Roads WA. 6. A Fire Management Plan which minimises the clearing of existing vegetation must be submitted to the satisfaction of Shire Officers and FESA. 7. An Urban Water Management Strategy that incorporates Water Sensitive Urban Design (as outlined in the local government Policy) shall be prepared to the satisfaction of Shire Officers. 8. A Community Facility Needs Plan must be prepared to the satisfaction of Shire Officers. 9. Development contributions will be required for infrastructure, open space and community facilities. 10. Provision for rainwater harvesting and reuse must be provided for in any Structure plan and demonstrated at Development Application stage. 11. Provision for solar passive housing design and orientation must be provided for in any Structure plan and demonstrated at Development Application stage. 12. Methods to be used to mitigate existing and future traffic noise from the Highway in accordance with the Western Australian Planning Commission's Statement of Planning Policy 5.4 – Road and Rail	provisions of the Residential Design Codes. b) No subdivision and development shall be undertaken on the subject land until the proponent has demonstrated to the satisfaction of the local government and Environmental Protection Authority (EPA) that either: 1. the kennels on Lot 103 have relocated from the subject land or been permanently decommissioned; or 2. noise attenuation measures have been undertaken to the kennels which would allow a reduction in the 1000-metre buffer, required under the "Environmental Protection Authority's Guidance for Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land uses, which would facilitate development on all or part of the subject land. In determining the appropriateness of any proposed noise attenuation measures pursued under option (b)2 above, the proponent will need to submit an acoustic report, from a suitably qualified person, which demonstrates that appropriate noise levels can be achieved to the satisfaction of the local government and EPA. In the event that agreement can not be reached between the local government and EPA on the content or conclusions of the acoustic report, the EPA's

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20 Cont'd	Lots 103 -106 Bussell Highway Margaret River *AMD 1 GG 9/11/12*		Transport Noise and Freight considerations in Land Use Planning.	position shall prevail. c) Where proposals for the subdivision and development of the land involve the use of a strata scheme that shall contain a management statement incorporating, inter alia: 1. Where provisions for the protection of vegetation or the introduction of complementary or new areas of landscaping/planting occupy substantial parts of strata lots, the local government may reduce setbacks from strata lots boundaries to accommodate those arrangements. 2. Where strata lots front onto areas of open space as common property within the strata scheme, the use of rear service access lanes is encouraged to enhance the relationship between dwellings and the open space areas.
21	Southern Portion of Lot 99 Mitchell Drive Prevelly	Residential R15/30	1. The Structure Plan shall be prepared in accordance with Part 4 of the Deemed Provisions.	
22	That portion of Lot 1017 approximately 14ha in area, identified in the Witchcliffe Village Strategy as "Special Residential / Rural Residential"	Rural Residential / Special Residential	Development shall have due regard for the Structure Plan approved in the manner prescribed in Part 4 of the Deemed Provisions. The Structure Plan is to generally confirm the Witchcliffe Village Strategy relating to the land. A revegetation/vegetation protection area of 10 metres either	<u>Structure Planning Stage</u> • At the Structure planning phase the proponent will submit a Draft Fire Management Plan prepared in accordance with the Planning for Bushfire Protection Guidelines – Edition 2.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
22 Cont'd	That portion of Lot 1017 approximately 14ha in area, identified in the Witchcliffe Village Strategy as "Special Residential / Rural Residential" *AMD 3 GG 11/1/13*		side of the creek lines shall be identified on the Structure Plan.	<u>Subdivision Stage</u> • At the time of subdivision the Local Government will request that the WAPC impose a condition requiring that the subdivider implements, to the satisfaction of the Western Australian Planning Commission, a FESA endorsed Fire Management Plan prepared in accordance with the principles contained in the draft Fire Management Plan submitted as part of the Structure Plan process. • A Section 70A notification pursuant to the *transfer of Land Act 1893* (as amended) shall be placed in the Certificate(s) of title of the proposed lot(s), advising purchasers that the subject land is located adjacent to rural land and rural activity may have nuisance effect on amenity. • A Section 70A notification to be placed on the Titles of Lots 1-7, 14, 15 and 23-26 advising purchasers that the land is subject to an access easement for emergency purposes. The easement will be in favour of the Shire of Augusta-Margaret River and maintenance shall be the responsibility of the owner. Boundary fencing across the easement is not permitted. • A Landscape Management Plan to the satisfaction of Council shall be prepared prior to subdivision approval and implemented prior to subdivision clearance. The Landscape Management Plan will detail management of vegetation including screening to Redgate Road and revegetation protection area 10 metres either side of the creeklines identified

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22 Cont'd	That portion of Lot 1017 approiximately 14ha in area, identified in the Witchcliffe Village Strategy as "Special Residential / Rural Residential"
	
	AMD 3 GG 11/1/13
				on the Structure Plan. Landowners shall be responsible for and implement any ongoing vegetation maintenance requirements detailed in the Landscape Management Plan.
				• A Local Water Management Plan to the satisfaction of Council shall be prepared prior to subdivision approval and implemented prior to subdivision clearance.
				
				<u>Development Stage</u>
				
				• The minimum average lot size shall be 4,000m^2.
				• Clearing of vegetation shall only take place within the Structure Plan area to –
				
				  • Gain vehicular access to lots.
				  • Clearing to comply with the *Bush Fires Act, 1954.*
				  • Clearing to construct a dwelling and associated outbuildings.
				• No development or effluent disposal systems are permitted within 30m of existing water courses.
				• All dwellings within the zone shall comply with AS3959-1999 – Construction of Houses in Bushfire Prone Areas adjoining bush areas.
				• The Fire Management Plan may be varied from time to time by the Local Government provided the owner/s of any land affected by the variation is notified in writing of the terms of the variation.
				• The carrying of any stock on any lot created as a result of the land being subdivided or developed is not permitted.
				• Any boundary fencing is to be open

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22 Cont'd	That portion of Lot 1017 approximately 14ha in area, identified in the Witchcliffe Village Strategy as "Special Residential / Rural Residential" *AMD 3 GG 11/1/13*			style post and wire standard and fencing within bushland and / or within the 30m watercourse setback is not permitted. • Dwellings and associated facilities are to be connected to an Aerobic treatment Disposal Unit(s) installed to provide for the treatment and disposal of effluent waste, to the satisfaction of the Local Government and the Department of Health. Conventional methods of waste water management subject to approval from the Local Government and Department of Health may be considered.
23	That portion of Lot 1017 Redgate Road, approximately 12ha in area, identified in the Witchcliffe Village Strategy as "Tourist Precinct". *AMD 3 GG 11/1/13*	Tourism experience and development	No development will be permitted unless it is in accordance with the Local Development Plan approved in the manner prescribed in Part 6 of the Deemed Provisions. Future tourist development shall be in accordance with the Witchcliffe Village Strategy and subject to an approved Local Development Plan.	
24	Portion of Lot 4 Rosa Brook Road and 3 Darch Road, Margaret River *AMD 6 GG 5/8/16*	Industrial land use and other compatible land uses	1. This Structure Plan is to be read in conjunction with the provisions outlined within Schedule 3 of the Scheme; 2. Prior to the request for WAPC endorsement of the Structure Plan for Lot 3, the Local Water Management Strategy shall be prepared to the requirements of the Department of Water and the Shire of Augusta-Margaret River; 3. The Structure Plan for Lot 3 is to address the requirements of the Indicative Structure Plan, which forms part of Amendment No. 6; 4. At the time of subdivision, the subdivider shall prepare and submit an Urban Water Management Plan (UWMP), to the satisfaction of the Shire of Augusta-Margaret River and the Department of Water (DoW) and having due regard to the Margaret River District Water Management Strategy. A condition of subdivision will require the approved UWMP to be implemented to the satisfaction of the Shire of Augusta-	• The Local Government and WAPC shall only consider a structure plan to lift the Industry 'Deferred' Land area on Lot 4 and rezone to 'Industry' when the following indicators can be achieved and/or demonstrated. • The proposed structure plan demonstrates compliance with the State and Local planning framework, including any relevant policies and endorsed strategies. • The proposed structure plan represents a logical expansion of the industrial area on Lot 3 and does not result in land use conflict or indicates how land use conflict risk will need to be managed.

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24 Cont'd	Portion of Lot 4 Rosa Brook Road and 3 Darch Road, Margaret River *AMD 6 GG 5/8/16*		Margaret River and the Department of Water; 5. Particular regard shall be given to the impacts of industrial development on the landscape character of the surrounding environment. In particular the Structure Plan shall ensure that industrial development is visually unobtrusive from the Perimeter Road. 6. Detailed assessment shall be provided of an appropriate buffer distance from industrial development to surrounding sensitive land uses. The Structure Plan shall direct an appropriate outcome by limiting land uses that may create unacceptable effects through proximity to sensitive land use. 7. The Structure Plan shall demonstrate appropriate fire protection measures to mitigate the threat of fire from adjacent land without imposing any requirement for modification of fuel loads external to the Structure Plan Area. 8. The Structure Plan will identify the alignment of the Margaret River Perimeter Road and provide for the vesting of the land within this alignment at the time of subdivision, unless this land has already been acquired for the purpose of the Perimeter Road. 9. The Structure Plan shall require as a condition of subdivision that the subdivider (in accordance with an adopted Development Guide Plan) to reasonably contribute to the establishment of the Perimeter Road, including any road upgrading, widening or intersection treatment requirements generated through the development of the land for industrial purposes. 10. At the subdivision stage the applicant will prepare an Aboriginal Heritage Survey for the land to accompany any application for subdivision.	• The proposed structure plan will not result in significant impacts on the environment and natural resources, or indicate appropriate management through an environmental management plan. • The provision of buffers to, local and regional roads, and, the State Forest/National Park and adjoining areas of significant high quality vegetation for visual buffer and for bushfire prevention purposes. • The provision of emergency service access requirements.
25	Lot 1 Kudardup Road, Kudardup *AMD 12 GG 19/12/14*	Orderly and proper expansion of the Kudardup Townsite to be generally in accordance with the Kudardup Settlement Strategy.	1. At the time of subdivision, the subdivider shall prepare and submit an Urban Water Management Plan (UWMP), to the satisfaction of the Shire of Augusta-Margaret River and the Department of Water. A condition of subdivision will require the approved UWMP to be implemented to the satisfaction of the Shire of Augusta-Margaret River and the Department of Water.	1. Prior to subdivision a Community Development and Contributions Plan shall be prepared consistent with the undertakings included within Amendment 12 to the Scheme. 2. Notwithstanding the Zoning Table and land use definitions within Schedule 1 in

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
25 Cont'd	Lot 1 Kudardup Road, Kudardup *AMD 12 GG 19/12/14*		2. Particular regard shall be given to the impacts of residential development on the landscape character of the surrounding environment. In particular the Structure Plan shall ensure the residential development is visually unobtrusive from Bussell Highway. 3. The Structure Plan shall demonstrate appropriate fire protection measures to mitigate the threat of fire from adjacent land without imposing any requirement for modified fuel loads external to the Structure Plan area. 4. The Structure Plan will identify the alignment of the extension of Fisher Road to create a new intersection with Bussell Highway generally in accordance with the Kudardup Settlement Strategy.	the Local Planning Scheme No.1 the following variations apply to the Structure Plan area: a) Home Business is permitted to be carried out ancillary to an existing dwelling in a separate building. b) Within the Residential R10 zone the following additional 'A' uses are permissible as separate buildings ancillary to an existing dwelling within the R10 Residential zone: • Art and Craft Centre • Consulting Rooms c) Within the Residential R10 zone the following variations to the Residential Design Codes shall apply: • The primary street setback including lots with double frontages is reduced from 7.5m to 6.0m. d) Within the Rural Residential zone, Home Based Trade is permitted as an 'A' use in accordance with the following definition: *Home Based Trade* means a business, service or profession carried out in a dwelling or separate building or on land around a dwelling by an occupier of the dwelling which: a) Is located on a property greater than 1.0ha; b) Does not employ more than 2 people not members of the occupiers household; c) Will not cause injury to or adversely affect the amenity of the neighbourhood;

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25 Cont'd	Lot 1 Kudardup Road, Kudardup *AMD 12 GG 19/12/14*			d) Does not occupy an area greater than 200 square metres e) Does not involve the retail sale, display or hire of goods of any nature; f) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic in the neighbourhood; g) Does not involve the use of an essential service of greater capacity than normally required in the zone; h) Does not involve the parking or storing of freezer/refrigerated type vehicles that require the cooling system to be operational; i) Does not involve the parking of more than one truck for each employee/employer with a total or more than two trucks at any one time.
26	Portion of Lot 102 and Lots 103, 104 and 2 Bussell Highway and Bushby Road, Karridale *AMD 8 GG 3/5/16*	Orderly and proper expansion of the Karridale Townsite to be generally in accordance with the Karridale Hamlet Settlement Strategy.	The following issues are to be investigated and methods of resolution/implementation are to be addressed by the Structure Plan - • Provision of sustainable servicing options. • Staging of subdivision • Preparation of a Local Water Management Plan. • Drainage based on water sensitive design principles. • Protection of remnant vegetation through future development and fire management protection should not compromise the environmental values of this vegetation. • Facilitation of efficient access to commercial development and the community node at Chapman Road. • Buffering to Bushby Road and Bussell/Brockman	1. The associated WAPC endorsed Structure Plan Map outlines the land use classifications applicable within the Structure Plan boundary. Dye regard is to be given to these land use classifications when determining subdivision and development applications applicable to the Structure Plan. Prior to subdivision and development scheme amendments will be required to appropriately zone and/or reserve land to reflect the land use classifications identified on the Structure Plan.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
26 Cont'd	Portion of Lot 102 and Lots 103, 104 and 2 Bussell Highway and Bushby Road, Karridale *AMD 8 GG 3/5/16*	Notwithstanding the Zoning Table and land use definitions within Schedule 1, the following variations apply to the Structure Plan Area - (a) The following 'A' uses are permissable - • Art and Craft Centre • Consulting Rooms A Scheme Amendment is required to be progressed to rationalise the above as Additional Use designations.	Highways to mitigate visual impact on the function of these roads as travel route corridors. • Investigation and preparation of a detailed development contribution Scheme in accordance with the Karridale Hamlet Settlement Strategy. • Preparation of design guidelines to address built form and integrated sustainability measures appropriate to the rural and historic context of Karridale. • Preparation of a comprehensive public open space strategy. • Preparation of detailed fire management planning providing an acceptable mitigation of risk from the threat of wile fire without compromising the integrity of areas of remnant vegetation. • Examination of the traffic capacity and safety of Bushby Road.	
27	Portion of Lot 300 Salter Street, Gracetown *AMD 2 GG 30/9/16* *AMD 54 GG 10/8/18*	Orderly and proper expansion of Gracetown Townsite. To provide for approximately 140 residential lots consistent with the intent and principles of the Leeuwin Naturaliste Ridge Statement of Planning Policy, including transfer of the balance of Lot 300 to the National park.	1. The proposed Structure Plan shall provide for the following additional matters to be addressed to the satisfaction of the Western Australian Planning Commission: a) Investigate and address sustainability measures such as water capture and use, greywater reuse, alternative power provision and solar passive subdivision and building design for the proposed development cell; b) Visual impact management; c) Measures to limit visual impact from prominent viewing locations, which may include restricting building height to less than that provided for by Clause 5.13 of the Scheme; d) Bushfire risk and preparation of a Bushfire Management Plan; e) Water and Sewer Servicing Report; f) Environmental Management Plan; and g) General location of the Waste/Reclaimed Water Treatment Plant.	• No development or subdivision will be permitted unless it is in accordance with the following: a) The developer is to provide existing and proposed lots with access to a reticulated sewer and water supply system that ensures continuity of supply and service in perpetuity through an appropriate licenced service provider, generally in accordance with the "Gracetown Townsite Expansion Project - Water and Sewer Servicing Report", dated 6 July 2015. b) Connection of existing lots in the townsite to the proposed reticulated water and sewer services is to occur on a voluntary basis and will only attract service levies and/or charges for users. c)

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
27 Cont'd	Portion of Lot 300 Salter Street, Gracetown *AMD 2 GG 30/9/16* *AMD 54 GG 10/8/18*			d) Provision of a sustainable energy source as a contribution to the current power supply for the Gracetown townsite. e) Provision of a form of subdivision and development which is sympathetic to sustainability objectives. f) The subdivider will prepare and implement the following plans as conditions of the first stage of subdivision: • A Bushfire Management Plan; • A Landscape Masterplan; • A Traffic Impact and Management Plan; • Environmental Management Plan; • Local Development Plan; • Design and Sustainability Guidelines; and • Soil contamination investigations and remediation to the satisfaction of DER. g) A notification pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed residential lots advising that the lots are: (i) subject to a bushfire management pans; and (ii) there are ongoing landowner fire management responsibilities which are to be met by the landowner(s) to mitigate the risks associated with bushfire hazards. h) As a condition of subdivision, satisfactory arrangements being made to the satisfaction of the

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
27 Cont'd	Portion of Lot 300 Salter Street, Gracetown *AMD 2 GG 30/9/16* *AMD 54 GG 10/8/18*			Western Australian Planning Commission for the land reserved as 'National Parks and Nature Reserves' to be included into the Leeuwin Naturaliste National Park. i) Prior to the first stage of subdivision, the subdivider is to prepare a Development Contributions Plan in consultation with the local government and to the satisfaction of the Western Australian Planning Commission, which is to be implemented through the development contribution provisions of the Scheme. j) Prior to the first stage of subdivision, the subdivider is to determine the final location of the Waste/Reclaimed Water Treatment Plant via further detailed assessment, which address inter alia: odour; access; light spill; environmental impact; land tenure and security.
28	Lot 100 Brockman Highway, Karridale *AMD 19 GG 19/12/14*	Orderly and proper expansion of the Karridale Townsite to be generally in accordance with the Karridale Hamlet Settlement Strategy.	The following issues are to be investigated and methods of resolution/implementation are to be addressed by the Structure Plan: • Provision of sustainable servicing options. • Staging of subdivision. • Preparation of a Local Water Management Plan. • Drainage based on water sensitive design principles. • Protection of remnant vegetation through future development and fire management protection should not compromise the environmental values of this vegetation. • Facilitation of efficient access to commercial development and the community node at Chapman Road. • Buffering to Bussell and Brockman Highways to mitigate visual impact on the function of these roads	1. Land use and development shall be generally in accordance with the approved Local Development Plan. 2. Notwithstanding the Zoning Table and land use definitions within Schedule 1 in the Local Planning Scheme No. 1 a Home Business is permitted to be carried out ancillary to an existing dwelling in a separate building. 3. Within the area identified as 'Rural Residential' on the Structure Plan, Home Based Trade is an 'A' use and is defined as follows:

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28 Cont'd	Lot 100 Brockman Highway, Karridale *AMD 19 GG 19/12/14*		as travel corridors. • Investigation and preparation of a detailed development contribution Scheme in accordance with the Karridale Hamlet Settlement Strategy. • Preparation of design guidelines to address built form and integrated sustainability measures appropriate to the rural and historic context of Karridale. • Preparation of a comprehensive public open space strategy. • Preparation of a detailed fire management planning providing an acceptable mitigation of risk from the threat of wild fire without compromising the integrity of areas of remnant vegetation.	**Home Based Trade** means a business, service or profession carried out in a separate building or on land around a dwelling by an occupier of the dwelling which: i. is located on a property greater than 1.0ha; ii. does not employ more than 2 people not members of the occupiers household; iii. will not cause injury to or adversely affect the amenity of the neighbourhood; iv. does not occupy an area greater than 200 square metres; v. does not involve the retail sale, display or hire of goods of any nature; vi. in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic in the neighbourhood; vii. does not involve the parking or storing of freezer/refrigerated type vehicles that require the cooling system to be operational; and viii. does not involve the paring of more than one truck for each employee/employer with a total of more than two trucks at any one time. ix.
29	Lot 51 Tunbridge Street, Margaret River *AMD 42 GG 9/12/16*	Residential R30/40 and Mixed Use	Subdivision shall be generally in accordance with a Structure Plan endorsed by the Western Australian Planning Commission in accordance with the process set out in Part 6.2 of the Scheme.	1. 10% Public Open Space is to be provided as a cash in-lieu contribution in accordance with Section 153 of the Planning and Development Act 2005. 2. The maximum lot size shall be 450m2 except as may be absolutely necessary to address topographical constraints

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
29 Cont'd	Lot 51 Tunbridge Street, Margaret River *AMD 42 GG 9/12/16*			and/or retention of existing infrastructure and for lots designated for Mixed Use. 3. As a condition of subdivision the subdivider shall prepare a Local Development Plan (LDP) to address the following Sustainable building design; Position of garage/carports; Primary street setbacks; Open Space; and Fencing. 4. While it is intended to minimise disturbance of the natural ground levels, should retaining on the boundaries of new lots be required, such retaining shall be implemented by the subdivider at the time of subdivision. Further retaining in the boundaries of new lots by land owners is not permissible (See LDP for detailed design response). 5. As a condition of subdivision, the subdivider will be required to prepare and implement the following: • Acid Sulphate Soils (ASS) investigations including mitigation measures through the preparation of an ASS Management Plan to the satisfaction of the Department of Environment and Regulation (DER) and the Shire of Augusta-Margaret River; • An Environmental Management Plan to address the interface between future development and Peppermint Brook drainage line to the satisfaction of the Department of Water (DoW) and the Shire of Augusta-Margaret River;

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
	Lot 51 Tunbridge Street, Margaret River *AMD 42 GG 9/12/16*			• A comprehensive Urban Water Management Plan to the satisfaction of the DoW and the Shire of Augusta-Margaret River; • A detailed Landscape Plan for the POS areas, existing drainage lines, road reserves, interface with the road and pedestrian network to the satisfaction of the Shire of Augusta-Margaret River; • Bushfire Management Plan; and • A suitably qualified fauna specialist must inspect the site prior to clearing to ensure that any Western Ringtail Possums located within the area to be cleared are relocated. 6. Land identified as having mixed use potential may be used exclusively for residential purposes or a mixture of residential and commercial uses limited to those which will have minimal impact on residential amenity (e.g. office, medical centre, consulting rooms, child care, industry-cottage and art and craft centre).
30	Lots 2, 3, 4, 5, 6 and 7 Albany Tce and Lots 29, 30, 31, 32, 33 and 34 Turner St Augusta *AMD 43 GG 26/7/16*	Residential		Subdivision and development shall be generally in accordance with the Structure Plan endorsed by the WAPC on 5 July 2002 or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Scheme.
31	West Cowaramup, various lots bounded Cowaramup Bay Road, Clews Road Brockman Road, Warry Street and	Residential		Subdivision and development shall be generally in accordance with the Structure Plan endorsed by the WAPC on 14/2/2003, and where applicable, the Structure Plan dated 22/7/2002 and the Structure Plan endorsed by Council on 27/7/2005 or a

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
31 Cont'd	Reserve 43215 *AMD 43 GG 27/7/16*			subsequent Structure Plan(s) approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Scheme.
32	Sussex Locations 1242 and Pt 1435 Hillview Road Augusta *AMD 43 GG 27/7/16*	Residential		Subdivision and development shall be generally in accordance with the Structure Plan endorsed by the WAPC on 17/9/2003 or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Scheme.
33	Sussex Locations 2144, 2142, Lots 81 and 1002 Willmott Avenue and Forrest Road, Margaret River (Riverslea Estate) *AMD 43 GG 26/7/16*	Residential		Subdivision and development shall be generally in accordance with the Structure Plan endorsed by the WAPC on 11/12/2001 and the amendment thereto endorsed by WAPC on 10/11/2005 or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Scheme.
34	Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe *AMD 28 GG 29/08/17*	'Ecovillage' to provide approximately 320 lots in accordance with the Witchcliffe Village Strategy.	The Structure Plan is to be accompanied by the following studies to the satisfaction of the Western Australian Planning Commission: • An Ecovillage Outcomes and Implementation Plan that addresses and demonstrates how the following land use expectations will be met: (a) The production of food and agricultural productions including the provision of infrastructure to enable community gardens for the growing of fresh food produce. (b) a high level of self-sufficiency in energy (including on-site power generation, solar passive housing design and lot orientation). (c) 100% self-sufficiency in on-site water capture and use (including rainwater harvesting from roof catchments, treatment and re-use of greywater and blackwater and use of other water supplies provided on-site).	**1. Overall provisions** 1.1 Subdivision and/or development of the Structure Plan area is to be preceded by the amalgamation of Lots 2807 and 2812. 1.2 The progression of subsequent stages of subdivision and/or development is to be subject to demonstration that the requirements/objectives of the Ecovillage Outcomes and Implementation Plan, the Structure Plan, and the Scheme are being met/undertaken. **2. Subdivision** 2.1 The Local Government will request as a

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe *AMD 28 GG 29/08/17*		• Environmental Corridor/Stream Zone Management Plan (Foreshore Management Plan). • Public Open Space and Landscaping Plan. • Traffic Management Plan. • Fire Management Plan. • Proposed Land Tenure and Preliminary Strata Management Outline. • Community Infrastructure and Facilities Needs Plan; and an • Affordable Housing Strategy.	condition of subdivision the preparation and implementation of landscaping plans for communal areas. 2.2 Communal gardens in each residential cluster will be developed to allow immediate use by residential for food production and will include orchards, productive landscaping and vegetable growing beds which will be provided at an overall ration of not less than $20m^2$ per person, averaged by lot type. 2.3 All lots are to be provided with a connection point to an effluent disposal system approved by the Department of Health and managed by a service provider licenced by the Economic Regulation Authority. 2.4 The Local Government will request as a condition of strata subdivision that lots identified by the Structure Plan as 'Agricultural Production Lots' are provided with a connection to a sufficient supply of water commensurate with the intended agricultural use. 2.5 Prior to subdivision, the subdivider will provide details of the land tenure and ownership arrangements necessary to ensure that land identified by the Structure Plan for 'Public Purposes' is secured for the purpose of water supply and effluent disposal, in perpetuity. 2.6 Prior to subdivision the subdivider will provide to the WAPC and Local Government a detailed plan for provision of power to the ecovillage. As a minimum, the plan must achieve net

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe *AMD 28 GG 29/08/17*			neutral energy production from on-site renewable sources. 2.7 The subdivider will provide, as required by a condition of subdivision, all energy infrastructure necessary for future dwellings to connect to the grid/mircogrid. 2.8 Preliminary strata bylaws and/or greentitle covenants are to be provided together with any application for subdivision and are to be finalised prior to the creation of strata lots. 2.9 Bylaws/covenants are to deal with, but not be limited to: • Organic management of agricultural lots and community open spaces. • Preparation and enforcement of Building Design Guidelines. • The realisation of the Sustainability Features and Outcomes Plan. • A prohibition on the ownership of cats, and proper restraint and management of dogs within the Ecovillage. • Allocation of productive garden space. • Ongoing management of communal areas. • Strata levees. • Maintenance and replacement of communal power, water and waste water infrastructure as necessary. • A limitation on ownership of agricultural lots other than for owners of residential strata lots(s); and • Accessibility and maintenance of roads, foot and cycle path networks.

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe *AMD 28 GG 29/08/17*			2.10 Developer Contributions are payable for all strata lots with the exception of any lot where it can be demonstrated to the satisfaction of the Shire that the resultant dwelling and/or lot will be dedicated to affordable housing in accordance with the Shire of Augusta Margaret River Affordable Housing Strategy 2015. **3. Development** 3.1 Prior to any development approvals being issued, Local Development Plans are required to be submitted and approved by the Local Government. 3.2 In determining any Local Development Plans or applications for development approval, the Local Government will have due regard for the specific landuses identified by the Development Concept Plan which forms part of the Structure Plan. 3.3 Notwithstanding clause 5.22.1 development on each lot is to incorporate a water tank(s) of sufficient size to meet its intended use as stipulated on any applicable Local Development Plan. 3.4 All dwellings/buildings requiring access to power must be constructed inclusive of solar photovoltaic panels and inverters of a size as stipulated by the applicable Local Development Plan. 3.5 Notwithstanding part 4.16 of the Scheme no habitable development is permitted on lots identified and/or zoned

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Sussex Location 2807 & 2812 Bussell Highway, Witchcliffe *AMD 28 GG 29/08/17*			for Agricultural Production Lots including dwellings, workers accommodation, and all tourism development. 3.6 Lots identified by the Structure Plan as 'Residential R30' are to be developed with dwellings no greater in size than 100m^2. 3.7 The playing field as identified by the applicable Structure Plan will be constructed and landscaped during the construction of the first stage of the subdivision and thereafter ceded to the Local Government free of cost. 3.8 The developer will construct the Village Square during the first stage of the development including hard and soft landscaping, as may be detailed in a Local Development Plan. 3.9 All dams are to be fitted with automated low flow bypass mechanisms. The developer is t be sure there are no adverse impacts downstream of the development.
34	Lot 9000 Brockman Road, Cowaramup. *AMD 16 GG 13/4/18*	Residential Use as outlined in the endorsed Structure Plan	The Struture Plan is to be prepared in accordance with Clause 6.2 of the Scheme and is to address the following: 1. Preparation, adoption and implementation of an endorsed Bushfire Management Plan, by the Department of Fire and Emergency Services in consultation with the Department of Parks and Wildlife. 2. Landscape Development and Management. 3. Urban Water Management issues. 4. Vegetation protection via the identification of a 'Landscape Protection Area'. 5. The creation and protection of a buffer to the adjoining vineyard adjacent to the Brockman Road Reserve.	1. The minimum rear setback for those lots abutting Brockman Road is to be in accordance with the rear setback line identified on the Structure Plan. 2. Fencing shall be to an open style standard for all lots to the satisfaction of the Shire, and in consultation with the Department of Parks and Wildlife, except where otherwise stipulated in the restrictive covenant and/or approved Bushfire Management Plan in order to manage and protect existing remnant

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Lot 9000 Brockman Road, Cowaramup. *AMD 16 GG 13/4/18*		6. Fencing around the perimeter of the Landscape Protection Area. 7. Contributions to Main Roads WA for upgrading and improvements at the intersection of Memorial Drive and Bussell Highway. 8. Connection to a reticulated water and sewer system. 9. The provision of pedestrian pathways.	vegetation in perpetuity. 3. The carrying of any livestock is only permitted on the proposed lot identified on the Local Structure Plan with the planning approval of the Local Government and in accordance with the provisions of the local planning scheme. Stock shall be excluded from the Landscape Protection Area within this lot. 4. Building setbacks on all lots shall be in accordance with the corresponding density coding as set out within Table 1 (as amended) of the Residential Design Codes of Western Australia (R-Codes) unless otherwise varied by the setback requirements set out within the approved Bushfire Management Plan, Structure Plan and other provisions. 5. Development of habitable buildings is not permitted in the 80m Cropping Setback area. 6. Habitable buildings built to a BAL29 standard are to be located no closer to the identified Landscape Protection Area than depicted by the 'BAL29 Fire Buffer' line. 7. Fire breaks shall be installed outside the Landscape Protection Area in accordance with the adopted Bushfire Management Plan. 8. Development of lots containing existing dwellings should occur in existing cleared areas to minimse impact to the

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
34 Cont'd	Lot 9000 Brockman Road, Cowaramup. *AMD 16 GG 13/4/18*			Landscape Protection Area. 9. Contributions to Main Roads WA for upgrading and improvements at the intersection of Memorial Drive and Bussell Highway.
35	Lot 122 Bussell Highway, Witchcliffe. *AMD 44 GG 17/8/19*	Residential	The following matters are to be investigated and methods of resolution/implemenation are to be addressed by the Structure Plan: • Drainage based on water sensitive design principles. • Retention of remnant vegetation through future development and fire management protection should not compromise the environmental and landscape values of this vegetation. • Provision of landscape buffer and development setbacks to Bussell Highway to mitigate visual impact on the function of this road as a travel route corridor. • Preparation of detailed bushfire management planning providing acceptable mitigation of risk from threat of wild fire without compromising the integrity of areas of remnant vegetation.	1. No development will be permitted unless it is in accordance with the Structure plan approved in the manner prescribed in Clause 6.2 and Schedule 15 of the Scheme. 2. The Structure Plan is to generally conform with the Witchcliffe Village Strategy relating to the land. 3. All new dwellings to be designated to achieve the current BCA + 1- star rating under the Home Energy Rating System, and living areas are to be located on the northern elevation of the dwelling.
37	Lot 102 Bussell Highway, Karridale *AMD 72 GG 19/09/23*	Orderly and proper expansion of the Karridale town site to be generally in accordance with Karridale Hamlet Settlement Strategy.	The following issues are to be investigated and methods of resolution/implementation are to be addressed by the Structure Plan: • Provision of sustainable servicing options. • Preparation of a Local Water Management Strategy. • Drainage based on water sensitive design principles. • Protection of remnant vegetation through future development and fire management protection should not compromise the environmental values of this vegetation. • Facilitation of efficient access to the community node at Chapman Road. • Buffering to Bussell Highway and neighbouring properties to mitigate visual impact and the function of Bussell Highway as a travel route corridor.	1. Land use and development shall be generally in accordance with the endorsed Structure Plan. 2. Nothwithstanding the Zoning Table and land use definitions within Schedule 1 in Local Planning Scheme No. 1 the following variations apply to the Structure Plan area: a) The following additional 'A' uses are permissible: • Art and Craft Centre; • Consulting rooms (1 practitioner only); • Daycare centre/after school care

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to Part 4 of the Deemed Provisions)	Associated Provisions
			• Preparation of design guidelines to be prepared prior to subdivision to address built form, sustainability measures and consideration of the historic context of Karridale. • Preparation of a public open space rehabitilation strategy at subdivision stage. • Preparation of detailed fire management planning providing an acceptable mitigation of risk from the treat of wild fire without compromising the integrity of areas of remnant vegetation. • Examination of access and traffic matters and interection with Bussell Highway.	centre (low key occupancy on the designated lot shown on the Structure Plan only); • A guesthouse up to a maximum of 6 guest bedrooms will be considered on the lot as indicated on the Structure Plan. b) Notwithstanding the Local Planning Policy relevant to outstandings and the Residential Design Codes, outbuildings up to 120m^2 will be considered without planning approval if compliant in all respects and constructed of materials and colours to complement the dwelling and landscape.
36	Lot 500 Wirring Road, Cowaramup *AMD 76 GG 24/05/24*	Residential	The Structure is to • Provide for fully serviced residential development with reticulted water, reticultated water, reticultated sewer and underground power. • Address the rural-urban interface and provide appropriate buffers to surrounding agricultural land. • Incorporate mechanisms to retain and protect remant vegetation within the subject land and the Wirring Road Reserve. • Detail any required Intersection upgrades and treatments for intersections with Bussell Highway.	1. For lots adjoining the south eastern and south western boundary on the Structure Plan, rear and side boundary fencing shall comprise open style rural fencing.

Schedule 12 - Special Conditions Relating to Tourist Zones

(Clause 4.17.3 4.18 and 4.19)

NO.	DESCRIPTION OF LAND	CONDITIONS
T1	Portion Lot 200 Cowaramup Bay Road, Cowaramup	1. Development of the land shall be generally in accordance with the Development Guide Plan dated 17th November 2003 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 135 to revoked Scheme No. 11. or a subsequent Local Development Plan approved by the local government in accordance with the process set out in the Deemed Provisions. 1.2 The local government may require a Local Development Plan to include such information as is required to demonstrate how the matters listed in condition 4 below, will be addressed such as (but not limited to) the location of buildings, water features, vehicle and pedestrian access ways, fire breaks and landscape protection areas. 1.3 In considering an Application for Development Approval, the local government may exercise discretion and approve minor variations to an approved Local Development Plan, provided the variation will not compromise the Tourism Aim of the Scheme. 2. The following are permitted uses:- • Hotel • Resort • Integrated Tourist Resort • Serviced Apartment • Caretaker's dwelling • Reception Centre • Private Recreation • Health Studio • Place of Public Worship 2.1 The local government may grant approval to any other land uses listed in the Zoning Table as "P", "D" or "A" uses in the Tourism Zone, provided such uses are generally in accordance with an approved Local Development Plan. 2.2 In accordance with Clause 4.17 of the Scheme, up to 25% of the accommodation units on site may be occupied on a permanent basis without imposition of an occupancy restriction. 3. Site Development Requirements 3.1 All buildings shall comprise a maximum of 2 storeys and not exceed a height of 8 metres, measured in accordance with local government policy. 3.2 All development on the western boundary of the site and located within the 1 in 100 year flood level of the dam on the adjacent site shall have a finished floor level of not less than 15.2 metres AHD. 3.3 Buildings shall be contained within any building envelopes shown on the approved Local Development Plan or in accordance with any building design guidelines prepared for the site. In the case of buildings abutting the site's north western boundary, nil setbacks may be permitted.

NO.	DESCRIPTION OF LAND	CONDITIONS
T1 Cont'd	Portion Lot 200 Cowaramup Bay Road, Cowaramup	4. Consideration of Applications for Development Approval. 4.1 In considering an Application for Development Approval, the following matters shall be addressed to the satisfaction of the local government: ▪ Nutrient management; ▪ Stormwater management; ▪ Effluent disposal; ▪ Water supply; ▪ Vehicle movement, access and parking, including the intended means of entry to the site and arrangements to ensure legal and physical access to the site will be available in perpetuity; ▪ Pedestrian movement and access; ▪ Fire management plan and its implementation at the time of development; ▪ Built form, building materials, height, setbacks, colours, and roof pitch and energy efficiency; and ▪ Protection and enhancement of remnant vegetation. 4.2 In considering and determining an Application for Development Approval, the local government may require the submission of, or may impose a condition requiring the submission of, the following information: ▪ Nutrient Management Plan; ▪ Stormwater Management Plan and Drainage Strategy; ▪ Infrastructure and Servicing Plan; ▪ Fire Management Plan; ▪ Landscape Enhancement Plan; and ▪ Building and Sustainable Design Guidelines. 5. Water Supply and Sewerage. 5.1 Notwithstanding the requirement to prepare an Infrastructure and Servicing Plan, pursuant to Condition 4.2 above, the proposed development shall be connected to a reticulated water supply and sewerage system.
T2	Lot 703 Ocean View/Wallcliffe Road Gnarabup	Permitted development shall be in accordance with the Zoning Table Clause 4.3 however tourist accommodation is limited to 28 villas comprising 83 bedrooms and no permanent residential accommodation is permitted other than a caretakers/managers dwelling. Development shall comply with the following requirements: i. Setbacks and Access: Development within the zone shall include the establishment of a landscape and vegetation protection buffer strip of a minimum of 10 metres, running the length of the northern boundary of the zone. There shall be no vehicle access to the development across this buffer strip to the public car park access road. ii. Height: Notwithstanding the provisions of clause 5.13 of the Scheme buildings to be built on the land within the Tourism Zone in Gnarabup shall not exceed 7 metres in height as measured from natural ground level.

NO.	DESCRIPTION OF LAND	CONDITIONS
T2 Cont'd	Lot 703 Ocean View/Wallcliffe Road Gnarabup	iii. Building Materials: Development shall utilise building materials that are non-reflective and of a colour and texture compatible with the characteristics of the surrounding landscape. iv. Coastal Access: Development proposals shall demonstrate linkages with the access systems outlined on the Coastal Management Plan and any modifications required to these systems as a result of the development. v. Vegetation Retention: Development shall ensure that the vegetation on the site is maintained where possible and that such vegetation will be incorporated into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs. vi. Landscape Impact: In considering development proposals on the land, the local government will first be required to be satisfied that the development will not have a detrimental impact on views across the zone to the coastal reserve, particularly when viewed from predominant tourist viewing points outside the Scheme area, these being Wallcliffe Road, Surfers Point and Rivermouth Road. vii. Density of Development: Tourist Accommodation proposals shall be limited to 28 villas comprising a total of 83 bedrooms. viii. Other Setbacks: Setback from boundaries apart from the northern boundary shall be a minimum of 10 metres with vegetation removal within the setback area being permitted only for vehicle access and servicing needs.
T3	Lot 3 Leeuwin Road, Augusta	1. The following uses and development classes are classified "P": • Caretakers Dwelling • Holiday Cabins and Chalets • Hotel • Licensed Restaurant • Eating House • Museum • Aquaculture • Managers Residence as part of Hotel The following use and development class is classified "A": • Rural Industry • Shop 2. Development of the land shall be generally in accordance with the Development Guide Plan attached to Amendment 134 of the revoked TPS11 or such alternative Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions.

NO.	DESCRIPTION OF LAND	CONDITIONS
T3 Cont'd	Lot 3 Leeuwin Road, Augusta	3. The local government may approve development of the land that includes minor variation to a Local Development Plan provided such variation does not alter the intent of the Plan and may not reasonably be considered to constitute a modification requiring separate approval or a new Local Development Plan. 4. In considering a proposal for modification to the Development Guide Plan the following shall be addressed to the satisfaction of the local government: • Landscape (visual) assessment to appraise visual outcome resulting from the proposed modification. • Scale of development (number and bulk of buildings) including as a consequence of an adopted Fire Management Plan. 5. In considering a proposal for modification to the Development Guide Plan notice of the proposed modifications to be given in accordance with clause 64 of the Deemed Provisions except that the minimum notification period shall be 30 days. 6. After expiration of the advertising period the local government shall consider the modification in accordance with the Scheme. 7. In considering any proposal for development the following shall be addressed, where relevant to the satisfaction of the local government: i. Built form (including height and material and colours) and visual impact on surrounding environment and key tourist viewing points; ii. Parking; iii. Vehicle movement (traffic management); iv. Stormwater management; Effluent disposal to the satisfaction of the local government and the Department of Health ; v. Clearing; vi. Landscaping; vii. Access points; viii. Development is to be connected to a reticulated water supply; ix. Development is to be in accordance with AS3959-1999 Construction of Buildings in bushfire prone areas; x. Arrangements being made to ensure public access is available to adjacent reserves via lot 3; xi. A Fire Management Plan to be prepared to the satisfaction of FESA and the local government; xii. A foreshore management plan is to be prepared and implanted for abutting foreshore reserve at the development stage; xiii. Prior to development, detailed investigation of the site is to be undertaken for evidence of sites of Aboriginal heritage significance; xiv. Development is generally in accordance with the Environmental Management Strategy dated 22 December 1999, or subsequent revision; xv. Existing vegetation is to be preserved where possible and revegetation using native local species is to be encouraged. 8. Notwithstanding the Scheme definition of "Chalet", Chalet development on Lot 3 Leeuwin Road Augusta shall not exceed 15 square metres in gross area, or a maximum height of 8 metres unless otherwise approved by the local government.

NO.	DESCRIPTION OF LAND	CONDITIONS
T4	Part Lot 145 of Location 741 Cowaramup Bay Road Cnr Caves Road, Gracetown - proposed Lot 11 (refer to Subdivision Guide Plan) *AMD 50 GG 7/9/18* *AMD 1 GG 9/11/12*	The following Uses are permitted: • Restaurant/Cafe • Caretakers dwelling • Rural Produce Sales • Exhibition Centre • Industry - Rural • Industry - Cottage 1. Subdivision shall be generally in accordance with the Subdivision Guide Plan detailed in Amendment 94 of the revoked Town Planning Scheme No.11, or a subsequent Structure Plan endorsed by the local government and the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. Manager's resience, all ancillary buildings and water tanks shall be constructed of non-reflective material (including glazed areas). 3. Effluent disposal areas for leach drains systems shall be setback 100 metres from any water course or dam or in the case of an alternative treatment system 50 metres or such distance as recommended by the Department of Health WA or otherwise approved by the local government. 4. No further subdivision shall be recommended by the local government. 5. No dams shall be permitted on any lot unless otherwise approved by the local government. 6. The application of State Planning Policy No. 3.7 - Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas is to occur in future planning stages and have due consideration to the Bushfire Hazard Level Assessment. 7. Prior to development on the site a Bushfire Management Plan shall be prepared, approved and implemented, in consultation with the Department of Biodiversity, Conservation and Attractions (Parks and Wildlife), and in accordance with the provisions of State Planning Policy 3.7 Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, to the satisfaction of the Department of Fire and Emergency Services. .
T5	Wallcliffe House Precinct (Lot 1) Pt Sussex Location 97 Wallcliffe Road, Margaret River *AMD 67 GG 20/08/2021*	1. Development and land use is limited to a single house and ancillary uses consistent with the heritage values of the site and its inclusion on the State Register of Heritage Places unless otherwise approved by the local government. 2. The local government may also approve applications for the following tourist uses: restaurant, tearooms, hotel or guesthouse and chalet limited to a maximum of 40 keys, small bar, spa and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage values of the site. Exhibition centre, reception centre and conference uses may also be approved on the site, provided the uses are incidental to the predominant use of the land. 3. No development shall be approved by the local government unless: a. It is consistent with the heritage values and integrity of the site;

NO.	DESCRIPTION OF LAND	CONDITIONS
T5 Cont'd		b. It is consistent with the landscape significance and setting of the site; c. It is appropriately sited and designed to ensure that fire mitigation measures do not compromise environmental and landscape values; d. It is set back a minimum of 20m from the property boundary where it abuts the Margaret River (with the exception of existing development, landscape works and essenial services); and e. The adjacent foreshore values are appropriately, enhanced, protected and managed. 4. For the purposes of condition 1 and 3 'development' includes buildings, fencing, driveway, walkways, landscaping, changes in the use of the site and buildings and changes in the structural integrity of the buildings. 5. Removal of existing vegetation is not permitted without the approval of local government. 6. The following documentation is to be prepared and accompany an application for development approval for any tourism based land use (as outlined in Condition 2): • A Bushfire Management Plan and associated Bushfire Emergency Evacuation Plan, responding to the detailed design of the proposed development and addressing the requirements of SPP 3.7 and the relevant position statements and guidelines. • A Transport Impact Statement and associated Management Plan which considers, but is not limited to: o Internal access, the access road to the site, and the intersection of Wallcliffe Road and the access road; and o Demonstrating that the above access arrangements can adequately accommodate evacuating traffic and emergency service vehicles.
T6	Basildene Manor, Lot 100 of Sussex Loc 632, Wallcliffe Road, Margaret River	1. Farm Guest House and other incidental uses as may be approved by the local government. 2. All new development shall have regard to the historic status of Basildene Manor, shall be so sited and designed so as not to detract from the character and visual amenity of that building and shall be consistent with the aims and objectives of the Scheme.
T7	Lot 99 Mitchell Drive, Prevelly	1. Permitted additional uses for the site are: 1. Liquor Store 2. General Store/shop

NO.	DESCRIPTION OF LAND	CONDITIONS
T9	Lot 3 of Sussex Location 4396 Osmington Road, Margaret River	1. Development of the land shall generally accord with the Development Guide Plan forming part of Amendment No. 180 to the revoked TPS 11 or a subsequent Local Development Plan approved by the local government and in accordance with the process set out in Part 6 of the Deemed Provisions. 2. The uses permitted on this site are: • 26 single storey, 2 and 3 bedroom double keyed villas and 3 single storey, 3 bedroom triple keyed villas for short stay and overnight accommodation; • Manager's residence; • Restaurant/Reception; • 3 Hangars. 3. The uses deemed as "AA" in the Chalet and Camping Zone are: • Intensive Agriculture 4. All development shall be consistent with the local government's Visual Management Guidelines and be located on portions of the lot that are demonstrated to the satisfaction of the local government, Department of Health, Fire Emergency Services Authority and the Department of Environment and Conservation as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining State Forest/National Park . 5. In considering any proposal for development, the following shall be addressed to the satisfaction of the local government: • Provision of reticulated services for water supply and efficient disposal; • Where an application is made for planning consent to commence or carry out development, the Local Government may require the development to be connected to the Margaret River reticulated sewerage scheme where the responsible authority (Water Corporation) considers that reticulated sewerage is available; • Where an application is made for planning consent to commence or carry out development, the Local Government may require the development to be connected to the Margaret River reticulated water supply where the responsible authority (Water Corporation) considers that water supply is available; • Tree planting and landscaping shall utilise native plant species of local provenance; • Access including emergency access; • Fire protection measure to the satisfaction of FESA and the local government, and such measures shall form a Bush Fire Management Plan to be adopted by the local government for any subsequent development on the lot and implemented at the development stage. • Built form including building materials and building bulk in accordance with the local government's Visual Impact Management objectives. • Demonstration of a "best practice' approach to water supply efficiency and electricity generation throughout the development. 6. All buildings within the lot shall comply with AS3959-1991 – Construction of Buildings in Bushfire Prone Areas. 7. Villas as may be approved by the local government shall be located as shown by the Development Guide Plan and located in such a manner as to cause minimal disturbance to existing vegetation.

NO.	DESCRIPTION OF LAND	CONDITIONS
T9 Cont'd	Lot 3 of Sussex Location 4396 Osmington Road, Margaret River	8. Accommodation units shall be constructed with noise attenuation features in accordance with the appropriate Australian Standards relative to proximity to an aircraft landing ground. 9. No storage of fuel and other hydrocarbons will be permitted without prior approval from the local government and relevant agencies. 10. Establishment of the vineyard will require formal planning consent and specific design measures shall be implemented based on best environmental practices. 11. Prior to the issue of development approval, the local government shall require the preparation and implementation of a Fire Management Plan to the satisfaction of the local government, Department of Environment and Conservation and the Fire and Emergency Services Authority of WA. If aircraft or aviation fuel is to be stored on the subject land, approval of the Fire Management Plan will also be required from the Department of Minerals and Energy. 12. At the time development approval is issued a Section 70A notification under the *Transfer of Land Act 1893* (as amended) will be imposed to advise prospective purchasers of: • Location in close proximity to an airstrip; and • The viticulture activities being undertaken on the site. 13. An Airstrip Access and Management Plan for use of the Margaret River Airstrip being prepared to the satisfaction of the local government, and prior to the issue of a development approval addressing: • Safety • Design aircraft • Permissible uses and activities • Maintenance • Facility usage/license fees • Security • Operating hours • Noise management • Emergency response planning • Bird hazard management • Refuelling activities • Perimeter fencing and animal control • Aerodrome reporting inspections • Logging of usage • Compliance with applicable relevant civil aviation guidelines, orders, practices and standards 14. In considering any proposal for development the following shall be addressed to the satisfaction of the local government: • Traffic (automotive) volumes and management • Vehicle (automotive) access to Osmington Road • Internal access roads and parking • Aircraft, vehicle (automotive) and pedestrian access to the airstrip from the development site • Implementation of an Airstrip Access Management Plan • Stormwater management incorporating Water Sensitive Urban Design principles

NO.	DESCRIPTION OF LAND	CONDITIONS
T9 Cont'd	Lot 3 of Sussex Location 4396 Osmington Road, Margaret River	15. Preparation and implementation of a bush land management plan to the satisfaction of the local government. This shall include details of rehabilitation, weed control and the fire management requirements for the area of remnant vegetation on site. 16. Should clearing of remnant vegetation be proposed beyond that required for the construction of the resort and building envelopes as shown on the DGP dated 19 December 2006, a clearing permit must be obtained from the Department of Environment and Conservation, unless it is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulation) of the *Environmental Protection Act 1986*. 17. The vineyard plantings adjacent to the eastern boundary of the site to be setback from the eastern boundary in accordance with standard local government requirements. 18. Preparation of a comprehensive management plan to address the amenity of neighbours. 19. Prior to the issue of development approval by the local government, the Department of Water requires an Urban Water Management Plan to be prepared for assessment and endorsement by the Department of Water.
T11	Lots 62, 63 and portion of Lots 60 and 64 Tanah Marah Road, Cowaramup	1. This zone is to facilitate the development of an Eco Resort comprising the following uses that are permitted within this zone: - Flora and fauna eco-park, - 2 dwellings, - 18 duplex chalets (total 36), - Licensed Restaurant limited to 85 seats, - Reception and Library, - Convention Centre, - Vintage car and military museum, - Exhibition centre, - Recreational Facilities, and - Other uses considered by the local government to be complementary to the operation of an eco-resort. 2. Subdivision and development shall be in accordance with the Subdivision and Development Guide Plan adopted by the local government on the 28 November 2007 forming part of Amendment 160 of the revoked Town Planning Scheme No. 11 and/or a subsequent Local Development Plan/Structure Plan approved in accordance with the process set out in the Deemed Provisions.
T12	Location 934 Bussell Highway Augusta Location 934 Bussell Highway Augusta	Permitted Uses (i) 12-bedroom lodge. (ii) 30 Chalets (iii) 10 campsites (iv) Shop administration and managers residence (v) Private recreation facilities (vi) 50 Caravan bays. Specific conditions (i) A foreshore management Plan to the satisfaction of the Local government shall be produced for the whole of the foreshore area and West Bay Creek, prior to a development approval being issued and that the FMP

NO.	DESCRIPTION OF LAND	CONDITIONS
T12 Cont'd	Location 934 Bussell Highway Augusta Location 934 Bussell Highway Augusta	shall thereafter be implemented and maintained to the satisfaction of the local government. (ii) Any proposals requiring dredging of the Hardy Inlet/ West Bay or construction of foreshore facilities shall be approved by the DEC and the local government. (iii) The development to be connected to scheme water and sewerage treatment plants to satisfaction of the Water Corporation. (iv) There shall be no strata titling of the units within the site. (v) A landscape buffer to Bussell Highway to have supplementary planting added to the satisfaction of the local government.
T13	Lot 111 Corner Cowaramup Bay Road and Caves Road *AMD 39 GG 13/01/17*	1. Within lot 111 as shown on the Development Guide Plan dated 9/3/1995 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 79 to revoked Scheme No. 11, or subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions, the local government may permit: • 120 ordinary caravan, caravan ensuite and camping sites; • chalets; • Alfresco dining/house/shop complex; • Associated uses relative to the establishment of a comprehensive caravanning and camping facility on the site such as recreation uses, landscaping and any other ancillary uses. 2. The Development guide Plan does not apply to Lot 112. 3. Providing no buildings are to be established within 100 metres of the National park boundary. 4. A detailed fire protection plan is to be developed and implemented. 5. Development shall be of a high standard and in keeping with the character and amenity of the locality; 6. In approving development, the local government is to be satisfied that on site effluent disposal systems and the locations thereof are suitable for such purposes and will not affect the nearby creek line. 7. In considering applications for development, the local government shall have regard to the following matters: ▪ Aesthetics; ▪ Effluent disposal; ▪ Drainage; ▪ Watercourse protection; ▪ Visual impact; ▪ Protection of existing vegetation; ▪ Non development zones/landscape buffers; ▪ Soil and landform protection; ▪ Impact on National Park; ▪ Dieback control; ▪ Fire control; ▪ Contributions to road upgrading; ▪ Water demand and supply. 8. No further subdivision of the land is permitted.

NO.	DESCRIPTION OF LAND	CONDITIONS
T13 Cont'd	Lot 111 Corner Cowaramup Bay Road and Caves Road *AMD 39 GG 13/01/17*	9. No development shall be permitted within the landscape buffer as illustrated in the Development Guide Plan unless otherwise approved by the local government on the basis of such development consisting of signage, access for vehicles and services, fire control and water supply.
T14	Proposed Lot 13 of lot 145 Location 1309 Cowaramup Bay Road *AMD 1 GG 9/11/12*	Subdivision and development shall generally be in accordance with the Subdivision Guide Plan attached to the Scheme Amendment No. 94 to revoked Scheme 11, or subsequent Structure Plan and/or Local Development Plan approved in accordance with the Deemed Provisions. a) The uses permitted in this Tourism zone are: • Holiday cabins and chalets to a combined level not exceeding 6 2-bedroom chalets; • Guesthouse/lodge comprising not more than 10 guest rooms; • Licensed restaurant; • Private recreation; • Eating housing; • Manager's residence. • Caravan and Camping No other uses will be permitted. b) All development shall be consistent with the local government's Visual Management Guidelines and be located on portions of the lot that are demonstrated to the satisfaction of the local government, the Department of Health, FESA and the Department of Environment and Conservation as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining National Park. c) Prior to advertising and considering a development application for the lot, the local government shall specifically require a full assessment report addressing; • Effluent disposal; • Water supply; • Tree planting areas; • Access; • Fire protection measures to the satisfaction of the FESA, Department of Environment and Conservation and the local government, and such measures shall form a Bush Fire Management Plan to be adopted by the local government for any subsequent development on the lot; • Built form including building materials and building bulk in accordance with the local government's visual impact management objectives; • Vegetation protection area; • Proposed land uses; • Visual impact when viewed from Caves Road. d) No trees within the Tourism Zone shall be removed with the exception of those trees that need to be removed for the purpose of fire protection, access and safety. e) The local government shall request, as a condition of subdivision approval, the preparation and implementation of a Bush Fire Management Plan. f) All buildings within the lot shall comply with AS3959-1991 – Construction of Buildings in Bushfire Prone Areas.

NO.	DESCRIPTION OF LAND	CONDITIONS
T15	Lot 3 of Location 1638 Bussell Highway, Forrest Grove. *AMD 30 GG 28/8/15*	a. Permitted development in accordance with the Zoning Table Clause 4.3 however tourist accommodation is limited to low impact tourist development and no permanent residential accommodation is permitted other than a single dwelling and a caretakers/managers dwelling
T16	Lot 1 (lot 4) Sebbes Road Forrest Grove *AMD 1 GG 9/11/12*	The local government may at its discretion ("D") approve the following uses: 1. Tearoom/Restaurant; 2. Conference Function Room; 3. 8 Chalet units; 4. Art Gallery and Sales; 5. Tennis Courts associated with chalet units; 6. One Managers Residence; 7. Craft Workshop. Development of the land shall be generally in accordance with the approved development plan forming part of Amendment 51 of the revoked TPS 11, or subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. In considering development applications the following provisions shall apply 1. The provision of a 92,000-litre water supply for each chalet until to be sourced from either rainwater supply sources or treated dam/underground water. 2. Provision of overhead standpipe and hardstand area for supplying fire units with water. 3. The firebreak is to be maintained from the western boundary and that fuels between this firebreak and the western boundary be managed to permit control of a fire in this area by standard light fire unit.
T17	Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	1. SUBDIVISION AND DEVELOPMENT GUIDE PLAN a) Development shall be generally in accordance with the related Development Guide Plan, forming part of revoked Scheme No.11 (Amendment No. 196) or a subsequent Local Development Plan approved by the local government in accordance with the process set out in Part 6 of the Deemed Provisions. 2. PERMISSIBLE LAND USES a) The following classes of development may be permitted, subject to the requirement to obtain Planning Consent under the Scheme: • 36 Chalets / Villas; • Resort (SA use); • 2 Single Dwellings; • Shop; • Restaurant; • Uses ancillary and incidental to the above, including Interpretive Centre and Private Recreation; • Rural Workers accommodation; • Rural Industry; • Intensive Agriculture. b) Prior to development approval, an approved effluent disposal management plan must be submitted to the satisfaction of the Shire

NO.	DESCRIPTION OF LAND	CONDITIONS
T17 Cont'd	Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	and DoW. This plan shall describe the proposed wastewater disposal system and a proposed method of greywater reuse for the development. The effluent disposal management plan shall demonstrate that there will be no export of pollutants or nutrients from the land with specific regard to the location of the land within the catchment of the Ten Mile Brook dam. This plan must be consistent with the endorsed Local Water Management Strategy. c) Any application for planning consent for the short stay component shall be accompanied by a detailed proposal for potable water supply, and where applicable (ie. if other development the subject of the application require water supply), the relationship of this supply to the total water budget. These plans must be consistent with the endorsed Local Water Management Strategy. 3. DEVELOPMENT AND/OR SUBDIVISION REQUIREMENTS a) Development shall occur in accordance with the Development Guide Plan and an approved Local Water Management Strategy (November 2009) and associated supporting information. MANAGEMENT b) A notification in the form of a Section 70A Notification, pursuant to the *Transfer of Land Act 1893* (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. c) Any future strata titled subdivision of the tourism component shall include a Strata Management Statement to the satisfaction of the Shire, WAPC and Tourism WA including statements to the effect of: • The chalets are for short-stay tourism use only. • Design guidance for the built form of chalets must be adhered to. • The agricultural area within the strata plan may only be used for agriculture. • Agricultural practices within the property have priority. • Prospective owners of tourism strata lots should be made aware that spraying and the spreading of manure occurs and that work outside normal hours may occur. ROAD ACCESS d) Vehicular access shall be to the satisfaction of the Shire and Main Roads WA for the care and control of the primary access road at the time of development. This access shall be in accordance with the recommendations of a Traffic Management Plan that is required to accompany any application for the tourist accommodation (Chalets and Villas) component of this proposal. LANDSCAPING AND VISUAL IMPACT e) Built form design guidelines for the proposed strata chalets shall be approved prior to the approval of any development. These guidelines shall encourage a level of consistency and be in accordance with the Visual Impact Assessment (see below). f) Development of the land shall ensure that the rural character of the locality is maintained and shall be in accordance with the outcome of a Visual

NO.	DESCRIPTION OF LAND	CONDITIONS
T17 Cont'd	Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	Impact Assessment that shall be submitted with any development application, to the satisfaction of the Shire, in accordance with the Shires Visual Management Policy. g) A Landscaping and Rehabilitation Management plan shall be prepared prior to development to the satisfaction of the shire in accordance with the Visual Impact Assessment and Agricultural Impact Statement and Management Plan. This plan shall address buffers to agricultural areas, management, maintenance and the rehabilitation of landscape areas shown on the DGP. The plan shall also include the retention of existing native vegetation on-site. FIRE MANAGEMENT h) The preparation and implementation of a Fire Management Plan (FMP) shall be in accordance with the approved Fire Management Plan (July 2009), with a particular emphasis on emergency access from the property to the satisfaction of the Shire and FESA. WATER MANAGEMENT i) An Urban Water Management Plan shall be prepared prior to Council supporting any subdivision and/or development application. The Plan should build on and provide further details on all aspects of the endorsed Local Water Management Strategy in particular the following: • Wastewater management system treatment techniques, disposal strategy and final quality. It is also to include any relevant management of strata title issues. • Appropriate monitoring regime to determine water quality on site and leaving the site in surface and groundwater. • Appropriate waterway setbacks and filter zones within buffers. • Industry best practice viticulture practices including minimal ground disturbing activities as well as chemical, irrigation and fertiliser regimes. • Construction practices to minimise sediment movement off site. • Contaminated spill response strategy. • Rainwater harvesting, storage and supply for drinking water. • Drainage management strategy including 1:1, 1:5 and 1:100 ARI with associated water balances for pre and post development scenarios. • Dam construction and water capture. • Landscaping strategy identifying plant types, sediment control mechanisms and fertiliser regimes. • Water quality modelling using MUSIC to determine nutrient and sediment loads and concentrations. • Nutrient and Irrigation Management Plan. • Water sensitive design for internal roads, car parks and hardstand areas including appropriate treatment of runoff. • Recycled water quality management plan. • A recycled water reuse scheme must be approved by the Department of Health for all water reuse activities. • Strategies for educating staff on site specific water management procedures. • Education material and program for guests on sustainable water management. • Water Management Strategies for construction workers/companies to adhere to.

NO.	DESCRIPTION OF LAND	CONDITIONS
T17 Cont'd	Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	4. DEVELOPMENT CONTROL a) All sensitive land uses shall be located a minimum of 100 metres from surrounding "rural" zoned areas and shall have appropriate vegetated buffers in place prior to operation. These buffers shall be in accordance with the Visual Impact Assessment (see above). b) Development shall incorporate sustainable planning principles including the provision of water conservation initiatives such as rooftop water harvesting and provision of rainwater storage tanks, integration of grey water systems, appropriate solar orientation of structures for passive heating and cooling, use of solar for power production and water heating and appropriate forms of material of construction. 5. OTHER REQUIREMENTS a) Prior to the issue of a Building License or strata titles for tourism development, the land shall be amalgamated into one title. b) Prior to the issue of a Building License or strata title for tourism development, the Local Government shall be satisfied that substantial agricultural development has or will be undertaken.
T18	Lot 10 Fisher Road Augusta	1. Caravan Park consisting 105 caravan bays and 45 chalets. 2. The effluent disposal scheme shall be designed and operated to the satisfaction of the EPA, Department of Health and the local government. 3. A foreshore Management Plan to the satisfaction and approval of the EPA, DP and the local government shall be produced for the whole of the foreshore area and other portions of the land subject to periodic inundation, prior to development approval being issued, and the Foreshore Management Plan shall thereafter be implemented and maintained to the satisfaction of the local government. 4. Any proposals requiring the dredging of the Blackwood River, or construction of foreshore facilities shall be approved by the EPA, DP and the local government, prior to development approval being issued. 5. The proposed Parks and Recreation Reserve shall be excised and ceded to the Crown free of cost, prior to development approval being issued. 6. Fisher Road shall be upgraded to the satisfaction of the local government prior to development approval being issued. 7. The landscape buffer to Fisher Road shall have supplementary planting added to the satisfaction of the local government. 8. There shall be no strata titling of the caravan bays within the development.
T19	Lot 61 Armstrong Road, Cowaramup	1. The following uses may be considered on the Site: • Dwelling; • Caretaker's Dwelling; • Home Business; • Home Occupation; • Home Office; • Bed and Breakfast; • Cabin;

NO.	DESCRIPTION OF LAND	CONDITIONS
T19	Lot 61 Armstrong Road, Cowaramup	• Chalet; • Guest House; • Holiday House; • Resort; • Recreational/Corporate Training and Educational Centre; • Licensed Restaurant; • Reception Centre; • Café; • Restaurant; • Agriculture – Intensive; • Agriculture – Extensive; • Exhibition Centre; 2. Development of the land shall be generally in accordance with an approved Local Development Plan prepared under Part 6 of the Deemed Provisions that has due regard to the rural nature of the local environment, and provides for an appropriate combination of any of the uses listed above.
T20	Portion Location 3718 Rowcliffe Road, Warner Glen *AMD 15 GG 08/08/14*	1. Subdivision and development shall be generally in accordance with the adopted Structure Plan for the land (dated May 2013) and shall form part of this Scheme. 2. Tourism uses on site shall be limited to a maximum of four chalets. 3. Fencing shall not be permitted unless otherwise approved by council and providing bushland is not impacted. 4. A Fire Management Plan that Integrates with the nature conservation objectives, to be protected by a nature conservation covenant, as well as providing the required level of bushland protection shall be prepared and implemented to the satisfaction of the Shire at subdivision stage.
T21	Lot 118 Orchid Ramble, Margaret River *AMD 25 GG 27/11/15*	1. Subdivision and development shall be generally in accordance with an approved Structure Plan. 2. The permitted uses are: Chalet - 'P' use Tourism - Mixed Use - 'A' use Tourism - Mixed Use means: A dwelling or dwellings that may be occupied either permanently as a grouped dwelling or temporarily for short-stay accommodation. 3. Prior to any strata subdivision and/or development, a development application which applies to all strata lots is to be prepared and approved by the Local Government and is to provide for a cohesive form of development which exhibits consistent design, colour and materials. 4. Prior to any strata subdivision and/or development. the applicable strata management statement is to be amended to include reference to (design guidelines or approved DA) and to set out requirements relating to the: • management and letting of dwellings for short stay use; and • relationship/operation between permanent occupation and short-stay use.

NO.	DESCRIPTION OF LAND	CONDITIONS
T21 Cont'd	Lot 118 Orchid Ramble, Margaret River *AMD 25 GG 27/11/15*	5. Development on any strata lot is not to exceed 150m2 in floor area and 7m in height. 6. Subdivision and development is to comply with an approved Fire 7. All applications for subdivision and development are to be accompanied by a survey which identifies the location of priority species 'Bossiaea disticha'. Applicants will be required to demonstrate protection measures which are then to be implemented in conjunction with subdivision, fore management and development.
T22	Strata Lots 3, 4, 5, 6 and 7, Lot 300, Blackwood Avenue, Augusta *AMD 63 GG 20/11/2020*	1. The following uses are 'P' permitted uses within the zone: • Serviced Apartments • Grouped Dwellings • Multiple Dwellings 2. Residential development is permitted at the R40 density. 3. Prior to the use of the land for either a grouped dwelling or multiple dwelling, an applicable strata management statement is to be amended to include requirements relating to the: • management and letting of dwellings for short stay use; and • relationship/operation between permanent occupation and short-stay use on the same site and the adjoining backpackers/tourism use site. 4. Prior to the use of the land for either a grouped dwelling or mulitiple dwelling, compliance with the applicable requirements of the Residential Design Codes shall be demonstrated. 5. Prior to the use of the land for either a grouped dwelling or multiple dwelling, two visitor bays shall be constructed at the Heppingstone View road reserve to the specifications and satisfaction of the shire.

Schedule 13 - Special Provisions Relating to Subdivision and Development within the Cluster Farm Zone

(Clause 4.17.5)

Specified Area	Special Conditions and Requirements
Portions of Sussex Locations 3047,2103 and 3059 Cowaramup Bay Road	1. The Use shall take the form of a clustered residential and intensive agricultural operation developed as an extension to the townsite of Cowaramup and to support the primacy and promotion of intensive agriculture. 2. The subject land shall be developed in accordance with the approval by the Western Australian Planning Commission under the provisions of the *Strata Titles Act 1985* (as amended) and shall be generally in accordance with the Subdivision & Development Guide Plan adopted and approved pursuant to revoked Scheme No. 11, or a subsequent Structure Plan and/or Local Development Plan. **Landuse and Development** 3. Notwithstanding any other provision of the Scheme, residential and associated development shall be limited to those portions of the lots indicated as the "Residential Component" as shown on the Subdivision & Development Guide Plan. Intensive Agriculture shall be the only permitted use on the portions of lots indicated as "Intensive Agriculture Component" on the Subdivision and Development Guide Plan. No residential and associated development shall be permitted on the area indicated "Intensive Agriculture Component" on the Subdivision & Development Guide Plan. 4. Development of the residential component of each allotment shall comply with the Residential Design Codes (R5) and /or specified local government policy. 5. No trees or other flora shall be felled unless for the purpose of establishing fire protection, approved development and access. 6. Each Single Dwelling shall be connected to a rainwater tank connected to a roof catchment of no less than 200 square metres and such tank shall be a minimum of 140,000 litres. 7. Notwithstanding 6. above, the local government may reduce or delete the specified roof catchment area and tank size in the event that supplementary on-site water supplies or reticulated water supplies are provided to the satisfaction of local government and the Department of Health. 8. Non-reflective building, including roofing, materials shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites in their setting. 9. Boundary fencing of the residential portion of each allotment is not permitted although the fencing of small courtyards within the boundaries of a residential allotment may be permitted. 10. Notwithstanding any other provision of the Scheme, the local government shall not issue a development approval or building licence for a Single Dwelling or associated residential development on the designated "Residential Component" of a lot within the Intensive Agriculture Cluster until the directly linked "Intensive Agriculture Component" of the lot is fully planted with intensive agriculture. 11. Disposal of onsite effluent is to be via alternative treatment units to the specifications and satisfaction of the local government and Department of Health.

ADOPTION

Adopted by resolution of the local government of the Shire of Augusta-Margaret River at the Special Meeting of the local government held on the 5th May 2004.

_____
PRESIDENT

_____
CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of Augusta-Margaret River at the special meeting of the local government held on the 4th day of June, 2009 and the Seal of the Municipality was pursuant to that resolution hereinto affixed in the presence of:

_____
PRESIDENT

_____
CHIEF EXECUTIVE OFFICER

Recommended/submitted for final approval

_____

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

_____
DATE

Final approval granted

_____
MINISTER FOR PLANNING

_____
DATE