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CITY OF COCKBURN

Town Planning Scheme No. 3

Updated to include AMD 187 GG 12/05/2026

GOVERNMENT OF WESTERN AUSTRALIA

Department of **Planning, Lands and Heritage**

Original Town Planning Scheme Gazettal
20 December 2002

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CITY OF COCKBURN LPS 3 - TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
10	6/4/04	5/4/04	DH	Schedule 11 – adding Development Area "DA7" being Lots, 1, 2 and 3 on Diagram 34240 and Lot 101 on Diagram 83601 Coolbellup Avenue, Reserve 30189 and Reserve 30190 Cordelia Avenue Coolbellup and that portion of Cordelia Avenue between Coolbellup Avenue and Rosalind Way together with relevant provisions.
7	10/9/04	15/9/04	DH	Schedule 3 – amending Restricted Uses RU6 to include Showroom. Schedule 3 – modify RU6 land description to read "Lots 100 on Plan 34223, 196 on Plan 23231 and 197 on Diagram 96391 Berrigan Drive, Jandakot and Reserve 45747".
17	15/2/05	23/2/05	DH	Schedule 12 – adding Development Contribution Area No. DCA7 – Aubin Grove.
3	28/6/05	5/7/05	DH	Schedule 11 – adding Development Area (DA22) Port Coogee together with relevant provisions.
22	11/11/05	11/11/05	DH	Schedule 11 – adding to Development Area DA9 new provision 7.
11	2/12/05	2/12/05	DH	Schedule 3 – adding restricted use area (RU11) "The land included within the District Centre Zone on the corner of Phoenix Road and Rockingham Road, Spearwood" together with relevant Restricted uses and conditions. Schedule 11 – modifying paragraph 6 in DA10 – Atwell South by replacing "2,700m^2" with "5,000m^2",
24	6/1/06	12/1/06	DH	Schedule 2 – amending schedule by adding additional use area "U 18 for "Part Lot 5 on Diagram 26809, Lyon Road, Aubin Grove" together with relevant additional uses and conditions.
26	10/1/06	19/1/06	DH	Amending list of special uses permitted as part of Special Use 18 for Lot 401 (No. 326) Yangebup Road, Yangebup.
12	31/1/06	7/2/06	DH	Schedule 11 – adding Development Area "DA 25 Imlah Court and Prinsep Road, Jandakot" together with relevant provisions.
6	13/6/06	19/6/06	DH	Part 4 – rewording clause 4.4.2(b) by deleting reference to Statement of Planning Policy No. 6 and replacing with "Statement of Planning Policy No. 2.3". Table 1 (Zoning Table) – In Note 1:(i) reword to delete reference to Statement of Planning Policy No. 2 and replace with "Statement of Planning Policy No. 2.1". Table 1 (Zoning Table) – In Note 1 (ii) reword to delete reference to Statement of Planning Policy No. 6 and replace with "Statement of Planning Policy No. 2.3". Table 1 (Zoning Table) – In Note 2: renumber clause 5.10 to "5.11". Table 1 (Zoning Table) – in Note 3: renumber clause 6.2.5 to "6.2.9". Part 4 – delete last word "and" in Clause 5.4.3(a) and insert last word "and" in Clause 5.4.3(b).Part 5 – insert new clause (a). Part 5 – adding new clause 5.12.1(c). Part 5 – In Clause 5.10.2(e(ii) delete 100 metres and replace with "30 metres". Part 5 (Clause 5.10.11 Resource Zone – in clause (i) changing Statement of Planning Policy 2 to "Statement of Planning Policy No. 2.3"; in (ii) changing Statement of Planning Policy No. 6 to "Statement of Planning Policy No. 2.3" and insert new clause (iii). Part 5 , Clause 5.10.11 Resource Zone – insert revised clause (b) and reorder to include (c) to (g). *Note: No reordering necessary as no additional clause inserted.*

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
6	13/6/06	19/6/06		Part 5 – reword clause 5.10.11(d) to delete reference to Statement of Planning Policy No. 6 and replace with "Statement of Planning Policy No. 2.3". Part 5 – reword clause 5.10.11(e) to delete reference to Statement of Planning Policy No. 2 and replace with "Statement of Planning Policy No. 2.1" and change Statement of Planning Policy No. 6 with 2.3. Part 5 – in clause 5.10.11(f) reword to delete reference to Statement of Planning Policy No. 6 and replace with "Statement of Planning Policy 2.3". Part 5 – in clause 5.12.1(b) reword to read "The information provided under clause 9.2.1 and the requirements of clauses 5.12.1, 5.12.2 and 5.12.3 form the basis of local government's determination of the application for planning approval." Par6 – modify clause 6.3.3(c). Part 6 – modify Clause 6.3.4(c). Part 6 – modify clause 6.4.1 by changing Statement of Planning Policy Reference from 2 to 2.1. Part 7 - modify Clause 7.5 by changing reference to clause 5.5.2 to "5.6". Part 8 – in Clause 8.2.1(l) adding reference to Clause "5.10.8(c)". Part 8 – in Point 2 of the notes section correcting word "dos" to "does". Part 9 In Clause 9.1.1(h) - substituting Clause 5.5 with "Clause 5.6". Part 9 – In Clause 9.1.1 (l) adding text "**having regard to clause 8.2.1(f)**." Part 10 – In Clause 10.2.1(g) – add final words "...or included on a Heritage List under clause 7.1 of this Scheme." Part 9 – In Clause 9.1.1(h) change reference to clause 5.5 to "clause 5.6". Part 9 – In clause 9.1.1(l) add text "having regard to clause 8.2.1(f)." Part 10 – in Clause 10.2.1(h) add words "...or included on a Heritage List under clause 7.1 of this Scheme." Part 11 – in Clause 11.2.2 correct spelling error by changing "deteriorate" to "deteriorated". Part 11 – In clause 11.2.3(a) changing format indentation. Part 11 – Modify note in Clause 11.2. Part 11 – In clause 11.7.1 reword to read: "Under **section 10(3)** of the Act, the local government may give written notice to the owner of the land or person who undertook the development to remove a building or other work referred to in that section." Part 11 – in Clause 11.7.2 amend to read: "The local government may **recover expenses** under **section 10(8)** of the Town Planning Act in a court of competent jurisdiction." Schedule 1 – In Notes: change "Statement of Planning Policy No. 6" to "Statement of Planning Policy No. 2.3." and change "Statement of Planning Policy No. 2" to "Statement of Planning Policy No. 2.1". Schedule 4 – in SU2 reword to read "Marine Engineering, shipbuilding and the manufacture, fabrication and assembly of components for use by the off shore petroleum industry and marine engineering". Schedule 4 – in SU2 delete reference to the southern section of the industrial area delineated on a structure plan for paragraph to read: "Land within DA15 may also be used for .....". Schedule 5 – amend clause 8.2.1(k) to read "8.2.1(f)". Schedule 11 – In DA1, point 4 correct clause 6.2.13 by replacing with clause 6.2.6.3. Schedule 11 – in DA3 add point 3. Schedule 11 – in DA4 add point 2. Schedule 11 – in DA6 reword clause 3 to read "Land uses classified on the Structure Plan apply in accordance with clause 6.2.6.3". Schedule 11 – in DA6 delete points 4,5,6,7,8 & 11. Schedule 11 – in DA6 rewording point 10 by deleting "Clause 6.2.15" and replace with "clause 6.2.14.1". Schedule 11 – in DA8 point 3, delete clause 6.2.13 and replace with "clause 6.2.6.3". Schedule 11 – in DA9 point 3, delete "clause 6.2.13" and replace with "clause 6.2.6.3". Schedule 11 – in DA10 point 3, delete "clause 6.2.13" and replace with "clause 6.2.6.3". Schedule 11 – in DA 11 point 3, delete "clause 6.2.13" and replace with "clause 6.2.6.3". Schedule 11 – in DA13 point 3, delete "clause 6.2.13" and replace with "clause 6.2.6.3". Schedule 11 – in DA14 point 3, delete "clause 6.2.13" and replace with "clause 6.2.6.3".

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		WHEN	BY	
6	13/6/06	19/6/06	DH	Schedule 11 – in DA15 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA16 point 1 delete “(SU4”. Schedule 11 – in DA16 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA17 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA18 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA19 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA20 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 11 – in DA21 point 3, delete “clause 6.2.13” and replace with “clause 6.2.6.3”. Schedule 2 – in AU8 delete reference to building form. Table 1 – modifying table 1. Part 5 – Adding New Clause 5.8.3(b). Part 5 – inserting new clause 5.12.3(e). Part 5 – Inserting new clause 5.15. Part 5 – inserting new clause 5.16. Part 6 – amending clause 6.2.4.2. Part 6 – modifying clause 6.2.6.3. Part 6 – modifying clause 6.2.8.3. Part 8 – modify clause 8.2.1(b). Part 8 – modify clause 8.2.(i). Part 9 – inserting new Clause 9.1.3. Part 11 – adding new clause 11.1.3. Part 6 – modifying clause 6.2.15.3. Schedule 3 – amending RU7 t to read “1. Restricted Use - Those uses which may be permitted within the Local Centre Zone as set out in Table 1 – Zoning Table, to be developed in accordance with the following:-...”. Schedule 11 – amending DA16 by inserting a new point 4. Table 4 – adding under Industrial Use Classes – Vehicle Parking new use “Marine Engineering”. Schedule 6 – modify Form of Application for Planning Approval to refer to an MRS Form 1. Schedule 9 – modify Notice of Determination on Application for Planning Approval to refer to an MRS Form 2.
36	4/8/06	9/8/06	DH	Schedule 4 – amending Special Use Zone No. 9 Special Use and Conditions. Schedule 11 – amending the special provisions of Development Area (DA6).
37	5/12/06	7/12/06	DH	Schedule 4 - adding Special use Area "SU 21 Lot 33 (SN 30) Mell Road, Spearwood" together with special uses and conditions.
1	5/1/07	11/1/07	DH	Schedule 11 - inserting Development Area (DA23) "Cockburn Central (Town Centre Precinct)" Schedule 11 - inserting Development area (DA24) "Cockburn Central (Gateways Precinct)". Zoning Table - in the heading to zoning Table adjacent to the "Regional Centre" zone insert the note "See Note 4". Zoning Table - at the foot of the Zoning Table add "Note 4" and related text. Part 6 - amending clause 6.2.6.3.
45	9/2/07	19/2/07	DH	Schedule 3 - amending by adding Restricted Use Area RU12 being "Lot 20 Cockburn Road, Hamilton Hill" together with relevant restricted uses and conditions.
13	22/6/07	3/7/07	DH	Schedule 3 - deleting Restricted use 8. Schedule 4 - inserting Special Use No. 3 being "Lot 4065 on Plan 191259 and Lot 4066 on Plan 191260 and Lot 4557 on Plan 191259" with relevant Special Uses and Conditions. Schedule 11 - adding Development Area 30 being "Lot 5 on Diagram 66412 and Lot 1 on Diagram 63519 and Pt Lot 50 on Diagram 78591 (Loc 630) Farrington Road" together with relevant Provisions.
49	10/8/07	20/8/07	DH	Schedule 3 - adding Restricted Use area (RU13) being area "Part Lot 855 Wentworth Parade DP29050" together with restricted uses and conditions.

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52	7/12/07	17/12/07	DH	Schedule 2 - amending schedule by removing Additional use No. 18 for part Lot 5 Lyon Road and deleting associated special provisions.
50	20/6/08	8/7/08	DH	Schedule 4 - amending by adding Special use zone "SU22 Henderson Industrial Area Support Industry Precinct, corner of Russell and Cockburn Roads, Henderson" together with special uses and conditions. Schedule 11 - amending by adding Development Area DA29 "Henderson Industrial Area Support Industry Precinct, corner of Russell and Cockburn Roads, Henderson" together with relevant provisions.
44	11/7/08	22/7/08	DH	Schedule 2 - amending environmental and design requirements to Additional Use No AU1 - Masonry Production.
25	8/8/08	13/8/08	DH	Schedule 3 - amending Restricted Use Area 4 by increasing maximum permissible retail floor space at the centre to 5,500sqm and other commercial non-retail floor space from 4,000sqm to 3,000sqm.
62	26/9/08	15/10/08	DH	Schedule 11 - modifying Development Area 19 by amending existing point 2 and adding new points 4 - 7.
65	6/1/09	14/1/09	DH	Schedule 11 - modifying development area (DA 9).
66	3/4/09	22/4/09	DH	Schedule 3 - adding Restricted Use Area "RU 12 Lot 20 Cockburn Road, North Coogee".
68	28/4/09	13/5/09	DH	Schedule 3 - adding Restricted use Area "RU14 Portion of Lot 9006 Discovery Drive (Corner North Lake Road and Phoenix Road), Bibra Lake"
58	1/5/09	25/5/09	DH	Part 4 - amending clause 4.2.1 by inserting paragraph (n) Conservation Zone". Zoning Table - inserting new column entitled "Conservation" with relevant specified use symbols. Part 5 - adding new Clause "5.17 Conservation Zone".
63	5/5/09	3/6/09	DH	Schedule 4 - removing Special use 12 - Paper Mill and associated provisions on Lot 503 Phoenix Road, Bibra Lake.
18	19/2/10	5/3/10	NM	Schedule 11 – inserting DA 28, Success – Bartram / Hammond Roads
67	7/5/10	18/5/10	NM	Insert the words “Unless otherwise specified in the Development Contribution Plan contained in Schedule 12.” To the end of Clause 6.3.4(b)(iv). Inserted “Ref. No: DCA 11, Area: Muriel Court” into Schedule 12 – Development Contribution Plan. Amend “Schedule 11 – DA 19 Muriel Court” to include “8. All development within the Muriel Court Development Area shall be in accordance with Design Guidelines adopted by the local government.” And “9. Each subdivision and development application in the DA area shall achieve at least 75% of the potential number of dwellings achievable under the R-Code designated for the application area on the adopted Structure Plan.
76	31/08/10	13/09/10	NM	Insert RU15 (Lot 431, No.1, Rood Place Hamilton Hill) into Schedule 3 – Restricted Uses. Modify Clause 8.2.1(h). Added Clause 5.4.4 – Medium Density Residential Development. Rezone of various properties within parts of Spearwood and Hamilton Hill. Modify Development Area 1 in schedule 11 – delete Provision 3 and renumber accordingly.
72	07/09/10	21/09/10	NM	Modify clause 9.4.2 to include the words (in bold and italic) “other than a purpose”. Added the Definition “Disused Vehicle”. Amend Table 2 – Residential Use Classes – Vehicle Parking, to include “Caretaker’s Residence”. Delete clause 5.10.12(d) as it conflicts with 5.10.2(b).
42	21/09/10	30/09/10	NM	Insert Special Use Zone No. 23 “All land within transmission line corridors designated as SU23 on the Scheme Map” into Schedule 4.

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27	12/10/10	02/11/10	NM	Insert numbers 3-6 into Schedule 11 – DA 25.
79	05/11/10	11/11/10	NM	Replace Restricted use No. 13 within Schedule 3.
70	05/11/10	16/11/10	NM	Delete SU5 from Schedule 4 – Special Use Zones. Insert DA 31 – Packham North, into Schedule 11 – Development Areas.
74	04/02/11	07/02/11	NM	Insert "DA32 – Cockburn Road, Coogee" into Schedule 11 – Development Areas.
20	19/08/11	23/08/11	NM	Insert DCA 8 into Schedule 12 – Development Contribution Plan. Modified Schedule 11 – Development Area 20.
81	30/08/11	20/09/11	NM	Amend clause 1.4.1(b) by deleting the number 25 and replacing it with 26. Included DCA 13 Community Infrastructure into Schedule 12. Insert new schedule: Schedule 13 – Statutory Static Feasibility Assessment Model. Replaced clause 6.3.
55	23/09/11	04/10/11	NM	Inserted Development Area 34 into Schedule 11 – Development Areas.
84	13/12/11	19/12/11	NM	Modified (Development Area No. 14) within Schedule 11 by inserting provision 4.
83	24/01/12	01/05/12	NM	Inserted Additional Use No. 18 into Schedule 2 – Additional Uses.
88	27/03/12	10/04/12	NM	Inserted Special Use No. 27 into Schedule 4.
87	24/7/12	6/8/12	NM	Inserted DCA12 – Packham North into Schedule 12 – Development Contribution Plan.
82	28/8/12	4/9/12	NM	Inserted Special Uses 23-26 into Schedule 4 – Special Use Zones. Deleted Restricted use No. 9 and Additional Use No. 16 from Schedules 3 and 2 respectively.
86	14/9/12	24/9/12	NM	Modified clause 10.2.1(h). Replaced the words 'Municipal Inventory' in clauses 7.1.2(a) and 7.1.2(b) with 'Local Government Inventory'. Replaced 'Municipal Inventory' with 'Local Government Inventory' within Schedule 1 (General Definitions). Included additional subclauses within clauses 8.2.1(b) and 8.2.1(c). Included clause 7.6.
97	12/2/13	11/3/13	NM	Inserted text into 'method for calculating contributions' within Schedule 12.
89	23/4/13	30/4/13	NM	Inserted Development Area 33 into Schedule 11 – Development Areas.
91	21/6/13	25/6/13	NM	Replaced AU1 within Schedule 2 – Additional Uses.
73	16/8/13	20/8/13	NM	Inserted special use no. 28 into Schedule 4.
95	11/10/13	29/10/13	NM	Inserted 'DA37 – Banjup Quarry Redevelopment' into Schedule 11.
93	06/05/14	27/05/14	ML	Schedule 11 – Development Areas – modified to include DA 36 Bartram Road.
101	20/05/14	18/06/14	ML	Zoning – amending details for Lots 1, 2 & 22 Poso Place and Lots 20 & 21 Brenchley Drive, Atwell – R20 to R40
100	9/9/14	16/2/15	MLD	Rezoning various properties within parts of Hamilton Hill to 'Residential R30', 'Residential R30/40', 'Residential R40', 'Residential R30/40/60' and 'Residential R80' in accordance with figure 3. Reclassifying Lot 33 Davilak Avenue, Hamilton Hill, from 'Local Reserve - Lakes and Drainage' and zone 'Residential R30/40/60'. Rezoning Lot 70 Rockingham Road, Hamilton Hill, from 'Residential' with a density code of R20 to 'Local Centre'.

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
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				Rezoning Lots 9 and 10 Davilak Avenue, Hamilton Hill from 'Residential' with a density code of R20 to 'Local Centre'. Rezoning Lot 52 Rockingham Road, Lot 51 Healy Road, 22 Rockingham Road, 24 Rockingham Road, 26 Rockingham Road, 14 Hardey Street, and 19 Cardigan Street, Hamilton Hill from 'Residential' with a density code of R20 to 'Development'. New 'Development Area' (No. 39) over Lot 52 Rockingham Road, Lot 51 Healy Road, 22 Rockingham Road, 24 Rockingham Road, 26 Rockingham Road, 14 Hardey Street, and 19 Cardigan Street, Hamilton Hill and including provisions under Schedule 11 Development Areas of the Scheme. Rezoning Lot 1 Southwell Crescent, Hamilton Hill from 'Residential' with a density code of R20 to 'Development'. New 'Development Area' (No. 40) over Lot 1 Southwell Crescent, Hamilton Hill, and including provisions under Schedule 11 Development Areas of the Scheme. Amending Sections 5.4.4 (b) and (c) of the Scheme by removing reference to the 'R30/40 split coded areas', and replacing with reference to 'split coded areas'. Amending Section 5.4.4 (c) of the Scheme by removing reference to 'R40' and replacing with 'the split code'. Rezoning Lot 133 Arthur Street, Hamilton Hill, from 'Local Reserve - Lakes and Drainage' to 'Residential R30/40'. Reclassifying Reserve No. 37398 Tolley Court, Hamilton Hill, from 'Local Reserve - Parks and Recreation' to 'Residential R30/40/60'.
98	12/9/14	15/12/14	MLD	Amend Schedule 12 – Scheme Text – insert in Development Contribution Area 13 – Community Infrastructure. Amend wording under Infrastructure and Administrative Items to be funded.
102	12/9/14	15/12/14	MLD	Delete Restricted Use 12 (RU12) from Schedule 3 – amend scheme map accordingly. Delete Additional Use 15 (AU15) from Schedule 2 – amend scheme map accordingly. Delete Special Use 26 (SU26) from Schedule 4
90	17/10/14	11/03/15	MLD	Rezoning Lots 1 and 803 Yangebup Road; Portion of Lot 802 Yangebup Road; Lots 7, 99, 146 and 147 Hammond Road; Portion of Local Road Reserve and Lot 4308 Beeliar Drive, Hammond Road North from 'Light & Service Industry', 'Local Centre' to 'Development' zone with a 'Development Area 35' designation as shown on the Scheme Amendment Map Amend the Scheme Map accordingly. Amend Schedule 11 - Development Areas, contained within the Scheme Text by inserting DA 35 - Hammond Road North.
99	17/10/14	25/03/15	MLD	Modify the Scheme Text by deleting the Veterinary Consulting Rooms use from Schedule 1 - Land Use Definitions and Table 1 - Zoning Table. Modify the Scheme Text by deleting the Veterinary Hospital use from Table 1 - Zoning Table. Modify the Scheme Text by amending the use permissibility designation of Veterinary Centre from X to A for the Rural Living zone under Table 1 - Zoning Table. Amend Clause 5.8.5(a)(ii). Amend Clause 8.2.1(i)(i). Amend Clause 8.3.2. Amend Clause 10.10.1. Amend the Town Planning Act definition under Schedule 1 - General Definitions. Insert a new Small Bar definition under Schedule 1 - Land Use Definitions. Insert a new Holiday Home (standard) definition under Schedule 1 - Land Use Definitions. Modify the Scheme Text to add Holiday Home (standard) as a use class under the Residential Uses category, with the use permissibility designation of A within the Residential zone, and as an X use in all other zones. Insert a new Holiday Home (large) definition under Schedule 1 - Land Use Definitions. Modify the Scheme Text to add Holiday Home (large) as a use class under the Residential Uses category, with the use permissibility designation of an X use in all zones. Amend the Hotel definition in Schedule 1 - Land Use Definitions.

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				Amend the Tavern definition in Schedule 1 - Land Use Definitions. Amending Schedule 11, under DA29 Provision 3 (b) (i). Delete Additional Use 14 (AU14) from the Scheme Text and Map.
28	16/12/14	23/03/15	MLD	Amend Schedule 12 – Development Contribution Plan contained in the scheme text by including DCA 9 – Hammond Park and DCA 10 – Wattleup. Amend the Scheme Map to include Development Contribution Area No. 9 and Development Contribution Area No. 10 accordingly. Update Schedule 11 – Development Areas of the Scheme. Modify the Scheme Map to replace the existing Development Area No. 9 – DA9, south of Gaebler Road, with Development Area No. 26 – DA26. Modify the Scheme Map to replace the existing Development Area (unnumbered), west of the Hammond Road extension, with Development Area No. 27 – DA 27. Modify Clause 6.3.20 of the Scheme to also include reference to Development Contribution Areas 9 and 10.
92	13/3/15	21/4/15	MLD	Modify Clause 8.2.1(b) by including additional sub-clause (vi). Modify Clause 6.1.1 by including additional sub-clause (c). Including a new Clause 6.6.
94	17/3/15	30/04/15	MLD	Amended Schedule 12 of the Scheme text by including DCA 14 – Cockburn Coast. Amended the Scheme Map to include the boundaries of the proposed Development Contribution Area No. 14 – Cockburn Coast: Robb Jetty and Emplacement Precincts.
96	23/06/15	25/06/15	MLD	Delete the objective of the 'Business ' zone, clause 4.2.1 (f), and replace it with a new 'Mixed Use' zone. Rename the 'Business' zone 'Mixed Use' in Table 1 (Zoning Table) of the Scheme, and modify the use class permissibilities. Replace all references to the 'Business' zone with 'Mixed Use' zone throughout the Scheme. Delete 'Restricted Use No. 11' from the Scheme Map and Schedule 3 of the Scheme.
105	04/09/15	10/09/15	MLD	Recode various properties within parts of Coolbellup to R30, R40, R60 and R80 in accordance with the adopted Coolbellup Revitalisation Strategy as shown on Attachment 1. Recode lots fronting Romeo Road between Cordella Avenue and Paris Place and Lots 121, 123, 125, 127, 129 Cordella Avenue, Coolbellup from R20 to R40. Recode portion of Lot 4613 (No. 219) Winterfold Road (Reserve 32581), and portion of Lot 4612 (No. 30) Mopsa Way (Reserve 35431) from R25 to R30. Recode eastern portion of PAW between Benedict Road/Rosalind Way from R20 to R60. Reclassify portion of Lot 8 (No. 37) Waverley Road former PAW on north-east corner of lot from 'Local Road' local reserve to 'Residential' zone with designated R80 density code. Amend the Scheme map accordingly.
107	27/01/16	02/02/16	RO	Rezoning the northern portion of Lot 14(No. 75) Frederick Road, Hamilton Hill from 'Local Reserves - Lakes & Drainage' to 'Residential R40'; Rezoning the front portion of Lot 34 (No. 27) Clara Road, Hamilton Hill from 'Local Reserves - Lakes and Drainage' to 'Residential R30'; Rezoning Lot 110 (No. 29) March Street, Spearwood from 'Public Purpose - Pre School' to 'Residential R40'; Amending the Scheme Map accordingly.
106	19/02/16	24/02/16	RO	Rezoning parts of Lot 545 Bartram Road, Success from 'Residential R20' to comprise the zones of 'Residential R30', 'Residential R40' and 'Residential R60' as depicted on the Scheme Amendment Map. Reserving parts of Lot 545 Bartram Road, Success as 'Local Road' and 'Parks & Recreation' as depicted on the Scheme Amendment Map. Remove Lot 545 Bartram Road from Development Area 14.

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				Amend the Scheme Map accordingly.
109	19/02/16	24/02/16	RO	Amending the current land use permissibility contained within Table 1 Zoning Table for the land use 'Club Premises'.
108	24/03/16	06/04/16	RO	Including Lot 2 and a portion of Lot 3 Robb Road, North Coogee, as shown on the 'proposed zoning' plan within the boundaries of Development Area No. 33; and Amending the scheme map accordingly.
103	06/05/16	10/05/16	RO	Amending Schedule 12 of the Scheme text by inserting items in Development Contribution Area 13 – Community Infrastructure, under 'Infrastructure and Administrative Items to be Funded' and clarifies the year of the planning instruments which relate.
114	22/07/16	26/07/16	MLD	Reclassify a portion of Lot 117 Hamilton Road, Spearwood from 'Public Purpose-Water Corporation' to 'Residential' as depicted on the Scheme Amendment Map. Reclassify a portion of Lot 117 Hamilton Road, Spearwood from 'Public Purpose - Water Corporation' to 'Local Reserve - 'Local Road' as depicted on the Scheme Map. Amend the Scheme map accordingly.
111	26/08/16	24/10/16	MLD	Amendment to Part Two Rename this Part "Reserves". Delete current clauses 2.1-2.6 from Part Two. Move all current provisions for Reserves (clauses 3.1-3.4) from Part Three into Part Two. Amendment to Part Three Rename this Part "Zones and Use of land". Move all current provisions for Zones and Use of land (clauses 4.1-4.12 and Table 1) from Part Four into Part Three Amendment to Part Four Move clause 7.6 (tree protection) ; Schedule 2 Additional Uses; Schedule 3 Restricted Uses; and Schedule 4 Special Use Zones into Part 4 General Development Requirements. Rename this Part "General development requirements". Move all current provisions for General development requirements (clauses 5.1-5.17, Tables 2-5) from Part Five to Part Four. Amendment to Part Five Rename this Part "Special Control Areas". Move current provisions for Special Control Areas (clauses 6.1, 6.2.2.2, 6.2.3, 6.3-6.6 only) from Part Six to Part Five Amendment to Part Six Delete current clauses 6.2.1-6.2.2.1, 6.2.4-6.2.8.2, 6.2.9-6.2.16.2 from Part Six. Amendment to Part Seven Delete current clauses 7.1-7.5 from Part Seven. Amendment to Part Eight Delete current clauses 8.1-8.2.1(b)(v), 8.2.1(d)-8.2.1(e), 8.3-8.4 from Part Eight. Move current clause 8.2.1(b)(vi) from Part Eight to Part Five with rewording as set out in Attachment 2. Amendment to Part Nine Delete current clauses 9.1-9.4 from Part Nine. Amendment to Part Ten Delete current clauses 10.1-10.10 from Part Ten. Amendment to Part Eleven Delete current clauses 11.1-11.7.2, 11.11-11.12 from Part Eleven. Amendment to Part Twelve Move clause 6.2.8.3 from Part Six into Schedule A – Supplemental Provisions to the Deemed Provisions. Move current clauses 8.2.1(c), 8.2.1(f)-(l) from Part Eight to Schedule A – Supplemental Provisions to the Deemed Provisions. Move clauses 11.8-11.10 from Part Eleven into Schedule A – Supplemental Provisions to the Deemed Provisions. Move Schedule 5 Exempted Advertisements into Schedule A – Supplemental Provisions to the Deemed Provisions. Move Schedule 1 Dictionary of Defined Words and Expressions into Part 6 Terms Referred to in Scheme. Amend Schedule 11 – Development Areas to remove or amend clauses that conflict with the Deemed Provisions, as per Attachment 1 to the Schedule of Modifications. Move Schedule 11 Development Areas; Schedule 12 Development Contribution Areas; and Schedule 13 Statutory Static Feasibility Assessment Model into Part 5 Special Control Areas.

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				Delete the following definitions from Schedule 1, as they have been superseded by the definitions in the deemed provisions set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2: *Advertisement, Amenity, Local government, Local planning strategy, Owner, Premises, R-Codes, Substantially commenced, works, Zone* Delete current Schedule 6-9 from Part Twelve Renumber the scheme provisions and schedules sequentially omitting from the local planning scheme any deemed provisions and or/supplemental provisions. Update any cross referenced clauses to the updated clause numbering. Update any references to the Town Planning Act to the Planning and Development Act 2005. Update any provisions (including model provisions), schedules and notes to reflect structure plan are to be given 'due regard' rather than the 'full force and effect of the Scheme'.
116	06/01/17	12/01/17	GM	Modified the Scheme Text by replacing the term 'Ancillary Accommodation' where used throughout, with 'Ancillary Dwelling'. Modified the Scheme Text by correcting the definition 'Storage' to read 'Storage Yard', in Land Use Definitions, to accord with the Land Use Table. Deleted the definition of 'Region Scheme – Metropolitan' from General Definitions. Relocated the definition of 'Vehicle – Disused' from the General Definitions section to the Land Use Definitions section. Modified the Scheme Text by amending the 'Tourist Accommodation' definition in Land Use Definitions. Modified the Scheme Text by replacing the current SU23 related to Lot 100 and 101 Cockburn Road, Hamilton Hill with the new number SU29 in the Schedule of Special Use Zones. Modified the Scheme Text by amending the Convenience Store and Service Station definitions in Land Use Definitions. Deleted the definition of 'Petrol Filling Station' from the Land Use Definitions. Deleted Petrol Filling Station from Table 1 – Zoning Table. Deleted Petrol Filling Station from Special Use Columns SU22, SU24, SU27 from the Special Use Zones Schedule. Removed reference to Retail Filling Station from Table 3. Amended the Scheme Map accordingly.
119	07/02/17	08/03/17	GM	Deleted Clause 5.6 – Bushfire Vulnerability Area. Scheme Maps amended accordingly.
110	09/05/17	10/05/17	MLD	Rezoning part of Lot 2 Fanstone Avenue, Beeliar from 'Special Use' Zone to Development zone. Reserve part of Lot 2 Fanstone Avenue, Beeliar from 'Special Use' Zone to 'Local Reserve Lakes and Drainage'. Amending the Scheme map accordingly.
120	09/05/17	10/05/17	MLD	Reclassifying a portion of Lot 9501 Bartram Road from 'Residential R40' to 'Local Road' as depicted on the Scheme Amendment map. Reclassifying a portion of Lot 9501 Bartram Road from 'Local Road' to 'Residential R30' as depicted on the Scheme Amendment map. Amending the Scheme map.
121	09/05/17	10/05/17	MLD	Rezoning Lot 100 (No. 35) Port Kembla Drive and Lot 4 (No. 2) Geelong Court, Bibra Lake, from 'Local Centre' to 'Mixed Business'.
117	27/06/17	04/07/17	MLD	Include a portion of Lot 1 Ghostgum Avenue and a portion of Ghostgum Avenue, Treeby, as shown on the 'Proposed Zoning Plan' within the 'Development Zone'; Including a portion of Lot 1 Ghostgum Avenue and a portion of Ghostgum Avenue, Treeby, as shown on the 'Proposed Zoning Plan', within the boundaries of a new 'Development Area 41 Inserting a new 'Development Area 41' entry into 'Table 9 – Development Areas Removing a portion of Ghostgum Avenue from 'Local Reserve – Local Road Amending the Scheme map accordingly

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125	22/12/17	02/01/18	MLD	Reclassifying Lot 8 (on Plan 3176) Rockingham Road, Spearwood from 'Public Purpose - Police Station' local scheme reservation to 'Residential' zone with an R40 density. Amend scheme map accordingly.
124	13/02/18	15/02/18	MLD	Amending the density coding of the 'Residential' zoned portion of No. 16 (Lot 432) Rodd Place, Hamilton Hill to R30/40. Amending the Scheme map accordingly.
112	02/03/18	07/03/18	GM	Extended the Additional Use area AU1 covering Lots 701, 702 and portion of Lot 703, Jandakot Road, corner of Pilatus Street, Jandakot to include the whole of Lots 701, 702 and 703 excluding road widenings and Bush Forever Site 388C. Scheme Map amended accordingly. Table 6 – Additional Uses amended by replacing the provisions relating to AU1.
123	29/06/18	02/07/18	GM	Rezoning portion of Lots 446, 9011 and 9031 Cedarleaf Entrance, Treeby and portion of Cedarleaf Entrance road reserve from no zone to the Development zone. Including a portion of Lots 446, 9011 and 9031 Cedarleaf Entrance, Treeby and a portion of the Cedarleaf Entrance road reserve within the boundaries of 'Development Area No. 37' as shown on the Scheme Amendment Map. Scheme maps amended accordingly.
131	23/11/18	26/11/18	GM	Rezoning various lots in part of Spearwood within 'Development Area 12' - Troode Street Development Zone' from 'Development' zone to 'Residential R20', 'Residential R30' and 'Residential R40' as depicted on the Scheme Amendment Map. Reserving various areas of land as 'Public Purposes: Parks and Recreation' and 'Public Purposes: Local Road' as depicted on the Scheme Amendment Map. Deleting 'Development Area 12 - Troode Street Development Zone' from the Scheme map and Table 9 of the Scheme.
133	23/11/18	26/11/18	GM	Rezoning No. 39 (Strata Lots 1-14), No. 31 (Strata Lots 1-10), No. 25 (Strata Lots 1-10), No. 15 (Strata Lots 1-9), No. 3 (Strata Lots 1-6), No. 12 (Strata Lots 1-4), Lot 102 and Lots 104 to 119 Peppermint Gardens, Aubin Grove from the 'Development' zone to the 'Residential' zone and apply a density code of 'R40' to the 'Residential' zoned lots only. Rezoning Lot 101 Lyon Road, Aubin Grove from 'Development' zone to 'Local Centre' zone. Reclassifying Lot 125 Lyon Road, Aubin Grove (R50282) from the 'Development' zone to the 'Lakes and Drainage' reserve. Reclassifying portions of the road reserve for Peppermint Gardens and Geneva Close, Aubin Grove from the 'Development' zone to 'Local Road' reserves. Amending the 'Development Area No. 11' boundary to exclude the land identified in points 1 to 4 above. Amending the Scheme maps accordingly.

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132	7/12/18	11/12/18	HB	Rezone various lots in South Lake from 'Development' zone to 'Residential R20' and 'Residential R30' as shown in the Scheme Amendment map. Reclassify various lots in South Lake from 'Development' to "Parks and Recreation' and 'Lakes and Drainage' as shown in the Scheme Amendment map. Reclassify Lot 124 Briggs Street from 'Development' to 'Public Purposes: Western Power' as shown in the Scheme Amendment map. Delete 'Development Area 18 - Briggs Street Development Zone' from the subject land as shown in the Scheme Amendment map. Reclassify various road reserves in South Lake from 'Development' to 'Local Road' as shown in the Scheme Amendment map. Modify Table 9 in 'Part 5 - Special Control Areas' of the scheme text by deleting 'DA 18 - Briggs Street (Development Zone)' and corresponding provisions.
135	8/01/19	14/01/19	MLD	Rezoning lots as shown in the scheme amendment map in Success within 'Development Area 8 - Success Lakes Development Zone' from 'Development' zone to 'Residential R20', Residential R25', Residential R30' and Residential R40'. Reclassifying lots as shown in the scheme amendment map in Success within 'Development Area 8 - Success Lakes Development Zone' from 'Development' zone to 'Parks and Recreation' and 'Lakes and Drainage'. Deleting 'Development Area 8 - Success Lakes Development Zone' from the lots as shown in the scheme amendment map in Success.
128	11/01/19	17/01/19	GM	Re-arrangement and addition to the existing clause 5.3.13.3.
136	22/2/19	22/2/19	HB	Rezone the various lots in Aubin Grove as depicted on the scheme amendment map from 'Development' zone to 'Residential' zone, and apply the residential density codes of R20, R30, R40 and R60 within the cadastre boundary to those lots only. Re-classify Lot 8002 (r48534), Lot 8009 (R49391), Lot 8003, Lot 8004 (R48999), Lot 8001 (R48999), Lot 8005 (R50494), Lot 8006 (R50600) from 'Development' zone to 'Parks and Recreation' reserve. Reclassify portions of the road reserve from the 'Development' zone to 'Local Road' reserves as depicted in the scheme map. Amend the 'Development Area No. 11' boundary to exclude the land identified in points 1 to 3 above. Amend the Scheme maps accordingly.
128	26/2/19	11/3/19	MLD	CORRECTION NOTICE – amend clause 5.3.13.2 paragraph (c) with spelling error.
137	19/7/19	22/7/19	MLD	Rezone Lot 375 Lyon Road, Aubin Grove within 'Development Area No. 11 – Lyon Road (Development Zone)' as depicted on the scheme amendment map from 'Development' zone to 'Residential' zone, and apply the residential density code of R20. Reclassify a portion of the reserve from 'Development' zone to 'Local Road' reserve as depicted on the scheme amendment map. Amend the 'Development Area No. 11' boundary to exclude the land identified in points 1 to 2 above. Amend the Scheme maps accordingly.
138	19/7/19	22/7/19	MLD	Delete Development Contribution Plan 2 'Success Lakes' from Table 10 Development Contribution Plans of the Scheme. Delete the annotation of Development Contribution Area 2 from the Scheme map.
139	19/7/19	22/7/19	MLD	Delete Development Contribution Plan 3 'Gaebler Road' from Table 10 Development Contribution Plans of the Scheme. Delete the annotation of Development Contribution Area 3 from the Scheme map.

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140	19/7/19	22/7/19	MLD	Delete Development Contribution Plan 7 'Aubin Grove' from Table 10 Development Contribution Plans of the Scheme. Delete the annotation of Development Contribution Area 7 from the Scheme map.
134	17/12/19	13/01/2020	MLD	Rezone Lot 850 Purvis Street, Hamilton Hill from 'Unzoned' to 'Development' zone. Include Lot 850 Purvis Street, Hamilton Hill within the boundaries of 'Development Area 42'. Insert a new 'Development Area 42' entry into Table 9 – Development Areas and incorporating provisions – Hamilton Senior High School Redevelopment site – Lot 850 Purvis Street, Hamilton Hill. Amend the scheme map accordingly.
150	5/6/2020	8/6/2020	MLD	Zone a portion of Lot 1512 Cockburn Road, Coogee from 'unzoned' to 'Development Zone' and the Development Area 32 boundary extended over it. Zone portions of Lots 501 and 502 Kiesey Street, Coogee from 'unzoned' to the 'Residential Zone' and apply the R20 designation. Zone a portion of Lot 9510 Barnong Lookout, Beeliar from 'unzoned' to 'Development Zone' and the Development Area 4 boundary extended over it. Zone land alongside Lot 147 Hammond Road, Cockburn Central from 'unzoned' to 'Development Zone' and the Development Area 35 boundary extended over it. Noting the reservation of 'Reserve 49561' and adjacent section of unmade road reserve and removing the Development Area 13 designation. Modifying the Scheme maps accordingly.
148	16/06/2020	17/06/2020	MLD	Add new Clause 5.3.11.5 Renumber exisiting clauses 5.3.11.5 – 5.3.11.7 accordingly.
146	02/10/2020	06/10/2020	GM	Zoning a portion of Lot 705 (No. 255) and Lot 707 Armadale Road, Treeby 'Development' on the Scheme Map inclusive of 'Development Area 43' (DA43). Amending 'Table 9: Development Areas' to include DA 43 – Lots 705 and 707 Armadale Road, Treeby and Provisions.
142	06/10/2020	07/10/2020	GM	Inserting 'Additional Use 19' into Table 6 – Additional Uses – AU 19 - Portion of Lot 9000 (No. 30) Plantagenet Crescent, Hamilton Hill. Amending the Scheme map accordingly.
144	17/11/2020	19/11/2020	GM	Insert 'Strategic Industry' zone into Part 3 of the scheme with the following zone objective: 'To provide for Strategic Industrial areas of State or Regional significance; and to provide for a range of industrial activities associated with defence, resource and marine activities.' Update Part 3 Table 1 – Zoning Table to include the 'Strategic Industry' zone and outline the use class permissibility as follows: Civic Use – D Educational Establishment - D Lunch Bar – D Office – D Trade Display – D Industry (General) – D Industry (General – licensed) – D Industry (Light) – D Industry (Service) – D Fuel Depot – D Storage Yard – D Warehouse – D Transport Depot – P Marine Engineering – P Motor Vehicle Repair – D Motor Vehicle, Boat or Caravan Sales – A Motor Vehicle Wash – D

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				Service Station – D All other uses listed – X Uses Not Listed – in accordance with Cl. 3.4.2 Rezone various lots in Henderson from 'Special Use 2' and 'Special Use 22' to 'Strategic Industry' as depicted on the Scheme amendment map. Delete 'Development Area 15', 'Development Area 17' and 'Development Area 29' as depicted on the Scheme amendment map. Reclassify the road reserves from 'Development' zone to 'Local Road' reserve as depicted on the Scheme amendment map. Zone 'unzoned' areas within the scheme boundary to 'Strategic Industry' as depicted on the Scheme amendment map, unless reserved 'Waterways' pursuant to the Metropolitan Region Scheme. Reclassify various lots with a reserve purpose from 'Special Use 2' and 'Special Use 22' to 'Local Reserve' as denoted on the scheme amendment map.
141	24/11/2020	3/12/2020	MLD	Amend Table 10 of the Scheme text by including DCA15 – Treeby/Janakot. Amend the scheme map to include the boundaries of proposed Development Contribution Area No. 15 (Treeby/Jandakot).
130	29/1/2021	2/02/2021	MLD	Rezoning various lots in Atwell from 'Development' zone to 'Residential R40' as shown in the Scheme Amendment map. Deleting 'Development Area 10—Atwell South Development Zone' from the Scheme map and Table 9 from the Scheme.
149	02/02/2021	24/02/2020	GM	Modify the objective of the 'Residential zone' in clause 3.2.1a). Insert new clause 4.4.5 Grouped Dwelling Requirements. Insert new clause 4.4.6 Special Purpose – Small Dwellings. Inclusion of an additional clause under Schedule A – Supplemental Provisions (Matters to be considered by local government) as follows: 67.(zc) Any advice of the Design Review Panel.
151	18/03/2022	24/03/2022	GM	Rezone portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby from 'Resource ' to 'Development' on the Scheme Map. Amend the Scheme Map to contain the relevant portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby within a new Development Area, and reference this on the Scheme Map as 'DA 44'. Amend 'Table 9: Development Areas ' to include DA 44 - Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby.
129	22/4/2022	26/04/2022	MLD	Rezone and Reclassifying lots with Development Area 10 – Atwell South Development Zone.
155	24/05/2022	24/05/2022	HB	Modify Note 1 of Table 1 by deleting (i)-(v) and replacing it with: "Developmen t and use of land is to be in accordance with clause 4.10.11". Delete clause 3.4.2(b). Modify Clause 4.10.11 Resource Zone. Correction Notice
154	15/07/22	28/07/2022	MLD	Modify the Contents Page of the Scheme Text by inserting "4.4 Special Application of Residential Design Codes" in the appropriate location. Modify clause 3.9.2 of the Scheme Text by replacing the reference to clause *"64(3)"* of the Local Planning Scheme Deemed Provisions, with clause *"64(4)"*. Modify Table 1 – Zoning Table of the Scheme Text by deleting the land use *"Home Office"*. Modify clause 4.8.5(a)(i) of the Scheme Text by inserting the words *"Unless exempt under clause 61 of the deemed provisions,"* at the start

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				of the first sentence. Modify clause 5.4.2(c)(iii) to delete "Department of Agriculture and Environmental Protection Authority" and replace with "Department of Water and Environmental Regulation and Department of Primary Industries and Regional Development'. Modify Table 4 – Industrial Use Classes – Vehicle Parking of the Scheme Text, by adjusting the current visitor car parking bay requirement for Marine Engineering to state *"plus 1 : 200m2 gla for Visitor Parking"*, and replacing *"sqm"* with *"m^2"* in the Bicycle Racks column. Modify clause 4.10.5(c)(iii), 4.10.7(a) and 4.10.12(g) to delete "Department of Agriculture" and replace with "Department of Primary Industries and Regional Development". Modify clause 4.10.9(a), 4.10.9(b)(ii) and 4.10.9(c)(ii) delete "Health Department of WA" and replace with "Department of Health". Modify clause 4.10.9(a) of the Scheme Text by replacing the references to the *"Water and Rivers Commission"* with *the "Department of Water and Environmental Regulation"*; Modify clause 4.10.9(b)(ii) of the Scheme Text by inserting the words *"above the highest known water table for the land"* after the words 1.2 metres; Modify clause 4.10.12(g), Table 9 - DA 8 clause 4 and DA 9 clause 4 to delete "Department of Environmental Protection" and replace with "Department of Water and Environmental Regulation". Modify Clause 4.13.2 of the Scheme Text by adding the words *"As set out in clause 3.8,"* at the beginning of the clause; Modify clauses 4.14.1 and 4.14.2 to delete "Department of Conservation and Land Management" and replace with "Department of Biodiversity, Conservation and Attractions". Modify clause 4.16.1 to delete "Department of Environment and Water Catchment Protection" and replace with " Department of Biodiversity, Conservation and Attractions". Modify clauses 4.17.1, 4.17.3 and 4.17.5 to delete: "Department of Planning and Infrastructure" and replace with "Department of Planning, Lands and Heritage" "Department of Environment and Conservation" and replace with "Department of Biodiversity, Conservation and Attractions". Modify Schedule A – Supplemental Provisions to the Deemed Provisions of the Scheme Text, by: o Correcting the numbering of clause 61(1) to "61(2); o at (k) adding the word *"dividing"* before the *"fence"*; o deleting (m)(i) in its entirety, and renumbering provisions (ii) to (iv) thereafter; o at (m)(iv) deleting "*, and in the case of the Resource Zone, Table 1 and 2 of Statement of Planning Policy No. 2.3"* at the end of the clause; and o deleting (p) in its entirety. Modify DA 8 clause 7 to delete "Department of Land Administration" and replace with "Department of Planning, Lands and Heritage. Rezone portions of Lots 201 (#7) & 202 (#9) Winchester Road from "unzoned" to the "Industry" zone. Rezone Lot 800 Warton Road from "unzoned" to the "Resource" zone; Rezone portions of Lots 133 (#814) and 333 (#810) North Lake Road from "unzoned" to the "Mixed Business" zone.

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				Modify the Scheme maps accordingly.
153	09/05/23	23/05/2023	GL	Amend Table 6 – Table of additional Uses to include Additionl Use 20 (AU20) Amend the scheme map to designate AU 20 over Lot 760 (No.49) berrigan Drive, South Lake.
152	16 June 2023	19 June 2023	HB	Rezone Lot 3 on Diagram 30047, Lot 6 on Diagram 91027, Lot 7 on Plan 21402, Lot 139 on Plan 18946, and Lot 509 on Diagram 91028 in the locality of Jandakot from 'Special Use' to 'Development'. Rezone Lot 512 on Diagram 94292 from 'Residential R40' to 'Development'. Include the following new porivions in Tabe 9 for DA45 – Glen Iris Estate Jandakot with provisions. Delete 'Spcial Use 1' and 'Special Use 6' from Table 8. Amend the scheme maps accordingly.
157	13/10/ 23	26/10/ 23	GL	Modify table 1-zoning table of the Scheme Text to include 'Motor Vehicle Wash' as 'A' use in the Local Centre Zone. Modify Clause 4.9.2 (e) (Commercial and Industrial Uses – Landscaping) of the Scheme Text. Modify Clause 4.9.4(f) (Commercial and Industrial Uses – Landscaping) of the Scheme Text. Modify Clause 4.10.1 (b) Rural Uses) of the Scheme Text. Introduce Clause 4.10.1 (d) (Rural Uses). Introduce Clause 4.10.11(f) (Resource Zone) to the Scheme Text. Introduce Clause 4.10.11(g) (Resource Zone) to the Scheme Text. Introduce Clause 4.10.11 (h) (Resource Zone) to the Scheme Text. Introduce Clause 4.10.12 (k) (Rural Living Zone) to the Scheme Text. Introduce Clause 4.10.11 (l) (Rural Living Zone) to the Scheme Text. Introduce Clause 4.10.12 (m) (Rural Living Zone) to the Scheme Text.
161	17/10/23	26/10/2023	GL	Rezone lots within 'Development Area 3' from the 'Development' to 'Residential R20', 'Residential R40' and 'Local Centre', as depicted on the Scheme Map. Reclassify land winin 'Development Area 3' from the 'Development' zone to a 'Parks and recreation' and 'Public Purpose-Civic local reserves as depicted on the Scheme Amendment Map. Deleting Development Area 3 (DA3) entirely, from within Table 9-Devlopment Areas of the Scheme Text and the face of the Scheme Map.
156	20/10/2023	26/10/2023	GL	Amend Table 10 – Development Contribution Plans of the Scheme Text by inserting additional provisions on the 'period of operation' and 'timing and priority for Development Contribution Plans 1, 4, 5, 6, 8 and 11 to align with the requirements of State Planning Policy 3.6.
162	17/11/2023	28/11/2023	HAB	Rezone various lots within 'Development Area 11' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R40)', Residential (R60)', 'Local Centre' and/or the 'Special Use' zone, as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 11' from the 'Development' zone to a local 'Parks and Recreation', 'Lakes and Drainage', 'Local Road', 'Public Purposes (Water Corporation)' and/or 'Public Purposes (Primary School)' reservation, as depicted on the Scheme Amendment Map. Amend the Scheme Maps and Table 8 – Special Use Zones' to include Special Use 30 (SU30) – Lot 1002 Gaebler Rd, Aubin Grove with conditions. Reduce the extent of the 'Development Area 11' (DA 11) special control area boundary, as depicted on the Scheme Amendment Map.
159	8/03/2024	8/03/2024	HAB	Introduce a 'Development' zone over the 'No Zone' portions of Verde Drive, as depicted on the Scheme Amendment Map (Proposal #1). Reclassify land associated with the intersection of Jandakot, Solitaire and Fraser Roads from the 'Resource' zone to a 'Local Road' reservation, as depicted on the Scheme Amendment Map (Proposal #2). Reclassify Lot 133 Waugh Court and Lot 58 Yates Court, North Lake from a 'Parks & Recreation' reserve to the 'Residential' (R20) zone, as

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				depicted on the Scheme Amendment Map (Proposal #3). Reclassify portions of Lots 140 and 141 Empress Crescent, Atwell and Lots 100 (Strata Plan 25648) and 101 Haring Green, Atwell from a 'Local Road' reserve to the 'Residential' (R20) zone, as depicted on the Scheme Amendment Map (Proposal #4). Reserve various land parcels in Bibra Lake, as 'Parks & Recreation', 'Lakes & Drainage', 'Local Road' or 'Public Purpose - Water Corporation', based on their existing tenure, as depicted on the Scheme Amendment Map (Proposal #5). Reserve various land parcels in Success, as 'Parks & Recreation', 'Lakes & Drainage' and 'Local Road', based on their existing tenure, as depicted on the Scheme Amendment Map (Proposal #6). Rezone portion of Lot 1 Malata Crescent (Strata Plan 55779) 'Residential'(R160), and reserving various land parcels in Success, as 'Parks & Recreation', 'Lakes & Drainage', 'Local Road', 'Public Purpose - Telstra' and 'Public Purpose - Water Corporation' based on their existing tenure, as depicted on the Scheme Amendment Map (Proposal #7).
164	8/03/2024	8/03/2024	HAB	Rezone various lots within 'Development Area 8' and 'Development Area 9' from 'Development' to 'Residential (R20)', Residential (R25)', 'Residential (R30)', 'Residential (R40)', 'Residential (R60)', 'Residential (R80)', 'Local Centre', 'Mixed Use' and 'Mixed Business' as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 8' and 'Development Area 9' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purpose (Primary School)' and 'Local Road' as depicted on the Scheme Amendment Map. Reduce the extent of the 'Development Area 8' and 'Development Area 9' special control area boundaries, as depicted on the Scheme Amendment Map.
168	8/03/2024	8/03/2024	HAB	Reclassify land within the 'Development Area 14' from the 'Residential' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' or 'Local Road', as depicted on the Scheme Amendment Map. Modify 'Table 9 - Development Areas' of the Scheme Text, by deleting Provision 3 as it relates to DA 14. Reduce the extent of the 'Development Area 14' (DA14) special control area boundary, as depicted on the Scheme Amendment Map. Rezone various lots within 'Development Area 36' from 'Development' to 'Residential (R20), 'Residential (R30), Residential (R40) and 'Residential (R60)', as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 36' from the 'Development' zone to a local reserve for 'Parks and Recreation' or 'Local Road', as depicted on the Scheme Amendment Map. Delete 'Development Area 36' (DA36) entirely, from within 'Table 9 - Development Areas' of the Scheme Text, and the Scheme Map.
163	15/03/2024	21/03/2024	GL	Rezone various lots within 'Development Are 11' from the 'Development' to 'Residential (R20)', 'Residential (R40)', 'Local Centre', 'Mixed Use (R30)', and/or 'No Zone' as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 11' from the 'Development' zone to a local 'Parks and Recreation' and/or 'Local Road' reservation as depicted on the Scheme Amendment Map. Amend the Scheme Maps and 'Table 7 – Restricted Uses' to include Resitricted Use No.16 (RU16) and Restricted Use No.17 (RU17). Reduce the extent of the 'Development Area 11' (DA11) special control are boundary, as depicted on the Scheme Amendment Map.
169	15/03/2023	21/03/2024	GL	Rezone various lots within 'Development Area 37' from 'Development' to 'Residential (R25)', 'Residential (R30)', 'Residential (R40)', 'Residential (R60)', 'Mixed Use' and 'Local Centre (R80)', as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 37' from, the 'Development' zone to a local reserve for 'Park and Recreations', 'Local Road', 'Public Purposes (Civic)', 'Public Purposes (Primary School)' and/or 'Public

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				Purposes (Water Corporation)', as depicted on the Scheme Amendment Map. Reclassify Lot 867 Dollier Street, Treeby (Reserve 47750) from the 'Resource' zone to a local reserve for 'Lakes and Darinage'. Reclassify Lot 1 Solomon Road, Treeby from a 'Local Road' to a local reserve from 'Public Purposes (Water Corporation)'. Reclassify the northern portion of Lot 700 Clementine Blvd, Treeby (Reserve 53280) from a 'Local Road' to a local reserve from 'Parks and Recreation'. Reduce the extent of the 'Development Area 37' special control area boundary, as depicted on the Scheme Amendment Map.
167	19/04/2024	23/04/2024	GL	Rezone various lots within 'Development Area 34' from 'Development' to 'Residential (R30)' and 'Residential (R50)' as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 34' from the 'Devlopment' zone to a local reserve for 'Parks and Recreation' and 'Local Road' as depicted on the Scheme Amendment Map. Modifying 'Table 9 – Development Areas' of the Scheme Text, by deleting Provision 2 (iii) as it relates to DA34 and renumbering the remaining provisions accordingly. Reduce the extent of the 'Development Area 34' (DA34) special contorl area boundary as depicted on the Schem Amendment Map.
171	21/06/2024	4/07/2024	GL	Rezone various lots within 'Development Area 13' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)' as depicted on the Scheme Amendment Map. Reclassify land with 'Development Area 13' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' and/or 'Local Road' as depicted on the Scheme Amendment Map. Rezone Lot 601 (#23) Jubilee Avenue, Success from 'Development' and 'Residential (R20)' to 'Residential (R40)'. Reclassify Lot 8005 Jubilee Avenue, Success from 'Residential (R20)' to a local reserve for 'Parks and Recreation'. Reclassify the unconstructed southern extension of Seabrook Place, Success from 'Local Road' to a local reserve for 'Parks and Recreation'. Reclassify Reserve 42979 Seabrook Place, Success from 'Lakes and Drainage' to a local reserve from 'Parks and Recreation'. Reducing the extent of the 'Development Area 13' special control area boundary, as depicted on the Scheme Amendment Map.
158	03/09/2024	17/09/2024	HBAG	Replace Clause 4.18 Insert 13B, 1 to 7 into Schedule A -Supplemental Provisions to the deemed Provisions:
165	03/09/2024	17/09/2024	HBAG	Rezone various lots within 'Development Area 8' and 'Development Area 9' from 'Development' to 'Mixed Use (R40)', 'Mixed Use (R60)', and 'Local Centre' as depicted on the Scheme Amendment Map. Reclassifying land within 'Development Area 8' from the 'Development' zone to a local 'Parks and Recreation' and/or 'Local Road' reserve, as depicted on the Scheme Amendment Map. Reclassifying land within 'Development Area 8' and 'Development Area 9' from 'No Zone' to a 'Local Road' reserve, as depicted on the Scheme Amendment Map. Reducing the extent of the 'Development Area 8' special control area boundary and removing the entire remaining extent of the 'Development Area 9' special control area boundary, as depicted on the Scheme Amendment Map; Modify 'Table 9 – Development Areas' of the Scheme Text, by deleting provisions 3 to 7 of 'Development Area 8' and renumbering the remaining provisions accordingly and modifying 'Table 9 – Development Areas' of the Scheme Text, by deleting 'Development Area 9' entirely.
172	3/9/2024	17/9/2024	HBAG	Rezone various lots within 'Development Area 37' from 'Development' to 'Residential (R25)', 'Residential (R40)' and 'Residential (R80)', as depicted on the Scheme Amendment Map Reducing the extent of the 'Development Area 37' special control area boundary, as depicted on the Scheme Amendment Map.

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170	1/10/2024	10/10/2024	GL	Rezone various lots within 'Development Area 26' and 'Development Area 27' from 'Development' to 'Residential (R20)', 'Residential (R25)', Residential (R30)', 'Residenital (R35), 'Residential (R40)', 'Residential (R50)' and 'Residential (R50)' and 'Residential (R60)', as depicted on the Scheme Amendment Map. Rezone Lot 46 Woodrow Avenue from 'Development' to 'Special Use 31' as depicted on the Scheme Amendment Map, and inserting the following into 'Table 8 – Special Use Zones' of the Scheme Text: SU31 – Lot 46 Woodrow Ave, Hammond Park – Educational Establishment, Place of Worship – 1. Development approval. 2. Development shall generally accord with the layout depicted on the site Masterplan (as amended to the satisfaction of the City). 3. A Traffic Impact Assessment, is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval. Reclassifying land within 'Development Area 26' and 'Development Area 27' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' and/or 'Local Road, as depicted on the Scheme Amendment Map. Reducing the extent of the 'Development Area 26' and 'Development Area 27' Special Control Area boundaries, as depicted on the Scheme Amendment Map.
175	3/12/2024	5/12/2024	GL	Rezone various lots within 'Development Area 31' from 'Development' to 'Residential (R20)', 'Residential (R25)', Residential (R30), Residential (R35)', 'Residential (R40)', 'Residential (R60)' and 'Local Centre' as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 31' from 'Development' zone to a local reserve for 'Parks and Recreation' or 'Local Road', as depicted on the Scheme Amendment Map. Reduce the extent of the 'Development Area 31' (DA31) special control area boundary, as depicted on the Scheme Amendment Map.
176	24/12/2024	3/01/2025	HAB	Rezoning various lots within 'Development Area 16' from 'Development' to 'Residential (R40)', 'Residential (R60)', 'Residential (R80)', 'Residential (R100)', and 'Mixed Use (R80)', as depicted on the Scheme Amendment Map. Reclassifying land within 'Development Area 16' from the 'Development' zone to a local reserve for 'Parks and Recreation' or 'Local Road', as depicted on the Scheme Amendment Map. Reducing the extent of 'Development Area 16' Special Control Area boundary, as depicted on the Scheme Amendment Map.
173	28/01/2025	28/01/2025	GL	Rezone various lots within 'Development Area 5' from 'Development' to 'Residential (R25)', 'Residential (R30)', 'Residential (R60)', as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 5' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purposes – Water Corporation', or 'Local Road' as depicted on the Scheme Amendment Map. Reduce the extent of the 'Development Area 5' (DA5) special control aea boundary, as depicted on the Scheme Amendment Map.
177	14/02/2025	20/02/2025	GL	Rezone Lot 30 (No.59) Breaksea Drive, North Coogee, within 'Development Area 16' from 'Development' to 'Residential (R100)', as depicted on the Scheme Amendment Map. Reducing the extent of the 'Development Area 16' (DA16) special control area boundary, as depicted on the Scheme Amendment Map.
174	14/02/2025	13/03/2025	GL	Rezone various lots within 'Development Area 4' from 'Development' to 'Residential (R20)', 'Residential (25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)' as depicted on the Scheme Amendment Map. Reclassify land within 'Development Area 4' from 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purpose – Water Corporation' or 'Local Road', depicted on the Scheme Amendment Map. Reducing the extent of the 'Development Area 4' Special Control Area boundary, as depicted on the Scheme Amendment Map.
181	23/05/2023	29/05/2025	ME	Rezoning various lots within 'Development Area 4' from 'Development' to 'Residential (R60)' and 'Local Centre' as depicted on the Scheme

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				Amendment Map. Reclassifying land within 'Development Area 4' from the 'Development' zone to a local reserve for 'Lakes and Drainage', 'Local Road' or 'Public Purpose – Primary School', as depicted on the Scheme Amendment Map. Modifying the Scheme Maps and 'Table 6 – Additional Uses' of the Scheme Text, to remove Additional Use No. 9 (AU9) and its related provisions. Reducing the extent of the 'Development Area 4' special control area boundary, as depicted on the Scheme Amendment Map.
183	24/10/2025	3/11/2025	HAB	In Part 6 (1. General Definitions): Include a new general definition for cabin: means a building that – (a) is an individual unit other than a chalet; and (b) forms part of – (i) tourist and visitor accommodation; or (ii) a caravan park; and (c) if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period. Include a new general definition for chalet: means a building that – (a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and (b) forms part of – (i) tourist and visitor accommodation; or (ii) a caravan park; c) and if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period. In Part 6 (2. Land Use Definitions): Delete the definitions for: • bed and breakfast; • tourist accommodation; • holiday home (standard); • holiday home (large); • motel; • lodging house. Amend the land use definition for residential building to delete reference to excluding a lodging-house, as follows: Has the same meaning as the Residential Design Codes. Insert a new land use definition for road house: Means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services – (a) a full range of automative repairs services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) accommodation for guests, on a commercial basis, with no individual guest accommodated for a period of periods exceeding a total of 3 months in any 12-month period; (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies. Insert a new land use definition for workforce accommodation: means premises, which may include modular or relocatable buildings, used – (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and

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(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

Insert a new land use definition for tourist and visitor accommodation:

(a) means a building, or a group of buildings forming a complex, that –

(i) is wholly managed by a single person or body; and

(ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and

(iii) may include on-site services and facilities for use by guests; and

(iv) in the case of a single building – contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;

and

(b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

(c) does not include any of the following –

(i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1);

(ii) a caravan park;

(iii) hosted short-term rental accommodation;

(iv) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);

(v) a park home park;

(vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);

(vii) a road house;

(viii) workforce accommodation.

USED CLASS	RESIDENTIAL	REGIONAL CENTRE (SEE NOTE 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY
Road House	X	X	X	X	X	X	X	A	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
Hosted short term rental accommodation	P	P	P	P	P	P	X	X	P	P				P	X
Unhosted short term rental accommodation	A	D	D	D	A	A	X	X	A	A				A	X
Tourist and visitor accommodation	A	D	D	D	D	D	X	X	A	A				A	X
Workforce accommodation	X	X	X	X	D	X	X	X	X	A				X	A

In Table 1 'Zoning Rable', delete all references to:

- bed and breakfast;
- holiday home (standard)
- holiday home (large);
- motel;
- house – lodging; and
- tourist accommodation.

Replace all references to the land use 'Tourist Accommodation' with 'Tourist and visitor accommodation' throughout the Scheme (with the exception of Table 1), including Table 2 – Parking; Table 8 – Special Delete the following land use definitions from Table 2 – Parking; Table 3 – Commercial Use Classes – Vehicle Parking; Table 8 – Special Use zones; and Table 9 – Development Area:

- bed and breakfast;
- motel;
- lodging House/House-Lodging.

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184	16/12/2025	12/01/2026	HAB	Modify Table 10 – Development Contribution Plans of the Scheme Text by extending the 'Period of Operation' for Development Contribution Plans 9 and 10 to '30 June 2031'.
187	12/05/2026	12/05/2026	HAB	Rezone various lots within 'Development Areas 4, 5, 26, 27, 31 & 41' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R35)', 'Residential (R40)', 'Residential (R50)', 'Residential (R60)', 'Residential (R80)' and 'Local Centre', as depicted on the Scheme Amendment Maps. Reclassify land within 'Development Areas 4, 5, 26, 27, 31 & 41' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Public Purpose – Primary School' or 'Local Road', as depicted on the Scheme Amendment Map. Reduce the extent of the 'Development Areas 4 (DA4), 5 (DA5), 26 (DA26), 27 (DA27), & 31 (DA31)' special control area boundaries, as depicted on the Scheme Amendment Map. Delete 'Development Area 41' (DA41) entirely, from within Table 9 – Development Areas of the Scheme Text and the face of the Scheme Map. Updating the 'Region Scheme Reserves' on the Scheme Map Legend by: Delete 'Parks and Recreation' and replacing it with 'Regional Open Space' Delete 'Parks and Recreation – Restricted' and replacing it with 'Regional Open Space – Restricted Public Access' Delete both 'Public Purposes - University (U)' and 'Public Purposes - Technical School (TS)' and replacing them with 'Public Purposes - Tertiary Education (TE)' Delete both 'Public Purposes – State Electricity Commission (SEC)' and 'Public Purposes – Water Corporation of WA (WSD)' and replacing them with 'Public Purposes – Public Utilities (PU)'; and Replace the 'SEC' and 'WSD' symbols with 'PU', and the 'U' symbol with 'TE' where they currently appear on the face of the Scheme Maps.

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Part 3	**Zones and the Use of Land** - sets out the zones which apply in the Scheme Area and the uses which may require approval or may be prohibited.
Part 4	**General Development Requirements** - sets out the planning requirements which may apply to a particular use or development in a zone.
Part 5	**Special Control Areas** - sets out particular provisions which may apply in addition to the zone requirements and generally concerns landscape, environmental, built form, and land and site management issues, development areas, structure plans and development contribution areas.
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PART 1 - PRELIMINARY

1.1 Citation

1.1.1 The City of Cockburn Town Planning Scheme No. 3 ('the Scheme') comes **into operation** on its Gazettal date.

1.1.2 The following Scheme is **revoked** -

a) Town Planning Scheme - District Zoning Scheme No. 2 gazetted on 14 February 1992.

1.2 Responsible Authority

1.2.1 The **City of Cockburn** is the responsible authority for implementing the Scheme.

Note: The Scheme Area is also subject to the Metropolitan Region Scheme (see ***clause 1.10***)

1.3 Scheme Area

1.3.1 The Scheme applies to the Scheme Area which covers all of the local government of the **district** of the City of Cockburn as shown on the Scheme Map, with the exception of -

a) the area referred to in Schedule 1 of the *Hope Valley - Wattleup Redevelopment Act 2000;*

b) Rottnest Island and Carnac Island;

which are excluded from the Scheme.

1.4 Contents of Scheme

1.4.1 The Scheme comprises – *AMD 81 GG 30/08/11*

a) The Scheme **Text**

b) The Scheme **Map** (Sheets 1 - 26)

1.4.2 The Scheme is to be read in conjunction with the **Local Planning Strategy**.

Note: The Scheme Map comprises the whole of the district of the City of Cockburn which includes Carnac and Rottnest Islands.

1.5 Purposes of the 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 as **reserves** for public purposes.

c) **zone** land within the Scheme Area for the purposes defined in the Scheme;

d) **control and guide** land use and development;

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

f) make provision for the administration and **enforcement** of the Scheme; and

g) address **other matters** set out in the Schedule 7 of the *Planning and Development Act 2005*.

1.6 The Aims of the Scheme

1.6.1 The aims of the Scheme are to -

a) ensure that development and the use of land within the district **complies** with accepted standards and practices for public amenity and convenience;

b) ensure that the future development and use of land within the district occurs in an **orderly and proper** way so that the quality of life enjoyed by its inhabitants is not jeopardised by poor planning, unacceptable development and the incompatible use of land.

1.7 Definitions

1.7.1 Unless the context otherwise requires, words and expressions used in the Scheme have the same meanings 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.

1.7.4 The **symbols for building envelopes and heritage places** are shown on the Scheme Map for information purposes only and are not part of the Scheme.

1.7.5 Notwithstanding anything else in the Scheme, where a use in the **Resource Zone** is defined in the Statement of Planning Policy No. 2 - Peel-Harvey Coastal Plan Catchment Policy or the Statement of Planning Policy No. 6 - Jandakot Groundwater Protection Policy, it shall have the meaning given to it in each respective Policy except that where there is conflict between the two Policies and the Scheme the Statement of Planning Policy No. 6 prevails over Statement of Planning Policy No. 2 and in the Resource Zone both Policies prevail over the use class definitions contained in ***Schedule 1*** to the Scheme.

Note: Reference to the Residential Design Codes and their application in respect of the Scheme are contained in ***clause 5.2***.

1.8 Relationship with 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 City of Cockburn which apply to the Scheme Area.

1.10 Relationship with the Metropolitan Region Scheme

1.10.1 The Scheme is **complementary** to the Metropolitan Region Scheme and the provisions of the Metropolitan Region Scheme continue to have effect.

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

PART 2 - RESERVES

2.1 Reserves

2.1.1 Certain lands within the Scheme Area are classified as -

a) Regional Reserves; or

b) Local Reserves.

2.2 Regional Reserves

2.2.1 The land shown as "Regional Reserves" on the Scheme Map are lands reserved under the **Metropolitan Region Scheme** and are shown on the Scheme Map in order to comply with the Metropolitan Region Town Planning Scheme Act.

Note: The provisions of the Metropolitan Region Scheme continue to apply to such Reserves and **approval is required** under the Metropolitan Region Scheme from the Commission for the commencement or carrying out of any use or development on a Regional Reserve unless specifically excluded by the Region Scheme.

2.2.2 Regional Reserves are not reserved by this **Scheme**.

2.2.3 The **approval** of the local government under the Scheme is **not required** for the commencement or carrying out of any use or development on a Regional Reserve.

2.3 Local Reserves

2.3.1 "Local Reserves" are delineated and depicted on the **Scheme Map** according to the legend on the Scheme Map.

2.4 Use and Development of Local Reserves

2.4.1 A person **must not** -

a) **use** a Local Reserve; or

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

without first having obtained **planning approval** under Part 7 of the Deemed Provisions.

2.4.2 In determining an **application** for planning approval the local government shall have due regard to -

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

b) the **ultimate purpose** intended for the Reserve.

2.4.3 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 planning approval.

PART 3 - ZONES AND THE USE OF LAND

3.1 Zones

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

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

3.2 Objectives of the Zones

3.2.1 The objectives of the zones are – *AMD 96 GG 23/6/15*

a) Residential Zone *AMD 149 GG 02/02/2021*

i) To provide for a range of housing and a choice of residential densities to meet the needs of the community.

ii) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

iii) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

b) Regional Centre Zone

To provide for a **full range** of shopping, office, administrative, social, recreation, entertainment and community services, consistent with the region-serving role of the centre and including residential uses.

c) District Centre Zone

To provide for **weekly** shopping needs, local offices, health, welfare and community facilities, consistent with the district-serving role of the centre.

d) Local Centre Zone

To provide for **convenience** retailing, local offices, health, welfare and community facilities which serve the local community, consistent with the local - serving role of the centre.

e) Mixed Business Zone

To provide for a **wide range** of light and service industrial, wholesaling, showrooms, trade and professional services, which, by reason of their scale, character, operation or land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within the Centre or industry zones.

f) Mixed Use Zone

To provide for a mixed use environment that includes residential development and a range of compatible smaller scale commercial uses such as office, retail and eating establishments. *AMD 96 GG 23/6/15*

g) Industry Zone

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

h) Light and Service Industry Zone

To provide for **light and service** industries and associated uses which are compatible with and acceptable with close proximity to, residential uses.

i) Strategic Industry Zone *AMD 144 GG 17/11/2020*

To provide for Strategic Industrial areas of State or Regional significance; and to provide for a range of industrial activities associated with defence, resource and marine activities.

j) Development Zone

To provide for **future residential**, **industrial** or **commercial** development to be guided by a comprehensive **Structure Plan** prepared under the Scheme.

k) Rural Zone

To provide for a range of **rural pursuits** which are compatible with the capability of the land and retain the rural character and amenity of the locality.

l) Rural Living Zone

To provide for **residential** use in a rural environment.

m) Resource Zone

To provide for the protection of the Perth Metropolitan **underground water** resource in accordance with the requirements of Statement of Planning Policy No. 6 published by the Western Australian Planning Commission on 12 June 1998.

n) Special Use Zone

To provide for uses which have **unique development** requirements that cannot be easily accommodated by the objectives of any of the other zones included in the Scheme.

o) Conservation Zone *AMD 58 GG 1/5/09*

To provide for a range of uses which are consistent and compatible with areas of conservation value including wetland, lake and or bushland areas, whilst providing for the ongoing protection and maintenance of those areas.

3.3 Zoning Table

3.3.1 The ***Zoning Table*** indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones.

3.3.2 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***.

3.3.3 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 requirements of the Scheme.

'D' means that the use is **not permitted unless** the local government has exercised its discretion by granting planning approval.

'A' means that the use is **not permitted unless** the local government has exercised its discretion and has granted planning approval after giving **special notice** in accordance with ***clause 64(3)*** of the deemed provisions.

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

3.3.4 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 planning 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 providing that the use is not a non-conforming use in which case ***clause 64(1)*** of the deemed provisions applies; or

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

Note:

1. The **planning 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 may only proceed by way of an amendment to the Scheme.

3.4 Interpretation of the Zoning Table

AMD 155 GG 24/5/22

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

3.4.2 If a person proposes to carry out any use that is **not specifically mentioned** in the:-

a) ***Zoning Table - Table 1*** and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category in the table the local government may -

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

(ii) determine that the use may be consistent with the **objectives** of the zone and thereafter follow the advertising procedures of ***clause 64(3)*** of the deemed provisions in considering an application for planning approval; or

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

3.5 Additional Uses

3.5.1 Despite anything contained in ***the Zoning Table***, the land specified in ***Table 6*** 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 ***Table 6*** 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 the zone that applies to the land.

3.6 Restricted Uses

3.6.1 Despite anything contained in the ***Zoning Table***, the land specified in ***Table 7*** may only be **used for the specific use** or uses that are listed and subject to the conditions set out in ***Table 7*** with respect to that land.

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

3.7 Special Use Zones

3.7.1 Special use zones are set out in **Table 8** and are in addition to the zones in the Zoning Table.

3.7.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Table 8 and subject to compliance with any conditions set out in Table 8 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.

3.8 Non-Conforming Uses

3.8.1 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 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.

3.9 Extensions and changes to a non-conforming use

3.9.1 **A person must not** -

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

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

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

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

3.9.2 An application for planning approval under this clause is to be **advertised** in accordance with ***clause 64(4)*** of the deemed provisions.

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

3.10 Discontinuance of Non-Conforming Use

3.10.1 Where a non-conforming use of any land or buildings has been **discontinued** for a period of **six months** such land or buildings shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

3.11 Termination of a Non-Conforming Use

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

Note: ***Part 11*** 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 town planning scheme, subject to Part 9 of the *Land Administration Act 1997*, that section and the Scheme.

3.12 Destruction of Non-Conforming Use Buildings

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

TABLE 1 – ZONING TABLE

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (See Note 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE *AMD 96 GG 23/6/15*	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY *AMD 144 GG 17/11/2020*
RESIDENTIAL USES															
Ancillary Dwelling (R-Code) *AMD 116 GG 06/01/17*	P	X	X	X	X	D	X	X	D	D				X	X
Bed and Breakfast *AMD 6 GG 13/6/06*	DELETED BY AMD 183 GG 24/10/2025														
Child Care Premises	A	P	P	P	D	A	A	A	A	A				X	X
Civic Use	D	P	P	P	P	D	P	P	A	A				X	D
Dwelling Aged or Dependent Persons (R-Code)	D	X	P	P	X	D	X	X	D	D				X	X
Caretaker's	P	P	P	P	P	X	P	P	X	X				X	X
Grouped (R-Code) *AMD 58 GG 1/5/09*	P	D	P	P	D	D	X	X	X	X				A	X
Multiple (R-Code)	D	D	P	P	D	D	X	X	X	X				X	X
Educational Establishment	D	D	D	D	P	A	D	D	A	D				X	D
Home Business *AMD 58 GG 1/5/09*	A	P	P	P	P	X	X	X	D	D				A	X
Home Occupation *AMD 58 GG 1/5/09*	D	P	P	P	D	A	X	X	D	D				A	X
Hosted short term rental accommodation *AMD 183 GG 24/10/2025*	P	P	P	P	P	P	X	X	P	P				P	X
House Lodging	DELETED BY AMD 183 GG 24/10/2025										NOTE 1	NOTE 2	NOTE 3		
Single (R-Code) *AMD 58 GG 1/5/09*	P	D	D	D	D	X	X	X	P	P				X	X
Institutional Building *AMD 6 GG 13/6/06*	A	X	X	X	A	X	A	A	X	X				X	X
Place of Worship	D	D	D	D	P	A	D	D	A	A				X	X
Residential Building (R-Code)	D	D	D	D	D	D	X	X	X	X				X	X
Tourist and Visitor accommodation *AMD 183 GG 24/10/2025*	A	D	D	D	D	D	X	X	A	A				A	X
Unhosted short term rental accommodation *AMD 183 GG 24/10/2025*	A	D	D	D	A	A	X	X	A	A				A	X
Workforce accommodation *AMD 183 GG 24/10/2025*	X	X	X	X	D	X	X	X	X	A				X	A
Tourist Accommodation *AMD 58 GG 1/5/09*	DELETED BY AMD 183 GG 24/10/2025														
Holiday Home (standard) *AMD 99 GG 17/10/14*	DELETED BY AMD 183 GG 24/10/2025														
Holiday Home (large) *AMD 99 GG 17/10/14*	DELETED BY AMD 183 GG 24/10/2025														

USE CLASS		RESIDENTIAL	REGIONAL CENTRE (See Note 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE *AMD 96 GG 23/6/15*	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY *AMD 144 GG 17/11/2020*
COMMERCIAL USES																
Commercial	Bank	A	P	P	P	P	P	P	P	X	X	NOTE 1	NOTE 2	NOTE 3	X	X
	Garden Centre	X	P	D	D	P	X	P	P	X	A				X	X
	Market	X	P	P	A	D	A	A	X	X	X				X	X
	Nursery	X	D	D	A	P	X	P	P	A	D				X	X
	Office	A	P	P	D	P	P	P	P	X	X				X	D
	Showroom	X	P	D	X	P	X	P	P	X	X				X	X
	Veterinary Consulting Rooms	*DELETED AMD 99 GG 17/10/14*														
	Veterinary Hospital	*DELETED AMD 99 GG 17/10/14*														
Entertainment	Amusement Parlour	X	P	D	A	D	A	D	D	X	X				X	X
	Betting Agency *AMD 96 GG 23/6/15*	X	P	P	D	P	A	D	A	X	X				X	X
	Club Premises *AMD 109 GG 19/02/16*	X	D	D	A	D	A	D	D	X	X				X	X
	Fast Food Outlet *AMD 96 GG 23/6/15*	X	D	P	D	P	D	P	X	X	X				X	X
	Hotel/Tavern	X	P	P	A	D	X	P	X	A	X				X	X
	Motel *AMD 96 GG 23/6/15*	DELETED BY AMD 183 GG 24/10/2025														
	Public Amusement *AMD 96 GG 23/6/15*	A	P	D	X	D	A	P	P	A	X				X	X
	Reception Centre	A	P	D	A	P	A	D	X	A	A				X	X
	Recreation - Private *AMD 96 GG 23/6/15*	X	P	D	A	P	A	P	P	D	A				X	X
	Restaurant	A	P	P	A	P	D	D	X	A	A				X	X
	Small Bar *AMD 99 GG 17/10/14*	X	A	A	A	X	X	X	X	X	X				X	X
Health Services	Consulting Rooms *AMD 96 GG 23/6/15*	D	P	P	D	P	D	P	A	X	X				X	X
	Health Studio	A	P	P	A	P	D	P	P	A	A				X	X
	Medical Centre *AMD 96 GG 23/6/15*	A	P	P	D	P	D	D	D	A	X				X	X
	Hospital *AMD 96 GG 23/6/15*	A	D	D	X	D	X	A	A	A	X				X	X
Shop	Convenience Store *AMD 96 GG 23/6/15*	A	P	P	P	X	D	P	X	A	X				X	X
	Lunch Bar	A	P	P	P	A	D	D	D	D	A				X	D
	Shop *AMD 96 GG 23/6/15*	X	P	P	P	X	D	X	X	X	X				X	X
	Home Store *AMD 96 GG 23/6/15*	A	P	P	P	X	X	X	X	A	X				X	X

USE CLASS		RESIDENTIAL	REGIONAL CENTRE (See Note 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE *AMD 96 GG 23/6/15*	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY *AMD 144 GG 17/11/2020*
Transport	Commercial Vehicle Parking	D	P	P	A	P	X	P	P	D	D				X	X
	Motor Vehicle, Boat or Caravan Sales	X	P	P	X	P	X	P	D	X	X				X	A
	Motor Vehicle Hire Premises	X	D	D	X	P	X	P	P	X	X				X	X
	Motor Vehicle Wash *AMD 157 GG 13/10/23*	X	D	D	A	P	X	P	P	X	X				X	D
	Petrol Filling Station	*DELETED AMD 116 GG 06/01/17*														
	Service Station	X	D	D	A	D	X	P	P	X	X				X	D
Animal Establishment *AMD 6 GG 13/6/06*		X	A	A	X	D	X	P	P	X	A				X	X
Cinema/Theatre *AMD 6 GG 13/6/06*		X	P	X	X	X	X	X	X	X	X				X	X
Funeral Parlour *AMD 6 GG 13/6/06; AMD 96 GG 23/6/15*		X	D	X	X	X	A	P	P	X	X				X	X
Hardware Store *AMD 6 GG 13/6/06; AMD 96 GG 23/6/15*		X	P	P	X	A	X	D	D	X	X				X	X
Night Club *AMD 6 GG 13/6/06; AMD 96 GG 23/6/15*		X	D	X	X	X	X	D	D	X	X				X	X
Restricted Premises *AMD 6 GG 13/6/06*		X	A	A	A	X	X	X	X	X	X				X	X
Road House		X	X	X	X	X	X	X	A	X	X				X	X
Trade Display *AMD 6 GG 13/6/06*		X	X	X	X	X	X	D	D	X	X				X	D
Veterinary Centre *AMD 6 GG 13/6/06; AMD 99 GG 17/10/14 AMD 96 GG 23/6/15*		X	P	D	D	D	X	D	P	A	D				X	X
Vehicle – Disused *AMD 6 GG 13/6/06; AMD 96 GG 23/6/15*		X	D	D	D	D	X	D	D	X	X				X	X
INDUSTRIAL USES																
Industry	Cottage *AMD 58 GG 1/5/09*	A	D	A	X	D	X	P	P	A	A	NOTE 1	NOTE 2	NOTE 3	A	X
	Extractive	X	X	X	X	X	X	X	A	X	A				X	X
	General	X	X	X	X	X	X	X	P	X	X				X	D
	General (licensed)	X	X	X	X	X	X	X	D	X	X				X	D
	Light	X	X	X	X	D	X	P	P	X	X				X	D
	Noxious	X	X	X	X	X	X	X	X	X	X				X	X
	Service	X	X	A	X	D	X	P	P	X	X				X	D
Storage	Fuel Depot	X	X	X	X	X	X	A	P	X	A				X	D
	Storage Yard	X	A	X	X	A	X	P	P	X	A				X	D
	Warehouse	X	D	D	X	P	X	P	P	X	X				X	D
Transport	Motor Vehicle Wrecking	X	X	X	X	X	X	X	D	X	X				X	X
	Transport Depot	X	X	X	X	X	X	P	P	X	X				X	P

USE CLASS	RESIDENTIAL	REGIONAL CENTRE (See Note 4)	DISTRICT CENTRE	LOCAL CENTRE	MIXED BUSINESS	MIXED USE *AMD 96 GG 23/6/15*	LIGHT AND SERVICE INDUSTRY	INDUSTRY	RURAL LIVING	RURAL	RESOURCE	SPECIAL USE	DEVELOPMENT	CONSERVATION	STRATEGIC INDUSTRY *AMD 144 GG 17/11/2020*
Marine Engineering *AMD 6 GG 13/6/06*	X	X	X	X	X	X	A	P	X	X				X	P
Motor Vehicle Repair *AMD 6 GG 13/6/06*	X	D	D	A	P	X	D	P	X	X				X	D
RURAL USES															
Agriculture Extensive *AMD 6 GG 13/6/06*	X	X	X	X	X	X	X	X	D	D	NOTE 1	NOTE 2	NOTE 3	X	X
Agriculture Intensive *AMD 6 GG 13/6/06*	X	X	X	X	X	X	X	X	D	D				X	X
Agroforestry *AMD 6 GG 13/6/06*	X	X	X	X	X	X	X	X	D	D				X	X
Animal Husbandry - Intensive *AMD 6 GG 13/6/06*	X	X	X	X	X	X	X	X	X	A				X	X
Farm Supply Centre	X	D	A	X	P	X	P	P	A	A				X	X
RURAL USES (Cont'd)															
Hobby Farm	A	X	X	X	X	X	X	A	P	P				X	X
Rural Industry	X	X	X	X	X	X	D	D	A	A				X	X
Pursuit	X	X	X	X	X	X	X	X	D	P				X	X
USES NOT LISTED															
Uses not listed In accordance with ***clause 3.4.2***															

NOTE 1: Development and use of land is to be in accordance with clause 4.10.11.
Deleted (i)-(v) *AMD 155 GG 24/5/22*

NOTE 2: Development and use of land is to be in accordance with ***clause 4.11*** and ***Table 8***.
AMD 6 GG 13/6/06

NOTE 3: Development and use of land is to be guided by an approved Structure Plan prepared and adopted under ***clause 22*** of the Deemed Provisions***.*** *AMD 6 GG 13/6/06*

NOTE 4: (a) In that part of the Regional Centre Zone comprised in Development Area 23, the Zoning Table shall have no application, and the permissibility of land uses shall be governed by the applicable Special Control Area provisions of Table 9 be guided by any approved Structure Plan. *AMD 1 GG 5/1/06*

(b) In that part of the Regional Centre zone comprised in Development Area 24, the permissibility of land uses shall be in accordance with the Zoning Table until such time as a Structure Plan is approved which indicates a different permissibility of land uses. The permissibility of land uses shall be given due regard in the assessment and determination of applications for subdivision and development in accordance with ***clause 27(1)*** of the Deemed Provisions.

PART 4 - GENERAL DEVELOPMENT REQUIREMENTS

4.1 Compliance with Development Standards and Requirements

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

4.1.2 Despite the general development requirements specified in this Part, where different development requirements are provided for in relation to a particular area of land referred to in either Table 6 - Additional Uses, Table 7 - Restricted Uses, Table 8 - Special Use Zones or Table 9 – Additional requirements that apply to land covered by a Structure Plan, Activity Centre Plan or Local Development Plan, the development requirements specified in the Tables shall prevail.

4.2 Residential Design Codes

4.2.1 A copy of the Residential Design Codes, as amended, shall be kept and made **available** for public inspection at the offices of the local government.

4.2.2 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Design Codes **is to conform** to the provisions of those Codes.

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

4.3 Sewerage Connection

4.3.1 Notwithstanding any provision of this Scheme to the contrary but subject to ***clause 4.3.2*** all residential development shall be connected to a comprehensive sewerage system.

4.3.2 Where no such system is available, no residential development other than the erection of a single house shall be approved unless:

a) the Department recommends to the local government that there are exceptional circumstances which warrant a variation of the requirements in ***clause 4.3.1*** or;

b) immediately prior to the gazettal date the land in respect of which approval is sought is used for the purpose of two or more dwellings;

c) the development conforms with the Government Sewerage Policy for the Perth Metropolitan Region or any subsequent equivalent State Government policy or amendments to that policy.

4.3.3 In this clause "Department" shall have the same meaning as is given to it in the Health Act.

4.4 Special Application of Residential Design Codes

4.4.1 In Residential zones coded R20 the local government **may vary the minimum site area per dwelling** and the minimum lot area/ rear battleaxe requirements in Columns 3 and 4 of Table 1 of the Codes by permitting **2 grouped dwellings** on any lot with an area of 900m^2 or greater but in all other respects the development shall conform with the **requirements of the R20 code**.

4.4.2 In respect of land in the **R30 to R60 codes** where a local development plan has been approved by the local government the minimum requirements of Table 1 regarding the **total percentage of open space** can be reduced up to a maximum of **5% below the Code** requirement, subject to: -

a) the land being located **adjacent to a parks and recreation** reserve or within a **commercial or railway precinct**; and

b) the development providing for **solar orientated design**.

4.4.3 In respect of **Lot 61 Beenyup Road, Atwell**, the minimum requirements of Table 1 in respect of the **total percentage of open space** in the R25 code can be **reduced by a maximum 5%** below the code requirement subject to: -

a) the land being either located adjacent to a parks and recreation reserve or within a **commercial or railway precinct**; *AMD 6 GG 13/6/06*

b) the development providing for solar orientated design; and *AMD 6 GG 13/6/06*

c) the development being in accordance with a **local development plan** approved by the local government.

4.4.4 Medium Density Residential Development

a) When considering applications for the development of grouped and/or multiple dwellings, the Council shall have due regard to Local planning Policy No. 1.2 (Residential Design Guidelines). Where an application is not consistent with the provisions or objectives of Local Planning Policy No. 1.2 (Residential Design Guidelines), Council may refuse the application notwithstanding its level of compliance with the Residential Design Codes.

b) In considering applications for the subdivision of land within any of the split coded areas depicted on the Scheme Map, the Council may only support subdivision (in the absence of built development) up to a maximum density of R30.

c) In considering applications for the development of land within any of the split coded areas depicted on the Scheme Map, the Council may support development up to the maximum density of the split code subject to the application being consistent with the provisions and objectives of the Local Planning Policy No. 1.2 (Residential Design Guidelines).

d) Where residential land abuts a regional road reserve or major road as prescribed by Local Planning Policy No. 1.2 (Residential Design Guidelines), vehicle access to that road shall be subject to the approval of the local government and the relevant responsible authority (if any). *AMD 76 GG 31/08/10*

4.4.5 Grouped Dwelling Requirements *AMD 149 GG 02/02/2021*

a) Notwithstanding the minimum and average site area requirements of clause 5.1.1 and table 1 of the Residential Design Codes, Grouped Dwellings must comply with the following criteria:

A Garden Area shall be provided for each grouped dwelling to support and sustain the development of tree canopy, provide amenity for residents, and contribute positively to neighbourhood character; as follows:

i) Minimum area of $9m^2$ located wholly on site for each dwelling;

ii) Be a minimum length and width dimension of 3m;

iii) Be in addition to the minimum outdoor living area requirements of the Residential Design Codes;

iv) Be landscaped, uncovered, unpaved, free draining soil;

v) Not be used for vehicle parking or access;

vi) Contain no structure such as – buildings, patios, pergolas, swimming pools or external fixtures; and

vii) Distributed appropriately throughout the development.

b) In relation to 4.4.5 a) this clause shall remain in effect until the medium density state planning policy is gazette.

4.4.6 Special Purpose – Small Dwellings *AMD 149 GG 02/02/2021*

Special Purpose – Small Dwelling is a single house or grouped dwelling with a maximum plot ratio of 70m^2 containing no more than two habitable rooms capable of use as a bedroom. The dwelling shall be designed to meet the Liveable Housing Design Guidelines (Australia) Silver Performance Level at a minimum.

For the purposes of a 'Special Purpose – Small Dwelling' the minimum and average site area as set out in Table 1 of the Residential Design Codes may be reduced by up to one third, which shall only be applied where development is proposed.

In relation to clause 4.4.6, this clause shall remain in effect until the medium density state planning policy is gazette.

4.5 Restrictive Covenants

4.5.1 Subject to ***clause 4.5.2***, a restrictive covenant affecting any land in the Scheme Area by which, or the effect of which, is that the **number of residential units** which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under the Scheme.

4.5.2 Where ***clause 4.5.1*** operates to extinguish or vary a restrictive covenant the local government is **not to grant planning approval** to the development of the land which would, but for the operation of ***clause 4.5.1***, 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(3)*** of the Deemed Provisions.

4.6 Variations to Site and Development Requirements

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

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

a) **consult** the affected parties by following one or more of the provisions for advertising uses under ***clause 64(3)***of the Deemed Provisions; and

b) have regard to any **expressed views** prior to making its decision to grant the variation.

4.6.3 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.

4.7 Environmental Conditions

4.7.1 Environmental conditions to which the Scheme is, or amendments to the Scheme are, subject are incorporated into the Scheme by ***Schedule 1*** of the Scheme.

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

4.7.3 The local government is to -

a) maintain a **register** of all relevant statements published under sections 48F and 48G of the EP 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 a Scheme or an amendment to a Scheme following assessment under the Environmental Protection Act.

4.8 Residential Uses

4.8.1 Tenure

a) Single house allotments created as freehold or survey strata lots **should comply** with the minimum area of lot per dwelling as prescribed under Table 1 of the Residential Design Codes.

4.8.2 Convenience and Functionality

a) Every development shall be **designed** to ensure that it is convenient and functional for those who will use the development particularly in respect to -

(i) the **relationship** of the development to the use and enjoyment of the adjoining lots;

(ii) the convenient **location** of public and resident facilities provided on the lot;

(iii) **safety and amenity**;

(iv) **accessibility** of driveways, footpaths, car parking bays, service bays and storage areas.

b) A development which requires planning approval under the Scheme, that complies with or may be approved under the provisions of the Residential Design Codes but cannot demonstrate convenience and functionality, will **not be approved**, unless the local government determines otherwise in any particular case.

4.8.3 Other Residential Development

a) Residential development which is not provided for under the Residential Design Codes shall **conform** to the development Standards and requirements determined by the local government in each particular case.

b) Where residential development is permitted, other than in the Residential Zone and Regional Centre Zone and a Residential Density Code has not been prescribed, all residential development shall be in accordance with the R60 Residential Density Code. *AMD 6 GG 13/6/06*

4.8.4 Parking of Commercial Vehicles

a) Despite any other provision of this Scheme, **no commercial vehicle** is permitted to remain on privately owned land within the Residential Zone for a period longer than is necessary for loading or unloading unless the local government has issued a planning **approval** permitting the parking of such a vehicle.

b) A commercial vehicle may be **permitted** to be parked within a Residential Zone, provided that -

(i) the vehicle is parked on a lot containing only a **single house**;

(ii) the vehicle forms an essential part of the **occupation** of an occupant of the dwelling;

(iii) vehicles **exceeding 8 metres** in length are parked parallel to the side boundary of the lot and behind the building line;

(iv) **no repairs** are to be undertaken on the lot;

(v) in the opinion of the local government, it is not likely to adversely affect the **amenity** of the surrounding land;

(vi) the local government may apply any **conditions** to the approval it sees fit;

(vii) the local government has the ability to **withdraw** its approval at any time for any reason.

c) An approval granted under ***clause 68(2)*** of the Deemed Provisions -

(i) is granted to the **person** to whom it is issued;

(ii) is **not capable** of being transferred or assigned to any other person;

(iii) does **not run** with the land in respect of which it is granted.

4.8.5 Home Occupation and Home Business

a) Application -

(i) Unless exempt under clause 61 of the deemed provisions no person shall commence a home occupation or home business without first having applied for and received the planning **approval** of the local government.

(ii) A home occupation or home business can be undertaken subject to clause 4.8.5 a)(ii) by the occupier of the land and is not transferable.

(iii) On the sale of the property or change in ownership of the land the home occupation or home business entitlement **ceases**.

4.8.6 Vehicle Parking

a) The following vehicle parking provisions apply to the **Residential Use Classes**.

TABLE 2 - RESIDENTIAL USE CLASSES - VEHICLE PARKING

	VEHICLE PARKING PROVISIONS		
USE CLASS	**Car Parking Bays**	**Delivery Bays**	**Bicycle Racks**
• Caretaker's Residence	Two (2) car parking bays per dwelling.	Not applicable	Not applicable
. Child Care Premises	1 : 1 employee Plus 1 : 10 children	Not applicable	Not applicable
a. Civic Use	1 : 4 seats **OR** * 1 : 4 people accommodated	Not applicable	1 : 30 seats **OR*** 1 : 100 people accommodated
b.Dwelling – Aged or Dependent Persons Ancillary Dwelling *AMD 116 GG 06/01/17* – Caretakers – Grouped – Multiple	As prescribed in the Residential Design Codes	Not applicable	For Grouped and Multiple Dwellings. 1 : 4 units for residents 1 : 16 units for visitors
g. Education Establishment – Primary School – High School	 1 : 1 Class Room 1 : 1 Class Room **Plus** 1 : 25 Year 12 Students	 1 : lot 1 : lot	 1 : 4 students 1 : 2 students
j. Home Business	As prescribed in the Residential Design Codes	Not applicable	Not applicable
k. Home Occupation	As prescribed in the Residential Design Codes	Not applicable	Not applicable
l. Home Office	As prescribed in the Residential Design Codes	Not applicable	Not applicable
m. Home Display Centre	5 : 1 Display Home	Not applicable	Not applicable
n. House - Lodging (Deleted by AMD 183 GG 24/10/2025) - Single	1 : 4 Beds As prescribed in the Residential Design Codes	1 : Service/Storage Area	Not applicable
o. Place of Worship	1 : 4 seats **OR** * 1 : 4 people accommodated	Not applicable	1 : 30 seats **OR*** 1 : 100 people accommodated
p. Tourist and visitor Accommodation *AMD 183 GG 24/10/2025*	1 : 1 Unit or 1 : Bedroom	1 : Administration Centre	Not applicable

NOTE: (1) * Whichever is the greater.

(2) Where vehicle parking provisions are not prescribed for a particular use the requirement will be determined by the local government.

4.9 Commercial and Industrial Uses

4.9.1 Building Setback

a) A building shall be setback from lot boundaries in accordance with the provisions of the **Building Code** of Australia.

b) A building shall be setback from boundaries or erected on boundaries so that the **impact** on the use and amenity of the adjoining buildings is minimised and the scale and bulk of the building is compatible with the streetscape.

4.9.2 Landscaping

a) A minimum **on-site** provision of **ten percent (10%)** of the total area of the lot or of a defined portion of the lot, the subject of an Application for Planning Approval, shall be set aside, developed and maintained as a landscaped area.

b) Despite ***clause 4.9.2 a)*** the local government may reduce the minimum **on-site** provision to not less than **five percent (5%)** of the total area of the lot to be set aside, developed and maintained as a landscaped area where the owner agrees in writing either as part of the Application for Planning Approval or separately that all of the street verge abutting the lot shall be included in the landscape area in accordance with ***clause 4.9.2 c)***.

c) Where the **street verge** is included in the landscaped area it shall be developed and maintained by the owner as an integral part of the on-site provision referred to in ***clause 4.9.2 b)***.

d) The landscaped area provided on the lot shall have a minimum width of not less than **1.5 metres** and distributed in areas of not less than **4.0 square metres**.

e) There shall be not less than one **(1) shade tree** planted for every 10 linear metres of verge frontage or for every 50 square metres of the total landscaped area provided on the lot and within street verge, whichever results in the greater number of trees. *AMD 157 GG 13/10/23*

f) There shall be not less than one **(1) shade tree** planted in the car parking area for every (3) side-by-side car parking spaces provided on the lot. *AMD 157 GG 13/10/23*

g) The landscaping is to be **confined** to the area of the lot between the building or the use of the land and the boundaries of the lot adjoining the public road reserve, or other public reserve, unless the local government agrees otherwise in any special circumstance.

4.9.3 Amenity

a) Buildings shall be located on land abutting a residential zone so as to minimise **overshadowing** on, and to maximise **privacy** within adjoining, existing or future residences.

b) Buildings shall be **designed** so that they are complementary with their surroundings and adjoining development in terms of their external appearance, design, height, scale and bulk.

c) Buildings shall be located on the lot and provide landscaped areas which enhance the **streetscape** and add to the attractiveness of the locality of which they form part.

d) Advertising **signs** shall be -

(i) **attached** to the walls or facade of a building or structure so as not to protrude above the height of the wall to the building or the structure;

(ii) **limited** to a common pylon sign or hoarding for developments comprising more than two units, strata titled units or businesses up to a maximum of six (6) advertisements to each sign where units, strata title units or businesses exceed 6 in number or the development comprises a service station as one component then a maximum of two pylon signs or hoardings are permitted for that site;

(iii) erected on the property to which they **relate**;

(iv) professionally designed and installed and not detract from the **streetscape** within which they are located.

e) Each premises will clearly display their street number and where there is no **street number** allocated to the property, the lot number shall be displayed instead.

4.9.4 Convenience and Functionality

a) Every development shall be **designed** to ensure that it is convenient and functional for those who will use the development particularly in respect to -

(i) the **relationship** of the development to the use and enjoyment of the adjoining lots;

(ii) the **convenient** location of public and employee facilities provided on the lot;

(iii) **safety and amenity**;

(iv) **accessibility** of driveways, footpaths, car parking bays, service bays and storage areas.

b) A development which requires planning approval under the Scheme that complies with the development standards and requirements of the Scheme, but cannot demonstrate convenience and functionality will **not be approved**, unless the local government determines otherwise in any particular case.

4.9.5 Vehicle Parking

a) A person shall not use land for a purpose specified in ***Table 3 and Table 4*** unless **car parking** spaces, **delivery** bays and **bicycle** racks of the number specified in the ***Table*** are provided and maintained and are sealed, drained and marked to the local government's specifications.

4.9.6 Cash Payment in Lieu of Providing Car Parking Spaces

a) Except as provided in ***clause 4.9.5*** the local government **may agree** with an applicant for approval to commence development to accept a cash payment in lieu of the provision of paved car parking spaces, subject to -

(i) a cash-in-lieu payment shall be not less than the **estimated cost** to the owner of providing and constructing the car parking spaces required by the Scheme, plus the value, as estimated by a licensed valuer appointed by the local government, of that area of land which would have been occupied by the parking spaces and manoeuvring area;

(ii) the local government having either provided, or having made **firm proposals** for providing a public car parking station in the vicinity of the land the subject of the application, before the local government agrees

to accept a cash payment in lieu of the provision of car parking spaces;

(iii) payments under this clause shall be paid into a **special fund** to be used to provide public car parking stations within the locality from which it was collected;

(iv) all costs incurred in obtaining the **valuation** shall be borne by the applicant for approval to commence development.

4.9.7 Joint Use of Car Parking Facilities

a) Car parking facilities may be provided jointly by two or more owners or users of land or by one owner or user in respect of **separate buildings** or uses, subject to the satisfaction of the standards and requirements hereinafter set out in this clause.

b) If there is a deficiency in the number of car parking spaces provided to serve any building or use, the local government may permit the car parking spaces for that building or use to be provided jointly with any one or more other buildings or uses whether or not those others separately have the **prescribed number** of car parking spaces provided that the peak hours of operation of the buildings or uses so sharing are different and do **not substantially overlap**.

c) The local government may require that **reciprocal access** and circulation arrangements are provided for any buildings or uses affected by this clause when, in the opinion of the local government, such arrangements are deemed necessary to improve design, functionality or amenity.

d) The following **requirements** shall be complied with by any person seeking to take advantage of the provisions of this clause -

(i) **evidence** shall be provided sufficient to satisfy the local government that **no substantial conflict** will exist in the peak hours of operation of the buildings or uses for which the joint use of car parking spaces or the reciprocal access and circulation arrangements is proposed;

(ii) the number of car parking spaces which may be **credited from one building or use to another** building or use shall not exceed the number of spaces reasonably anticipated to be in excess of the requirement of the first building or use during its **off-peak hours** of operation;

(iii) the local government may require a **legal agreement** to be prepared at **the expense of the person** seeking to take advantage of the provisions of this clause, detailing the relevant arrangements of the joint usage, and executed by all parties concerned;

(iv) Any such agreement shall be capable of operating as a restrictive covenant against any land providing parking spaces, reciprocal access or circulation arrangements and shall ensure that the restraint cannot be removed without the consent of the local government upon the local government being satisfied that the joint use of parking facilities is no longer required.

4.9.8 Vehicle Parking - Commercial Use Classes

a) The following vehicle parking provisions apply to the **Commercial Use Classes** –

TABLE 3 - COMMERCIAL USE CLASSES - VEHICLE PARKING

USE CLASS		VEHICLE PARKING PROVISIONS		
		Car Parking Bays	**Delivery Bays**	**Bicycle Racks**
• **Commercial**	- Bank	1 : 20m^2 gla	1 : 500m^2	Not applicable
	- Garden Centre	1 : 50m^2 gla	1 : lot	Not applicable
	- Market	1 : 20m^2 gla	Not applicable	Not applicable
	- Nursery	1 : 50m^2 gla	1 : lot	Not applicable
	- Office	1 : 50m^2 gla	1 : 500m^2	1 : 200m^2 gla employees 1 : 750m^2 gla visitors
	- Showroom	1 : 50m^2 gla	1 per unit	Not applicable
	- Veterinary Consulting Rooms	1 : 20m^2 gla	Not applicable	Not applicable
	- Veterinary Hospital	1 : 20m^2 gla	1 : Service/ Storage Area	Not applicable
• **Entertainment**	- Amusement Parlour	1 : 4 seats **OR** 1 : 4 people accommodated	1 : 500m^2 gla	1 : 50m^2 gla
	- Betting Agency	1 : 15m^2 gla	Not applicable	1 : 100m^2 gla
	- Club Premises	1 : 50m^2 gla	1 : 500m^2	Not applicable
	- Fast Food Outlet	1 : 15m^2 gla	1 : Service/ Storage Area	1 : 50m^2 gla
	- Hotel/ Tavern	1 : 2m^2 nla of Drinking Area **Plus** 1: 1 bedroom	1 : Service/ Storage Area	1 : 50m^2 gla
	- Motel	1 : 1 Unit plus 1 : 1 Employee	1 : Service/ Storage Area	1 : 30 seats **OR*** 1 : 100 people accommodated
	- Private Recreation	1 : 4 seats **OR*** 1 : 4 people accommodated	1 : Service/ Storage Area	Not applicable
	- Reception Centre	1 : 4 seats **OR*** 1 : 4 people accommodated	1 : Service/ Storage Area	1 : 30 seats **OR*** 1 : 100 people accommodated
	- Restaurant	1 : 4 seats **OR*** 1 : 4 people accommodated	1 : Service/ Storage Area	1 : 30 seats **OR*** 1 : 100 people accommodated
	- Medical Centre	5 : 1 Practitioner **OR*** 5 : 1 Consulting Room	Not applicable	1 : 400m^2 gla employees 1 : 200m^2 gla visitors
	- Hospital	1 : 3 Beds **Plus** 1 : 2 staff	1 : Building	1 : 10 beds

TABLE 3 - COMMERCIAL USE CLASSES - VEHICLE PARKING (CONT'D)				
USE CLASS		**VEHICLE PARKING PROVISIONS**		
		Car Parking Bays	**Delivery Bays**	**Bicycle Racks**
• **Health Services**	- Consulting Rooms	5 : 1 Practitioner **OR*** 5 : 1 Consulting Room 1 : 15m² gla	Not applicable	1 : 50 people accommodated
	- Medical Centre	5 : 1 Practitioner **OR*** 5 : 1 Consulting Room 1 : 15m² gla	Not applicable	1 : 400m² gla employees 1 : 200m² gla visitors
	- Hospital	1 : 3 Beds **Plus** 1 : 2 staff	1 : Building	1 : 10 beds
• **Shop**	- Convenience Store	1 : 15m² nla 1 : 1 employee **Plus** 2 : 1 Service Bays	1 : Service/ Storage Area	1 : 20m² nla
	- Home Store	1 : 15m² nla	1 : Service/ Storage Area	1 : 200m² nla
	- Lunch Bar	1 : 12m² nla for 0-5, 000m² nla	Not applicable	1 : 20m² nla
	- Shop	1:14m² nla for 5,000-10,000m² gla 1:16m² nla for 10000m² and over gla	1 : 1000m² nla	1 : 200m² nla
• **Transport** *AMD 116 GG 6/01/17*	- Commercial Vehicle Parking	1 : 12m² nla	Not applicable	Not applicable
	- Motor Vehicle, Boat or Caravan Sales	1 : 5 vehicles for sale **Plus** 1 : 1 employee	1 : Service/Storage Area	Not applicable
	- Motor Vehicle Hire Premises	1 : 5 vehicles for hire **Plus** 1 : 1 employee	1 : Service/Storage Area	Not applicable
	- Motor Vehicle Wash	1 : 1 wash bay 1:15m² nla	Not applicable	Not applicable
	- Service Station	1 : 1 employee **Plus** 2 : 1 service bay	1 : Service/Storage Area	1 : 20m² nla

NOTE: (1) * Whichever is the greater.
(2) Where vehicle parking provisions are not prescribed for a particular use the requirement will be determined by the local government.

4.9.9 Vehicle Parking - Industrial Land Use Classes

a) The following vehicle parking provisions apply to the **Industrial Use Classes** –

TABLE 4 - INDUSTRIAL USE CLASSES - VEHICLE PARKING

USE CLASS		VEHICLE PARKING PROVISIONS		
		Car Parking Bays	**Delivery Bays**	**Bicycle Racks**
• **Industry**	- Cottage	1 : 50m^2 gla	Not applicable	Not applicable
	- Extractive	1 : 1 employee	Not applicable	Not applicable
	- General/ General (Licensed)	1 : 50m^2 gla	1 : Service/ Storage Area	1 : 200m^2 gla
	- Light	1 : 50m^2 gla	1 : Service/ Storage Area	1 : 200m^2 gla
	- Service	1 : 50m^2 gla	1 : Service/ Storage Area	1 : 200m^2 gla
	- Marine Engineering *AMD 6 GG 13/6/06*	1 : 1 employee, Plus 1:200 m^2 gla for visitor parking.	1 : Service/Storage Area	1 : 200m^2 gla
• **Storage**	- Fuel Depot	1 : 1 employee	1 : Building	Not applicable
	- Storage Yard	1 : 1 employee	Not applicable	Not applicable
	- Warehouse	1 : 100m^2 gla	1 : Unit	Not applicable
• **Transport**	- Motor Vehicle Repair	5 : 1 Service Bay	1 : Unit	Not applicable
	- Motor Vehicle Wrecking	1 : 1 employee **Plus** 1 : 200m^2 of Yard Area	1 : Building	Not applicable
	- Transport Depot	1 : 1 employee	1 : Building	Not applicable

NOTE: (1) * Whichever is the greater.
(2) Where vehicle parking provisions are not prescribed for a particular use the requirement will be determined by the local government.

4.10 Rural Uses

4.10.1 Water Supply

a) The use and development of land within the Rural Zone shall be in accordance with the provisions of The Statement of Planning Policy No. 2.5 – Agricultural and Rural Land Use Planning. *AMD 6 GG 13/6/06*

b) Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be **responsible** for providing a **potable water supply** where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Zone. *AMD 157 GG 13/10/23*

c) Where it is proposed to use the land for residential purposes and a potable water supply is not available then the landowner shall be responsible for providing a **rainwater storage tank** with a minimum capacity of 90,000 litres.

d) Where it is proposed to use the land for residential uses in the Rural Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (of a size and constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas). *AMD 157 GG 13/10/23*

4.10.2 Building Envelopes

a) Only **one** single house may be erected on a lot.

b) Where a building envelope is shown on a lot in accordance with ***clause 4.10.12a) and Clause 4.10.12 b)***, every building erected on that lot shall be **located** within the boundaries of the building envelope. *AMD 72 GG 07/09/10*

c) The local government may on the written request of the landowner **relocate** or **modify** the shape or area of a building envelope if in the opinion of the local government the relocation or modification of the building envelope will not have a detrimental impact on the neighbours, the amenity of the area, the use of the land or the environment.

d) Where **no building envelope** is shown on a lot, no building shall be erected within **10 metres** of any boundary of the lot or **20 metres** from any road reserve.

e) Despite ***clauses 4.10.2 b), c) and d)*** no person shall -

(i) clear or suffer to permit to be cleared any flora within a distance of **50 metres** from the lot boundary adjoining the road reserve of Berrigan Drive Jandakot, **Tapper Road** Banjup and **Warton Road** Banjup except for the purpose of complying with the requirements of the Bush Fires Act, constructing a dedicated road or vehicular accessway;

(ii) erect a building on Lots 101, 103, 104, 105, 106, 107 and 119 closer **to Solomon Road** Jandakot than **30 metres** from the lot boundary adjoining the Solomon Road road reserve. *AMD 6 GG 13/6/06*

f) Despite ***clause 4.10.2 a)*** the local government may allow ancillary dwelling on a lot where - *AMD 116 GG 06/01/17*

(i) a **single house** already exists on the lot;

(ii) in the **Rural Zone** and the **Rural Living Zone** the net area of the ancillary dwelling does not exceed **100m^2**;

(iii) in the **Resource Zone** the net area of the ancillary dwelling does not exceed **60m^2** and the area of the lot is to be greater than **2 ha**.

4.10.3 Fencing

a) Fencing shall be erected in **accordance** with the Local Law - Fencing.

4.10.4 Rehabilitation

a) The local government may **require** the owner of any land to rehabilitate land, which in its opinion has been eroded, neglected, degraded or cleared in such a way as to harm the environment or reduce the amenity of the adjoining, nearby or surrounding land.

4.10.5 Protection of Land and Existing Vegetation

a) **No existing vegetation** existing on a lot shall be cleared except for the purposes of -

(i) erecting an approved **building** or structure on the lot;

(ii) providing vehicular **access**;

(iii) complying with the **Bush Fires Act**;

(iv) complying with an **approval** issued by the local government.

(v) a **rural pursuit** being established for commercial purposes.

b) The clearing of vegetation on any lot other than for the purposes nominated in ***clause 4.10.5 a)*** shall require the **approval** of the local government.

c) The local government may **serve notice** on any owner or occupier of land within the **Rural Zone, Rural Living Zone or Resource Zone** -

(i) to **preserve** any specified vegetation and the maintenance and protection of the vegetation so specified shall continue until the local government determines otherwise;

(ii) to **plant** vegetation;

(iii) to **remove stock** where in the opinion of the Department of Primary Industries and Regional Development the land has been overgrazed.

4.10.6 Protection of Wetlands

a) The local government may **require** wetlands and their fringing phreatophytic vegetation to be preserved and protected from pollution, destruction and inappropriate use and management.

b) **Any wetland** which is identified for protection under a policy of the Environmental Protection Authority shall be preserved and protected in accordance with any conditions imposed by the local government or the Authority.

4.10.7 Over-grazing

a) Where, in the opinion of the local government, land is being grazed or stocked which causes topsoil to be exposed or trees to be ring-barked to the general detriment of the natural beauty of the area or use of the land, the local government may refer the matter to the Department of Primary Industries and Regional Development for investigation and recommendation, and having had regard to the recommendations, the local government may by notice to the owner or occupier order the reduction of number of, or removal of stock or the protection of trees by fencing or lattice binding within the time limited by the notice.

4.10.8 Parking of Commercial Vehicles

a) **Two commercial vehicles** may be parked on land owned by the owner of the vehicles in the **Rural Zone** without the approval of the local government.

b) **One commercial vehicle** may be parked on land owned by the owner of the vehicle without the approval of the local government within the **Rural Living Zone** and the **Resource Zone**.

c) A commercial vehicle may be permitted to be parked within the **Rural Living Zone** and the **Resource Zone**, provided that -

(i) the vehicle is parked on a lot containing only a **single house**;

(ii) the vehicle forms an essential part of the **occupation** of an occupant of the dwelling;

(iii) any **repairs** undertaken on the lot, must be carried out in an area which is fully screened from the street and adjoining properties;

(iv) in the opinion of the local government, it is not likely to adversely affect the **amenity** of the surrounding land;

(v) the local government may apply any **conditions** to the approval it sees fit;

(vi) the local government has the ability to withdraw its approval at any time for any reason.

d) Despite ***clause 4.10.8 a)*** and ***clause 4.10.8 b)*** to park **more than two** commercial vehicles on land in the Rural Zone or to permit **more than one** commercial vehicle to remain longer than is necessary for loading and unloading on land in the Rural Living Zone and the Resource Zone, **an application must be applied** for and obtained from the local government.

e) An approval granted under ***clause 4.10.8 d)*** -

(i) is granted to the **person** to whom it is issued;

(ii) is **not capable** of being transferred or assigned to any other person;

(iii) does **not run** with the land in respect of which it is granted.

4.10.9 Water Table and Effluent Disposal

a) The minimum **vertical distance** of land on which a building is to be erected above the highest known water table as determined by the Department of Water and Environmental Regulation or the Department of Health shall be **1.2 metres**.

b) **Every Single House** and dwelling in the **Rural Zone** and **Rural Living Zone** shall be connected to an approved domestic waste effluent disposal system where -

(i) the **vertical distance** between the bottom of the domestic waste effluent disposal system is greater than **1.2 metres** above the highest known water table for the land, and the horizontal distance between the proposed system and a wetland or a public water supply bore is greater than **100 metres**, the local government may approve the installation of a septic effluent disposal system.

(ii) the **vertical distance** between the bottom of the domestic waste effluent disposal system is less than **1.2 metres** above the highest known water table for the land, and the horizontal distance between the proposed system and a wetland or a public water supply bore is less than **100 metres**, the owner of the land shall install an alternative domestic waste water treatment system, subject to the approval of the local government and the Department of Health.

c) **Every Single House** and dwelling in the **Resource Zone** shall be connected to an approved domestic waste effluent disposal system where -

(i) the **vertical distance** between the bottom of the domestic waste effluent disposal system is greater than **2 metres** above the highest known water table for the land, and the horizontal distance between the proposed system and a wetland or a public water supply bore is greater than **100 metres**, the local government may approve the installation of a septic effluent disposal system.

(ii) the **vertical distance** between the bottom of the domestic waste effluent disposal system is less than **2 metres**, and the horizontal distance between the proposed system and a wetland or a public water supply bore is less than **100 metres**, the owner of the land shall install an alternative domestic waste water treatment system, subject to the approval of the local government and the Department of Health.

4.10.10 Vehicle Parking - Rural Use Classes.

a) The following vehicle parking provisions apply to the **Rural Use Classes** –

TABLE 5 - RURAL USE CLASSES - VEHICLE PARKING

USE CLASS	VEHICLE PARKING PROVISIONS		
	Car Parking Bays	Delivery Bays	Bicycle Racks
q. Farm Supply Centre	1 : 100m^2 gla	1 : Building	Not applicable
r. Hobby Farm / Animal Husbandry - intensive	Not applicable	Not applicable	Not applicable
s. Rural - Industry - Pursuit	1 : 100m^2 gla Not applicable	1 : Building Not applicable	Not applicable Not applicable

NOTE: (1) * Whichever is the greater.

(2) Where vehicle parking provisions are not prescribed for a particular use the requirement will be determined by the local government.

4.10.11 Resource Zone *AMD 155 GG 24/5/22*

a) The use and development of land within the Resource Zone shall be in accordance with the provisions of -

(i) The relevant State Planning Policy for water.

(ii) The relevant State Planning Policy for basic raw materials.

b) Despite the provisions of clause 4.10.11(a)(i) the Use Classes of Cattery, Dog Kennels and Poultry Farm (housed) are uses not permitted 'X' in the Resource Zone, except that a Cattery and Dog Kennels may be permitted in part of the Resource Zone in accordance with Table 6 - Additional Uses - No. AU7.

c) Use Classes of Plant Nursery (wholesale and retail) are to comply with Water Quality Protection Note No. 25: Land use compatibility tables for public drinking water source areas and are not be permitted on lots within the Resource Zone which have an area less than 4 hectares.

d) Uses that are identified as 'incompatible' or which are not listed in Water Quality Protection Note No. 25: Land use compatibility tables for public drinking water source areas are 'X' uses in the Resource Zone.

e) All uses which are not listed as prohibited ('X') uses in Water Quality Protection Note No. 25: *Land use compatibility tables for public drinking water source areas* shall be treated as 'D' uses, unless otherwise specified in this Scheme, and shall be referred to the Department of Water and Environmental Regulation for advice and any other authority considered relevant to the application by the local government prior to the local government making its determination.

f) Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Resource Zone. *AMD 157 GG 13/10/23*

g) Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a rainwater storage with a minimum capacity of 90,000 litres in the Resource Zone. *AMD 157 GG 13/10/23*

h) Where it is proposed to use the land for residential uses in the Resource Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas). *AMD 157 GG 13/10/23*

4.10.12 Rural Living Zone

a) **Every lot** created in the Rural Living Zone shall have located on it a building envelope.

b) Where an existing lot in the Rural Living Zone does not have assigned to it a building envelope then the local government shall prescribe a building envelope in accordance with ***clause 4.10.12 c).*** *AMD 72 GG 07/09/10*

c) Despite ***clause 4.10.2 d)*** a building envelope within the Rural Living Zone shall not exceed 50% of the lot area or 2000m^2, which ever is the lesser, and shall have a primary street setback of not less than 6 metres and a side setback of not less than 2.5 metres. *AMD 72 GG 07/09/10*

d) *DELETED BY AMD 72 GG 07/09/10*

e) Subject to ***clause 4.10.12 f)***, a person **shall not clear** or cause, permit or suffer to be cleared any existing vegetation except for the construction of a vehicular accessway and for the purpose of complying with the requirements of the Bush Fires Act unless the local government has in its discretion granted planning approval.

f) A person shall not clear or cause, permit or suffer to be cleared any existing vegetation nearer to a boundary of a Lot than the **minimum Building Setback** distances referred to in ***clause 4.10.2 d) and 4.10.2 e)*** from any road reserve except for the construction of a vehicular accessway and for the purpose of complying with the requirements of the Bush Fires Act.

g) The local government, in considering any application for planning approval to clear existing vegetation outside the building envelope on any Land shall have regard to the effects of the proposed clearing on erosion, water quality and other elements of the physical environment and may refer such applications to the Department of Water and Environmental Regulation or the Department of Primary Industries and Regional Development or both for investigation and recommendation, and shall have **due regard** to those recommendations in its determination of the application for planning approval.

h) The local government may, by **notice** served upon any Owner or occupier of Land to require the preservation of specified trees or groups of trees whether located within or outside the building envelope and thereafter no Owner or occupier shall cut remove or otherwise destroy or cause or suffer to be cut removed or otherwise destroyed any tree or trees so specified unless the local government rescinds the requirement.

i) The local government may by notice served upon any Owner or occupier of Land to require that person within the time limited by the **notice to plant trees** on that Land where in the opinion of the local government the land has been degraded, neglected or allowed to erode to the extent that the condition of the land detracts from the amenity of the locality.

j) The erection of buildings and structures shall be of a design and scale and built of materials which will result in the buildings and structures being, in the opinion of the local government, in harmony with the **natural environment** or rural surroundings in which they are situated.

k) Where reticulated water supply is not provided to a lot the landowner, or the subdivider shall be responsible for providing a potable water supply where it is proposed to use the land for the agistment of stock or for residential uses in the Rural Living Zone. *AMD 157 GG 13/10/23*

l) Where it is proposed to use the land for residential uses and a potable water supply is not available, the landowner shall be responsible for providing a rainwater storage tank with a minimum capacity of 90,000 litres in the Rural Living Zone. *AMD 157 GG 13/10/23*

m) Where it is proposed to use the land for residential uses in the Rural Living Zone and the land is in a Bushfire Prone Area, the landowner shall be responsible for providing a water tank(s) dedicated for firefighting purposes (of a size and constructed in accordance with the technical requirements of the Guidelines for Planning in Bushfire Prone Areas). *AMD 157 GG 13/10/23*

4.11 Special Use Zone

4.11.1 Reference

a) The Special Use Zones each have an individual reference number displayed on the **Scheme Map**.

4.11.2 Use

a) The **use and development of land** in the Special Use Zone is contained in ***clause 3.7***."

4.12 Extractive Industry Uses

4.12.1 Application Requirements

a) Unless the local government waives any particular requirement each application for planning approval for an extractive industry shall include the following **information** in addition to the requirements of ***clause 67*** of the Deemed Provisions -

(i) **a report detailing** the existing physical environment including geology, soil profiles, surface and ground water hydrology, identified sites of historic / heritage or cultural significance, current land use, zoning, surrounding land use and potential external impacts;

(ii) **a flora and fauna report** for the site prepared by a qualified botanist to the specifications and satisfaction of local government, and is to include, but not limited to, consideration of any declared rare flora or priority species and declared sites of environmental and biological significance;

(iii) **a vehicle access plan** detailing site ingress / egress, road haulage routes, frequency of vehicle movements and proposals for any vehicle maintenance and fuel storage facilities;

(iv) a plan showing **excavation stages,** existing and final site levels together with cross-sections;

(v) **a management plan** detailing the measures to be taken to control dust, noise, erosion, soil and groundwater pollution, fire and weeds, including demonstrated compliance with any relevant standard and the protection of any features of the land to be retained or preserved;

(vi) **a rehabilitation plan** and implementation programme to either restore the land as close as possible to its condition prior to the extraction of materials or to provide for a future use appropriate to, and consistent with the zoning of the land;

(vii) details of the proposed **times of operation**.

b) The information provided under ***clause 63(1)*** *of the Deemed Provisions* and the requirements of ***clauses 4.12.1, 4.12.2 and 4.12.3*** form the basis of local government's determination of the application for planning approval.

AMD 6 GG 13/6/06

c) The local government is to have due regard to the provisions of the Statement of Planning Policy No. 2.4 in considering any application for planning approval for an extractive industry. *AMD 6 GG 13/6/06*

4.12.2 Setbacks and Screening

a) A setback of not less than **40 metres wide** to a road reserve or other public reserve and not less than **20 metres wide** to all other boundaries to the lot is to be provided unless determined otherwise by the local government.

b) The setback shall comprise the **existing vegetation** which shall remain undisturbed **except for** -

(i) **accessways** for entering and leaving the extractive industry site;

(ii) **firebreaks** as may be required under the Bush Fires Act;

(iii) **re-vegetation** to reinstate or supplement the existing vegetation to provide an effective visual screen from adjoining and nearby public and private owned land;

(iv) public and private utility **infrastructure**.

4.12.3 Rehabilitation

a) Permanent rehabilitation of the site is to occur **progressively** at a similar rate as the extraction or at a time agreed between the quarry operator and the local government.

b) Soil profiles are to be reconstructed to facilitate rehabilitation of the site.

c) Revegetation is to be based on the planting of **native flora typical of the locality** with the species and plant density to be determined by the local government having regard to the rehabilitation plan submitted under ***clause 4.12.1 a)(vi)***.

d) The rehabilitation and stabilising of completed excavation are to be **progressively implemented** in accordance with the approved rehabilitation plan and shall be managed, maintained and monitored by the landowner for a **minimum of 2 years** to the local government's satisfaction.

e) Annual Rehabilitation Reports are to be completed outlining the progressive implementation of rehabilitation and stabilising of completed excavation to the local government's satisfaction. *AMD 6 GG 13/6/06*

4.13 Development Zone

4.13.1 There shall be no change to any land use or development existing on land within the Development Zone without the owner of the land having made an application for and received the approval of the local government.

4.13.2 As set out in clause 3.8 existing land use and development within the Development Zone which were legally approved prior to the gazettal of the Scheme may continue to operate in accordance with the approval, licence or permit granted.

4.14 Protection of Native Fauna

4.14.1 Where land is to be cleared of vegetation for development which requires planning approval, and the area and type of vegetation in the opinion of the local government may provide habitats for terrestrial native fauna, the owner of the land is to prepare a Native Fauna Management Plan to the satisfaction of the local government on the advice of the Department of Biodiversity, Conservation and Attractions prior to clearing the land.

4.14.2 The Native Fauna Management Plan is to be prepared by a suitably qualified person acceptable to the local government on the advice of the Department of Biodiversity, Conservation and Attractions

4.14.3 The **Native Fauna Management Plan** is to include, but not limited to the following -

a) a description of the **field survey** and recording methodology;

b) a description of the **"trapping"** procedure if required;

c) the identification of a suitable **alternative habitat** for the terrestrial native fauna if required;

d) a time frame and **programme** for undertaking the surveys, trapping and relocation of any terrestrial native fauna;

e) the field **survey results** and recommendations;

f) the **method of relocating** the terrestrial native fauna if appropriate;

g) the **method of protecting** and conserving the existing habitat where any terrestrial native fauna is to be retained on-site.

4.15 Protection of Native Flora

AMD 6 GG 13/6/06

4.15.1 Where a total area of 1.0 hectare or more of land is to be cleared of vegetation for the full development of a lot which requires planning approval, a flora report for the site must be prepared by a qualified botanist to the specifications and satisfaction of the local government, and is to include, but not limited to, the identification of local significant bushland, the defining the floristic community types, the identification of any declared rare flora by conducting a spring survey, and follow up surveys if required, so as to determine priority species and declared sites of environmental and biological significance.

4.15.2 No land shall be cleared of vegetation that contains declared rare flora or priority species or declared sites of environmental and biological significance, as determined by the local government, or where land is set aside as future public open space within an adopted structure plan under ***clause 22*** of the Deemed Provisions.

4.16 Protection of Wetlands

AMD 6 GG 13/6/06

4.16.1 Where the land contains a wetland of the Swan Coastal Plain classed as Conservation Category Wetland, Resource Enhancement Wetland, or Multiple Use Wetland classified by the Department of Biodiversity Conservation and Attractions, the wetland must not be cleared of existing vegetation, filled drained or developed by any person without first having applied for and obtained the planning approval of the local government.

4.16.2 No development shall occur by any person within a wetland buffer area measured from the edge of the wetland dependant vegetation without first having applied for and obtained the planning approval of the local government.

4.16.3 Land use adjacent to a Conservation Category Wetland or Resource Enhancement Wetland shall not have any adverse environmental effect on the ecological processes and functions of the wetland or the wetland buffer area.

4.17 Conservation Zone

AMD 58 GG 1/5/09

4.17.1 For the purposes of this clause, "conservation area" means any area within the Conservation Zone identified by the local government in consultation with the Department of Planning Lands and Heritage and the Department of Biodiversity, Conservation and Attractions to be of high conservation value and may include but is not limited to areas of bushland, wetlands and lakes and their associated buffers;

"conservation agreement" means the agreement required by sub-clause 4.17.8 d) of this clause.

4.17.2 The use and development of land within the Conservation Zone shall be limited to the building envelope and shall be compatible and consistent with the protection and preservation of conservation areas and comply with the requirements of relevant State government policy guidelines or statements pertaining to the conservation of bushland, wetlands and lakes.

4.17.3 Every lot, strata or survey strata lot in the Conservation Zone shall have located on it a building envelope of not less than 600m^2 in area located on compatible and suitable land outside the conservation area except as otherwise agreed to by the local government in writing having regard to advice from the Department of Planning Lands and Heritage and the Department of Biodiversity, Conservation and Attractions, if any.

4.17.4 Development shall be limited to the defined building envelope which shall be set back a minimum of 6 metres from any street boundary and 1.5 metres from side and rear boundaries.

4.17.5 The local government shall consider and determine development applications having regard to advice provided by the Department of Planning Lands and Heritage and the Department of Biodiversity, Conservation and Attractions, if any, in addition to the matters to which the local government is required to have regard by ***clause 67*** of the Deemed Provisions.

4.17.6 Development applications shall be accompanied by the following information to the satisfaction of the local government in addition to the requirements of ***clause 63(1)*** of the Deemed Provisions -

a) a plan showing the entirety of the land the subject of the development application, including the building envelope and conservation area(s) located on the land;

b) a plan showing access tracks, servicing corridors, fire breaks including any strategic fire breaks and the location and type of fences to be erected around any conservation area(s);

c) a weed management program;

d) a bushland, wetland and or lake rehabilitation program to restore or enhance the environmental qualities of degraded areas within the conservation area;

e) a fire management plan, which plan shall require the provision and maintenance of strategic fire breaks; and

f) a nutrient management plan.

4.17.7 The following uses are not permitted within any conservation area:

a) the keeping of livestock or other animals;

b) the clearing of vegetation except for the purpose of complying with relevant fire break, rehabilitation and/or management requirements;

c) filling or excavation including the construction of drainage facilities, artificial lakes, dams, swimming pools or waterholes;

d) the erection of any building or structure other than a board walk or viewing platform that in the opinion of the local government will be consistent and compatible with the protection and preservation of the conservation area(s);

e) the storage or placement of any vehicles, materials or other items; and

f) and other uses that in the opinion of the local government are not consistent and compatible with the protection and preservation of the conservation area(s).

4.17.8 Where development is approved, the private land owner shall prior to the commencement of development or within such other period of time as is approved by the local government:

a) implement the weed management program required by sub-clause 4.17.6 c) to the satisfaction of the local government;

b) implement the approved bushland, wetland and or lake rehabilitation program required by sub-clause 4.17.6 (iv) to the satisfaction of the local government;

c) implement the fire management plan required by sub-clause 4.17.6 e) to the satisfaction of the local government;

d) ensure the boundaries of any conservation area on the land the subject of the development approval are made clearly visible by either the provision and maintenance of fencing or the appropriate marking of the boundaries; and

e) enter into a conservation agreement, prepared at the private landowner(s)' expense by the local government's solicitors, to secure compliance with any of the requirements of clause 4.17 and authorising the local government to lodge a caveat on the certificate of title of the land the subject of the approval as further security for such compliance.

4.17.9 Without affecting the generality of clause 80 of the Deemed Provisions, upon the provision of 7 days written notice to the private landowner(s) within the Conservation Zone, an authorised officer of the local government shall be permitted to enter upon such land for the purpose of inspecting the conservation area and to ensure compliance with the requirements of the Scheme and/or the conservation agreement.

4.17.10 Where a private landowner has failed to comply with the requirements of the Scheme and/or the conservation agreement, the local government may at the expiry of 1 calendar month after serving notice on the owner, undertake whatever action and works are necessary to achieve compliance with either the requirements of the Scheme and/or the conservation agreement and recover all associated costs from the owner.

4.18 Planning approval is required prior to the removal, destruction of and/or interference with any tree included on the local government Significant Tree Register. . *AMD 86 GG 14/9/12*, AMD 158 GG 3/9/24

TABLE 6 - ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
AU 1	Lots 701, 702 and 703 (excluding Bush Forever Area 388C) Jandakot Road, Jandakot. (Formerly Lots 101, 103 and 104 Jandakot Road, Jandakot] *AMD 91 GG 21/6/13;* *AMD 112 GG 02/03/18*	• Nursery; • Masonry Production; • Warehouse, Showroom and Storage where the display, selling, hiring or storage of goods, equipment, plant or materials and the incidental site activities do not pose risk of pollution to the below ground public drinking water source. The Use Class Definitions for 'Warehouse', 'Showroom' and 'Storage' are defined in Part 6 of the Scheme inclusive of the supplementary restrictions as mentioned above which limit the nature of the permisable goods, equipment, plant or materials to those which do not pose risk of pollution to the below ground public drinking water source.	1. All development is to have due regard to a Local Development Plan prepared for the Additional Use No. 1 area. The Local Development Plan is to address the following: a. The standards to be applied for physical development in order to ensure the protection of the below ground public drinking water source; b. Building design, and vehicle access and egress arrangements to minimise the amenity impact to surrounding properties; c. Noise mitigation measures pursuant to the details of an acoustic report where required; d. Interface controls and/or measures with regard to Bush Forwver Area 388, including, but not limited to; a hard road edge within the AU1 area abutting the Bush Forever area and/or bushland identified for protection; Bushfire mitigation measures being provided outside the Bush Forever area within the AU1 area; an appropriate wetland buffer, if considered relevant by the assessing authority, and; drainage to be contained within the AU1 area; e. Identify revegetation areas to be used as a buffer between adjoining environmental and rural living land uses; and f. Identify land on Lot 703 required for the upgrade of Jandakot Road, which may form part of Additional Use No. 1 area. 2. No bulk storage of green-waste, compost or Toxic or Hazardous Substances (THS) are permitted above 25 litres in total volume, excluding fuel within vehicle fuel tanks. THS includes pesticides, herbicides, fuel (storage), explosives, flammable liquids, cleaners, alcohol, fertilisers (other than on Lot 702 under current development approvals), medical or veterinary chemicals, pool chemicals and corrosive substances; inclusive of the substances listed in the *Poisons Act 1964* (Appendix B). These substances may only be stored in volumes above 25 Litres if contained within domestic sized packages ready for end use in domestic situations.

No.	Description of Land	Additional Use	Conditions
AU 1	Lots 701, 702 and 703 (excluding Bush Forever Area 388C) Jandakot Road, Jandakot. (Formerly Lots 101, 103 and 104 Jandakot Road, Jandakot) Cont'd *AMD 91 GG 21/6/13;* *AMD 112 GG 02/03/18*		3. Development of any Warehouse, Showroom, or Storage land use must be connected to reticulated sewer. 4. Any applications for the development of any Warehouse, Showroom or Storage land use is subject to the preparation, implementation and update the following documents to the satisfaction of the local government: a. Site Chemical Risk Assessment report; b. Dust Management Plan; and c. Acoustic report. 5. No below ground storage is permitted. 6. As part of any future application for subdivision and/or development, land identified for the upgrade of Jandakot Road is to be ceded free of cost and constructed by the Applicant as follows: a. The amount of land to be ceded from the Additional Use No. 1 area is to form a single carriage way as depicted on an approved Local Development Plan; and b. The Applicant is required to construct the ceded land as one additional carriage way to Jandakot Road. 7. As part of the first application for subdivision and/or development, the Applicant shall cede land within the Bush Forever Site free of cost to the Crown. 8. Notwithstanding any subdivision provisions in the Scheme, the minimum lot size for subdivision is 2 hectares.
AU 3	Portion of Lot Pt 29 on Plan 4489 Redmond Road, Hamilton Hill	**Motor Vehicle Hire Premises** Restricted to caravans and trailers only on Portion of Lot 29 and includes the storage and cleaning of those motor vehicles but does not include the mechanical repair or servicing.	Planning Approval
AU 5	Lot Pt 6 on Plan 1700 Rockingham Road, Spearwood	**Liquor Store and Convenience Store**	Planning Approval

No.	Description of Land	Additional Use	Conditions
AU 6	Lot 500 on Diagram 59789 Liddelow Road, Banjup	The uses listed hereunder with a total maximum gross lettable area of 300m^2 are permitted on the land:- **- convenience store (200m^2 gla)** **- hardware store (100m^2 gla)** **- tourist facilities which includes a kiosk, gift shop, gardens, menagerie and flora and fauna reserve** **- nature reserve**	Planning Approval
AU 7	Lots 1 to 9, 13 to 20 On Plan 14230, and Lots 21 - 25 on Diagram 69564, Acourt Road, Warton Road, Hybrid Court and Hebe Road, Banjup.	**Cattery and Dog Kennels**	Planning Approval
AU 8	Lots 1173 to 1178, 1186 on Diagram 99272 Lanao Way, Atwell. *AMD 6 GG 13/6/06*	1. Additional Uses. **Aged or dependent persons dwelling (P)** **Civic building (P)** **Grouped dwelling (P)** **Home occupation (P)** **Multiple dwelling (P)** **Consulting rooms (P)** **Child Care Centre (P)** **Health studio (P)** **Medical centre (P)** **Museum (P)** **Office (P)** **Restaurant (P)** **Educational establishment (AA)** **Place of public worship (AA)** 2. Design Requirements **Building Location:** The buildings shall have a maximum front setback to "main street" of 3.0 metres. Nil side setbacks are permitted. **Building Frontage:** Buildings shall have frontages to the "main street", with windows / doors comprising not less than 50% of the facade. **Carparking:** No parking will be allowed in front of the building. Council will consider reciprocal parking arrangements with other "main street" developments. **Service Areas:** All service areas are to be concealed from public view and accessed from the rear lane. **Vehicle Access:** Vehicle access shall be from the rear lane, only crossovers indicated on the Plan will be	Planning Approval

No.	Description of Land	Additional Use	Conditions
AU 8	Lots 1173 to 1178, 1186 on Diagram 99272 Lanao Way, Atwell. Cont'd *AMD 6 GG 13/6/06*	permitted on "main street". **Pedestrian Amenity:** Buildings shall provide weather protection with verandahs, awnings or colonnades at entries.	
AU 9	Lot 618 on Plan 23619 Lomax Court, Beeliar	1. Additional Uses. **Aged or dependent persons dwelling (P)** **Civic building (P)** **Grouped dwelling (P)** **Home occupation (P)** **Multiple dwelling (P)** **Consulting rooms (P)** **Child Care Centre (P)** **Health studio (P)** **Medical centre (P)** **Museum (P)** **Office (P)** **Restaurant (P)** **Educational establishment (AA)** **Place of public worship (AA)** 2. Design Requirements **Building Location:** The buildings shall have a maximum front setback to "main street" of 3.0 metres. Nil side setbacks are permitted. **Building Frontage:** Buildings shall have frontages to the "main street", with windows / doors comprising not less than 50% of the facade. **Building Form:** Buildings shall have pitched roofs of not less than 26 degrees. **Carparking:** No parking will be allowed in front of the building. Council will consider reciprocal parking arrangements with other "main street" developments. **Service Areas:** All service areas are to be concealed from public view and accessed from the rear lane. **Vehicle Access:** Vehicle access shall be from the rear lane, only crossovers indicated on the Plan will be permitted on "main street". **Pedestrian Amenity:** Buildings shall provide weather protection with verandahs, awnings or colonnades at entries.	Planning Approval.

No.	Description of Land	Additional Use	Conditions
AU 10	Portion of Lot 81 on Plan 8190 Wattleup Road, Wattleup	Fruit and Vegetable Warehouse and Distribution Centre for the handling, processing treating, packing and carrying of fruit and vegetables limited in floor area to that in plans approved by Council at its meeting of 18th January 2000. In order to protect the amenity of the locality, Council may impose conditions at its discretion for the development relating to the following: 1. Controlling off-site noise impacts by the orientation and layout of buildings and ensuring that all processing and handling is undertaken within buildings. In addition, all noise generated must comply with the Environmental Protection (Noise) Regulations 1997; 2. Limiting hours of operation to between 9am and 5pm Monday to Friday only, accepting that any changes to hours of operation will require a new planning consent; 3. Managing of off-site dust impacts by ensuring the construction of all vehicle manoeuvring and parking areas are in accordance with Council's requirements; and 4. Requiring that development setbacks and landscape buffers along Wattleup Road and with adjoining properties comprising suitable screening vegetation species be installed.	Planning Approval.
AU 13	*DELETED BY AMD 82 GG 28/08/12*		
AU 14	*DELETED BY AMD 99 GG 17/10/14*		
AU 15	*DELETED BY AMD 102 GG 12/09/14*		
AU 16	*DELETED BY AMD 82 GG 28/08/12*		
AU 17	Lot 156 Shoal Court, Coogee	Three grouped dwellings.	Planning Approval.
AU 18	Strata Lots 7-14, and 16-24 on SP 20182, 40 Port Pirie	Shop: subject to the total retail floor space being restricted to a maximum of 2000m^2 GLA, and a	Planning Approval

No.	Description of Land	Additional Use	Conditions
	Street, Bibra Lake. *AMD 83 GG 24/01/12*	maximum tenancy size of 550m^2 GLA.	
AU 19	Portion of Lot 9000 (No. 30) Plantagenet Crescent, Hamilton Hill. *AMD 142 GG 06/10/2020*	Club Premises	1. Any application for development approval should be subject to review by the City of Cockburn Design Review Panel. 2. Any application submitted to the Design Review Panel should be accompanied by a design brief which demonstrates how it is consistent with the design principles in State Planning Policy 7.0: Design of the Built Environment. 3. When dealing with an application on which a recommendation has been made by the Design Review Panel, the decision-maker shall have due regard for that recommendation. 4. Development shouldhave an appropriate interface to adjacent residential areas and the public realm and be responsive to the character and context of the locality, in terms of height, bulk, scale, articulation and appearance.
AU 20	Lot 760 (no. 49) Berrigan Drive. South Lake. *AMD 153 09/05/23*	Showroom (A) Motor Vehicle Wash (D)	1. Development Approval 2. A 'Showroom' Land use shall be contained only within the existing shopping centre development and shall not exceed a gross lettable area of 1,850m2 in appregate

TABLE 7 - RESTRICTED USES

No.	Description of Land	Restricted Use	Conditions
RU 1	Lots 401 to 406, 409, 410 on Plan 15590, Lots 407, 408 on Diagram 77115 and Lot 411 on Plan 15582 Bibra Drive and Lewington Gardens, Bibra Lake.	**Aged or dependent persons dwelling and hospital**	Planning Approval
RU 2	Lot Pt 28 on Plan 1700 Favazzo Place, Spearwood.	**Service Station and Motor Repair Station.**	Planning Approval
RU 3	Lot 303 on Diagram 72454 Gorham Way, Spearwood.	**Aged or dependent persons dwelling.**	Planning Approval
RU 4	Lots 101, 102, 103, 104 and 105 Omeo Street, South Lake. *AMD 25 GG 8/8/08*	Those uses which may be permitted within the Local Centre Zone as set out in **Table 1 Zoning Table** subject to **retail** floor space being restricted to a maximum of 5,500sqm and other **commercial - non-retail** floor space to a maximum of 3,000msqm gla.	Planning Approval
RU 5	Lot 2 on Diagram 48222 Azelia Road, Spearwood	**Private Recreation.**	Planning Approval
RU 6	Lots 100 on Plan 34223, 196 on Plan 23231 and 197 on Diagram 96391 Berrigan Drive, Jandakot and Reserve 45747 *AMD 7 GG 10/9/04*	Office, Restaurant and Fast Food Outlet, veterinary consulting rooms, reception centre, health studio, medical centre, shop, showroom.	Planning Approval
RU 7	Lot 1170 on Plan 23939 and Lot 1172 on Diagram 99271 Lydon Boulevard, Atwell. *AMD 6 GG 13/6/06*	1. Restricted Use Those uses which may be permitted within the Local Centre Zone as set out in Table 1 - Zoning Table, to be developed in accordance with the following:- 2. Design Requirements **Building Location:** The building shall be located on the eastern portion of the site with maximum setbacks to the south and east boundaries of between nil and two metres, where indicated on the Plan.	

No.	Description of Land	Restricted Use	Conditions
RU 7 (Cont.)	Lot 1170 on Plan 23939 and Lot 1172 on Diagram 99271 Lydon Boulevard, Atwell. *AMD 6 GG 13/6/06*	**Building Frontage:** Frontage to the "main street" shall have windows/ doors comprising not less than 50% of the area of the facade. Major retail entry points shall front "main street". **Building Form:** Roof pitch shall not be less than 26 degrees unless adequately treated by parapets. **Carparking:** Reciprocal parking rights shall be applied to the retail carpark to allow use by the community centre and patrons of the child care centre and other small establishments along "main street". Carbays provided within the public road reserve will be credited to the retail development. Carparking shall be provided predominantly in the western part of the site. **Service Areas:** The main service area shall be screened from the public view, located away from the "main street" pedestrian environment and accessed from Lydon Boulevard. **Vehicle Access:** Vehicle accesses shall be restricted to those indicated on the Plan. **Pedestrian Amenity:** Weatherproof verandahs, awnings or colonnades shall be provided to the south and east facades of the building. Pedestrian paths around the development shall be a minimum of 2.5 metres wide.	
RU 8	*DELETED BY AMD 13 GG 22/6/07*		
RU 9	*DELETED BY AMD 82 GG 28/8/12*		

No.	Description of Land	Restricted Use	Conditions
RU10	Pt Lot 1 North Lake Road, Lot 125 & 781 Berrigan Drive, South Lake	1. Those uses which may be permitted within the Mixed Business Zone as set out in Table 1 - Zoning Table excluding Hotel/Tavern, Veterinary Hospital, Industry - Cottage, Civic Use, Educational Establishment, Club Premises, Commercial Vehicle Parking, Recreation – Private, Reception Centre, Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repair and Fast Food Outlet. 2. **Design and Application Requirements** A masonry wall not less than 2 metres in height shall be constructed along boundaries with land zoned Residential; No vehicular access being permitted to Labyrinth Way. Preparation of a traffic and circulation study by a suitably qualified and independent consultant at the developer's cost, to the Council's satisfaction. Information on the possible impact of lighting and noise on the adjoining residences being submitted by the developer to the satisfaction of the Council; and The development application being advertised for public comment to the satisfaction of the Council.	
RU11	*DELETED AMD 96 GG 25/06/15*		
RU12	*DELETED AMD 102 GG 12/9/14*		

No.	Description of Land	Restricted Use	Conditions
RU13	Lot 400 (Previously Pt Lot 885) Wentworth Parade, Success. *AMD 49 GG 10/8/07;* *AMD 79 GG 05/11/10*	1. Land use permissibility within the subject land shall be in accordance with the Regional Centre Zone as set out in Table 1 – Zoning table subject to the following requirements: (i) A 'shop' use being limited to the following subset of uses only – 'Pharmacy', 'Chemist', Restaurant', 'Café'; (ii) All other 'Shop' uses are prohibited. 2. A 'Pharmacy' or 'Chemist'; use shall be restricted to one tenancy only. 3. A 'Restaurant' or 'Café' use shall be restricted to one tenancy only.	Planning Approval
RU14	Portion of Lot 9006 Discovery Drive (Corner North Lake Road and Phoenix Road), Bibra Lake *AMD 68 GG 28/4/09*	Only permit those uses listed within the Mixed Business Zone as set out in Table 1 - Zoning Table with the exception of residential dwellings.	The northern portion of the lot for a width of 15m parallel to and for the entire length of Phoenix Road is to be used for landscaping purposes only. Existing vegetation within the landscaping strip is to be retained or the area landscaped all to the satisfaction of the local government.
RU15	Lot 431 (No. 1) Rodd Place, Hamilton Hill *AMD 76 GG 31/08/10*	Aged or dependent persons' dwellings and/or hospital for aged or dependent persons 1. Development is restricted to a maximum density of R35 unless it can be demonstrated by way of comprehensive redevelopment proposal (submitted as an application for planning approval) that the following criteria will be achieved to the satisfaction of the Council: i. Attractive built form in relation to architectural design, site layout, materials, colour, tone, texture and fencing; ii. Provision of safe, functional and attractive access arrangements, which contribute to the overall aesthetics of the development;	

No.	Description of Land	Restricted Use	Conditions
RU15	Lot 431 (No. 1) Rodd Place, Hamilton Hill Cont'd *AMD 76 GG 31/08/10*	iii. Building heights at the street frontages maintain a compatible scale with adjacent development where appropriate. 2. The density bonus applicable to aged or dependent persons' dwellings under Section 6.1.3A3i of the R-Codes may only be utilised in respect of the base R35 residential coding.	
RU16	Lots 620 (No.155) Gaebler Road, Lot 621 (No,248) Lyon Road, Aubin Grove *AMD 163 GG 15/03/2024*	Aged and Dependant Persons Dwelling	Development Approval
RU17	Lot 622 (No.173) Gaebler Road, Aubin Grove *AMD 163 GG 15/03/2024*	Medical Centre and/or Child Care Premises	Development Approval

TABLE 8 - SPECIAL USE ZONES

No.	Description of Land	Special Use	Conditions
SU 1	*DELETED BY AMD 152 GG 16/06/2023*		
SU 2	*DELETED BY AMD 144 GG 17/11/2020*		
SU 3	Lot 4065 on Plan 191259 and Lot 4066 on Plan 191260 and Lot 4557 on Plan 191259 *AMD 13 GG 22/6/07*	Educational Establishment and Convention Centre	Planning Approval
SU 5	*DELETED BY AMD 70 GG 05/11/10*		
SU 6	*DELETED BY AMD 152 GG 16/06/2023*		
SU 7	North Lake Road, Bibra Lake, Private Recreation Area.	Private Recreation and may include an Educational Establishment, Health Studio, Reception Centre, Restaurant, Caretakers Residence, Club Premises, Child Care Centre, Place of Public Worship and Fast Food Outlet.	Planning Approval - for individual lots.
SU 8	Progress Drive, Bibra Lake, Adventure World.	Amusement Park - includes land and buildings designed and used for parks, gardens, playgrounds, swimming pools, rides, zoological gardens, restaurants, and similar recreation, leisure and entertainment facilities which are not normally open to the public without charge.	Planning Approval - **Adventure World**
SU 9	Rockingham Road and Russell Road, Munster, the Marine Industry Technology Park *AMD 36 GG 4/8/06*	Marine Industry Technology Park - includes land and buildings used for the purpose of the research and development, technological development, training and education of persons involved in ship design, building, repair and engineering located within a purpose built industrial park planned and developed with due regard to an adopted Structure Plan and in accordance with design and development guidelines which provides for the construction of high quality buildings located within an attractive landscaped setting and where all emissions and hazards are contained on site. 1. Objectives In considering an application for Planning Approval the Council, in addition to any other matter it is required to consider, shall have regard to the following objectives:-	• **Structure Plan** adopted to guide Subdivision, land use and Development - **Marine Industry Technology Park.** (DA6) • Retention and conservation of the heritage listed Agricultural Hall and the former schools buildings. • Relocation of the 'A' class reserve to a new site of an equivalent size within SU9, being subject to approval by the Parliament of Western Australia.

No.	Description of Land	Special Use	Conditions
		(a) the promotion of the purposes and functions of the Technology Development Act 1983 (as amended); (b) the encouragement of research and development; (c) the encouragement of pleasant and efficient facilities; (d) the consideration and improvement of appropriately located development within the zone; (e) the safe movement of vehicular and pedestrian traffic; (f) the protection of the amenity of areas adjacent to the zone; (g) uses that are consistent with the Woodman Point WWTP and Kwinana Air Quality EPP buffer requirements; (h) the uses within the Development Area are directly related to or incidental to ship design, ship building, ship repair and marine engineering 2. Permitted Uses (a) The following uses are 'P' **permitted uses**, subject to the uses being related to the purposes of a Marine Industry Technology Park:- • caretakers dwelling • educational establishment (but excludes Primary and Secondary Schools) • residential building • bank • office (b) The following uses are **'D' uses** which are not permitted unless the local government has in its discretion granted planning approval, subject to the uses being directly related to the purposes of a marine industry technology park:- • child care premises • civic use • community purpose • convention centre • reception (function) centre • showroom • private recreation • restaurant	

No.	Description of Land	Special Use	Conditions
		• tavern • health studio • convenience store • industry – light • industry – service • lunch bar • storage • telecommunications infrastructure • warehouse • other activities/uses which the Council is satisfied are directly related and associated to marine related industries. (c) All other uses are **'X' uses**, not permitted. 3. Development Standards The following provisions apply to all land included in the SU9 zone in addition to any provisions which are more specifically applicable to that land under the Scheme:- (a) Building Setbacks (i) Where a lot has frontage to Russell Road, Coogee Road, Rockingham Road or Frobisher Avenue the minimum building setback shall be 20 metres. Buildings to other streets shall be setback a minimum of 10 metres from the street frontage; (ii) Side and rear boundary setbacks shall be a minimum of 5 metres. (iii) A person shall not erect or cause or permit to be erected any building or any portion of a building in the Development Area nearer to a street alignment than the minimum Building Setback distance; (b) Landscaping (i) A minimum of 25% of each lot shall be set aside as landscaped open space; (ii) Lots with a boundary to Russell Road, Coogee Road, Rockingham Road or Frobisher Avenue shall set aside a 10 metre wide landscape strip along the road frontage and this area shall be landscaped and maintained to the	

No.	Description of Land	Special Use	Conditions
		satisfaction of the Council; (iii) A minimum 3 metre wide landscape strip shall be provided along the side and rear boundaries of all lots. (iv) A landscape plan detailing the mix of hard and soft surfaces shall accompany any application for planning consent. Landscaping shall be provided in accordance with the approved plan and maintained to the satisfaction of the local government; (c) Vehicle Parking and Servicing Facilities (i) Vehicle parking shall be provided in accordance with Tables 2, 3 and 4 - Vehicle Parking Provisions; (ii) Vehicle parking and servicing areas shall be screened from the street and either located behind the building or the 3 metre wide landscape strip; (iii) Where vehicle parking and servicing facilities are proposed between the building and street alignment, they shall be designed in such a way as to complement the building and be screened from the street. (d) Building Design (i) Buildings shall exhibit a high degree of architectural integrity and design, and shall reflect the nature of the Marine Technology Park; (ii) A schedule of external finishes, materials and colours are to accompany any application for Planning Consent. (e) Signage (i) A plan or description of all signs for the proposed development, including signs painted on a building, shall be submitted to and approved by the Council as a separate application;	

No.	Description of Land	Special Use	Conditions
		(ii) Signage is to complement the architectural proportion and scale of the building. Roof signs will not be permitted. (iii) Roof signs will not be permitted. (f) No storage, transport, handling, use and disposal of chemicals or toxic and hazardous substances shall occur within 200 metres of the wetland boundary.	
SU 10	Troode Street, Munster, Cable Water Ski Park.	Private Recreation	Planning Approval - **Water Ski Park**
SU 11	Russell Road, Munster, Cockburn Cement Works. Works site as defined in the Cement Works Agreement Act 1971.	Cement Works and Conservation Area, includes land and buildings used for the manufacture of cement lime and associated products for use in the construction industry and includes excavation and earthworks associated with manufacture of cement together with the surrounding areas of buffer land retained and conserved to separate the works from adjoining uses, and operates in accordance with the "Cement Works (Cockburn Cement Limited) Agreement Act" 1971 (as amended) and to the Agreement as annexed to that Act.	Planning Approval - **Cockburn Cement**. Conditions provided for in the Cement Works Agreement Act 1971 (as amended) and the Agreement as annexed to that Act.
SU 12	*DELETED BY AMD 63 GG 5/5/09*		
SU 14	Calvary Christian School, 110 Rockingham Road, Hamilton Hill.	Private Educational Establishment.	Planning Approval
SU15	Port Community High School, 410 Carrington Street, Hamilton Hill.	Private Educational Establishment.	Planning Approval
SU 16	St Jerome's Primary School, Troode Street, Munster.	Private Educational Establishment.	Planning Approval
SU 17	St Luke's Primary School, The Grange, Beeliar.	Private Educational Establishment.	Planning Approval
SU 18	Divine Mercy College 326 Yangebup Road, Yangebup *AMD 26 GG 10/1/06*	Private Educational Establishment Child Care Premises Medical Centre Place of Worship	Planning Approval Car parking is to be integrated between the school and any additional uses to minimise crossovers onto Yangebup Road

No.	Description of Land	Special Use	Conditions
SU19	MacKillop Catholic Primary School, 340 Yangebup Road, Yangebup.	Private Educational Establishment.	Planning Approval
SU20	Beeliar Catholic College, Hammond Road, Success.	Private Educational Establishment	Planning Approval
SU21	Lot 33 (SN 30) Mell Road, Spearwood. *AMD 37 GG 5/12/06*	Residential High Dependency Aged Care Facility.	Planning Approval. The inclusion of measures in any development on the site to reduce the impact of any midge nuisance. Imposition of a Section 165 notification on the title or the title of any new developed unit advising prospective purchaser(s) and requiring the owner to advise prospective tenants that the land may be affected by midge infestation.
SU22	*DELETED BY AMENDMENT 144 GG 17/11/2020*		
SU23	All land within transmission line corridors designated as SU23 on the Scheme Map. *AMD 42 GG 21/09/10*	• Carpark • Civic Use • Community Purpose • Nursery • Public Amusement • Recreation – Private	Planning Approval. 'Carpark' and 'Nursery' are designed as 'P' (permitted) uses pursuant to Part 4 of the Scheme. 'Civic Use', 'Community Purpose', 'Public Amusement' and 'Recreation – Private' are designated as 'A' (discretionary subject to special notice) uses pursuant to part 3 of the Scheme. All other uses are not permitted ('X' uses).

No.	Description of Land	Special Use	Conditions
SU24	**Mixed Use (Cockburn Coast District Structure Plan)** Portion of Lot 2, Lots 4, 5, 11, 21, 51 and 201 Rockingham Road Lots 10, 22, 37 and 102 Cockburn Road Lot 850 Bellion Drive Lots 52 and 202 Boyd Crescent Lot 6 (No. 12) and Lot 7 (No. 14) Boyd Crescent, Hamilton Hill. *AMD 82 GG 28/8/12; AMD 116 GG 06/01/17*	1. Bed and Breakfast(*deleted by AMD 183 GG 24/10/2025)* Child Care Premises Civic Use Office Club Premises Motel *(deleted by AMD 183 GG 24/10/2025)* Reception Centre Recreation—Private Restaurant Consulting Rooms Health Studio Convenience Store Lunch bar Bank Cinema/Theatre Funeral Parlour Hardware Store 2. Dwellings (R60)— Aged or Dependent Persons Caretaker's Dwelling Grouped Dwelling Multiple Dwelling 3. Showroom 4. Residential Building Tourist and visitor accommodation *AMD 183 GG 24/10/2025* Garden Centre Market Veterinary Consulting Rooms Veterinary Hospital Amusement Parlour Betting Agency Medical Centre Hospital Motor Vehicle Hire Premises Motor Vehicle Wash Service Station Cottage Industry Light Industry Service Industry Warehouse Motor Vehicle Repair Hotel/Tavern 5. Place of Worship 6. Fast Food Premises 7. Shop	1. These uses shall be treated as 'P' uses pursuant to clause 3.3.3. 2. Where buildings front the public street these uses are only permissible where the ground floor (street level) is designed to accommodate future non-residential uses, and in all cases these uses shall be treated as 'D' uses in accordance with clause 3.3.3. 3. Showroom limited to a floor area of 750m2 as a stand alone development unless it is part of a comprehensive mixed use development, and shall be treated as a 'D use pursuant to clause 3.3.3. 4. These uses shall be treated as 'D' uses pursuant to clause 3.3.3. 5. This use shall be treated as a 'D' use, pursuant to clause 3.3.3 however advertising of development applications may be required. 6. This use is only permissible where it does not support drive through facilities, and it shall be treated as a 'D' use pursuant to clause 3.3.3. 7. Shop floor area restricted to a floor area between 150m2 and 750m2, and this use shall be treated as a 'D' use pursuant to clause 3.3.3.

No.	Description of Land	Special Use	Conditions
SU25	**Residential (Cockburn Coast District Structure Plan)** Lots 43, 44, 45 304 and 4160 Boyd Crescent, Hamilton Hill *AMD 82 GG 28/8/12; AMD 116 GG 06/01/17*	1. Home Occupation Home Office Multiple Dwellings (R-Code) 2. Ancillary Dwelling Bed and Breakfast *(deleted by AMD 183 GG 24/10/2025)* Child Care Premises Civic Use Educational Establishment Home Business Lodging House *(deleted by AMD 183 GG 24/10/2025)* Single House 3. Dwellings (R60)— Aged or Dependent Persons Caretaker's Dwelling Grouped Dwelling 4. Residential Building Home Store.	1. These uses shall be treated as 'P' uses pursuant to clause 3.3.3. 2. These uses shall be treated as 'D' uses pursuant to clause 3.3.3. 3. Where buildings front the public street these uses are only permissible where the ground floor (street level) is designed to accommodate future non-residential uses, and in all cases these uses shall be treated as 'D' uses pursuant to clause 3.3.3. 4. These uses shall be treated as 'D' uses, pursuant to clause 3.3.3, however advertising of development applications may be required.
SU26	*DELETED AMD 102 GG 12/9/14*		

No.	Description of Land	Special Use	Conditions
SU27	Mixed Use (Cockburn Coast District Structure Plan) Lots 1 and 2 Bellion Drive, Hamilton Hill *AMD 88 GG 27/03/12*	1. Bed and Breakfast *(deleted by AMD 183 GG 24/10/2025)* Child Care Premises Civic Use Office Club Premises Motel *(deleted by AMD 183 GG 24/10/2025)* Reception Centre Recreation – Private Restaurant Consulting Rooms Health Studio Convenience Store Lunch Bar Bank Cinema/Theatre Funeral Parlour Hardware Store 2. Dwelllings (R160): Aged or Dependent Persons Caretaker's Dwelling Grouped Dwelling Multiple Dwelling 3. Showroom 4. Residential Building Tourist and visitor accommodation *AMD 183 GG 24/10/2025* Garden Centre Market Veterinary Consulting Rooms Veterinary Hospital Amusement Parlour Betting Agency Medical Centre Hospital Motor Vehicle Hire Premises Motor Vehicle Wash Service Station Cottage Industry Light Industry Service Industry Warehouse Motor Vehicle Repair Hotel/Tavern 5. Place of Worship 6. Fast Food Premises 7. Shop	1. These uses shall be treated as 'P' uses pursuant to clause 3.3.3. 2. Where buildings front the public street these uses are only permissible where the ground floor (street level) is designed to accommodate future non residential uses, and in all cases these uses shall be treated as 'D' uses in accordance with clause 3.3.3. 3. Showroom limited to a floor area of 750m2 as a stand-alone development unless it is part of a comprehensive mixed use development, and shall be treated as a 'D' use pursuant to clause 3.3.3. 4. These uses shall be treated as 'D' uses pursuant to clause 3.3.3. 5. This use shall be treated as a 'D' use, pursuant to clause 3.3.3 however advertising of development applications may be required. 6. This use is only permissible where it does not support drive through facilities, and it shall be treated as a 'D' use pursuant to clause 3.3.3. 7. Shop floor area restricted to a floor area between 150m^2 and 750m^2, and this use shall be treated as a 'D' use pursuant to clause 3.3.3.

No.	Description of Land	Special Use	Conditions
SU28	Portion of Lot 100 Berrigan Drive and portion of Lot 31 Hope Road at the south east corner of Berrigan Drive and Karel Avenue. *AMD 73 GG 16/8/13*	1. Office Objectives – In considering an application for Planning Approval the Council, in addition to any other matter it is required to consider, shall have regard for the following objectives – (i) The need to achieve development that integrates with proposed development on adjacent airport land (in accordance with the Masterplan) in terms of architectural style, appearance and design. (ii) To facilitate a landmark corner development in landscaped surrounds. (iii) To eradicate weed infestations and utilise native species in landscaping which provides a continuation of landscaping themes for development in adjacent airport land. (iv) To provide for the safe movement of vehicular and pedestrian traffic. To incorporate water sensitive urban design and ecological sustainable development principles.	1. this use shall be treated as 'D' use pursuant to Clause 3.3.3. 2. The development must be in accordance with the WAPC's 'Planning for Bush Fire Protection Guidelines 2010' as amended.
SU29	**Local Activity Node (Cockburn Coast District Structure Plan)** Lots 100 and 101 Cockburn Road, Hamilton Hill *AMD 82 GG 28/8/12; AMD 116 GG 06/01/17*	1. Child Care Premises Civic use Home Occupation Home Office Bank Office Restaurant Consulting rooms Convenience Store Lunch Bar 2. Garden Centre Place of Worship Tourist and visitor accommodation *AMD 183 GG 24/10/2025* Amusement Parlour Betting Agency Public Amusement Reception Centre Recreation – Private Health Studio Bed and Breakfast Hotel/Tavern 3. Dwellings (R60): Aged or Dependent Persons Caretaker's Dwelling Grouped Dwelling	1. These uses shall be treated as 'P' uses pursuant to clause 3.3.3. 1. These uses shall be treated as 'D' uses pursuant to clause 3.3.3. 2. These uses are permissible only where there are non-residential uses at ground floor (street level), and they shall be treated as 'P' uses in accordance with clause 3.3.3. 3. This use is only permissible where it does not support drive through facilities, and it shall be treated as a 'D' use pursuant to clause 3.3.3.

No.	Description of Land	Special Use	Conditions
		Multiple Dwelling Residential Building 4. Fast Food Outlet 5. Shop	4. This use is permissible where the gross lettable area is no more than 200m^2, and shall be treated as a 'P' use pursuant to clause 3.3.3.
SU30	Lot 1002 Gaebler Rd, Aubin Grove *AMD 211 GG 17/11/2023*	Telecommunications Infrastructure	Development Approval
SU31	Lot 46 Woodrow Avenue, Hammond Park *AMD 170 GG 1/10/2024*	Educational Establishment, Place of Worship	1. Development approval. 2. Development shall generally accord with the layout depicted on the site Masterplan (as amended to the satisfaction of the City). 3. A Traffic Impact Assessment, is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval.

PART 5 - SPECIAL CONTROL AREAS

5.1 Operation of Special Control Areas

5.1.1 The following Special Control Areas are shown on the Scheme Map -

a) **Development Areas** shown on the Scheme Map as **DA** with a number and included in **Table 9**.

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

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

5.2 Development Areas

5.2.1 **Table 9** describes the Development Areas in detail and sets out the specific purposes and requirements that apply to the Development Areas.

5.2.2 Subdivision and Development in Development Areas

5.2.2.1 The development of land within a Development Area is to comply with **Table 9**.

5.2.2.2 The subdivision and development of land within a Development Area is to generally be in accordance with any structure plan that applies to the land.

5.3 Development Contribution Areas (DCA)

5.3.1 **Interpretation**

In clause 5.3 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 5.3.10.

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

'Development contribution area' means an area shown on the scheme map as DCA with a number and included in Table 10.

'Development contribution plan' means a development contribution plan prepared in accordance with the provisions of *State Planning Policy 3.6 Development Contributions for Infrastructure* and the provisions of this clause 6 of the scheme (as incorporated in Table 10 of this scheme).

'Development contribution plan report' means a report prepared and distributed in accordance with clause 5.3.10.

'Infrastructure' means the standard infrastructure items (services and facilities set out in appendix 1 of State Planning Policy 3.6 'Development Contributions for Infrastructure) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of State Planning Policy 3.6 'Development Contributions for Infrastructure'.

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

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

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

5.3.2 **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 the 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.

5.3.3 **Development contribution plan required**

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

5.3.4 **Development contribution plan part of scheme**

The development contribution plan is incorporated in Table 10 as part of this scheme.

5.3.5 **Subdivision, strata subdivision and development**

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

5.3.6 **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 the 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 within 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 cost adjustments determined at the commencement of a development.

e) Efficiency

Development contribution 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 the costs of the contributions is not reasonable.

h) Accountable

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

5.3.7 **Recommended content of development contribution plans**

5.3.7.1 The development contribution plan is to specify -

(i) The development contribution area to which the development contribution plan applies;

(ii) the infrastructure and administrative items to be funded through the development contribution plan;

(iii) the method of determining the cost contribution of each owner; and

(iv) the priority and timing for the provision of infrastructure.

5.3.8 **Period of development contribution plan**

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

5.3.9 **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) roads designated under the Metropolitan Region Scheme as primary regional roads and other regional roads;

b) existing open public open space;

c) existing government primary and secondary schools; and

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

is to be excluded.

5.3.10 **Development contribution plan report and cost apportionment schedule**

5.3.10.1 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.

5.3.10.2 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.

5.3.10.3 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 5.3.11.

5.3.11 **Cost contributions based on estimates**

5.3.11.1 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.

5.3.11.2 Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government -

(i) in the case of land to be acquired, in accordance with clause 5.3.12; and

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

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

5.3.11.4 Where any cost contribution has been calculated on the basis of an estimated cost, the local government -

(i) is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and

(ii) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.

5.3.11.5 Notwithstanding clauses 5.3.11.1, 5.3.11.2(ii), 5.3.11.3 and 5.3.11.4, where the development contribution plan relates to community infrastructure, the local government may adopt a lesser rate than the independent certification recommends and make up the shortfall in accordance with clause 5.3.17.1.

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5.3.11.6 Where an owner's cost contribution is adjusted under clause 5.3.11.4, the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.

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

5.3.11.8 If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined -

(i) by any method agreed between the local government and the owner; or

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

5.3.12 **Valuation**

5.3.12.1 Clause 5.3.12 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

5.3.12.2 In clause 5.3.12 –

'Value', in the case of development contribution plans for development contribution areas 1 to 7 and 11, means the capital sum which an unencumbered estate in fee simple of the land might reasonably be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require:

(i) on the basis that there are **no buildings, fences or other improvements** of a like nature in the land;

(ii) on the assumption that **any rezoning necessary** for the purpose of development has come into force; and

(iii) taking into account the **added value of all other improvements** on or appurtenant to the land.

'Value', in all other development contribution plans, 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 Table 11. As part of that feasibility an appropriate profit and risk factor is to be determined from which a 10 per cent profit factor is to be excluded from the calculation.

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

5.3.12.3 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.

5.3.12.4 If, following a review, the valuer's determination of the value of the land is still not a figure acceptable to the owner, the value sit be determined -

(i) By any method agreed between the local government and the owner; or

(ii) if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the *Planning and Development Act 2005.*

5.3.13 **Liability for cost contributions**

5.3.13.1 An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 5.3.

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

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

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

(iii) 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

(iv) 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.

5.3.13.3 Notwithstanding clause 5.3.13.2, an owner's liability to pay the owner's cost contribution does not arise if the owner: *AMD 128 GG 11/01/19*

(i) 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;

(ii) commences a temporary or time limited approval;

(iii) commences any site preparation works such as retaining walls, demolition, clearing of vegetation, bulk earthworks, temporary fencing, remediation, advertising and signage that does not result in development that will place demand on infrastructure included in a development contribution plan;

(iv) commences any other minor or incidental development or subdivision which does not have a connection (nexus) to the infrastructure included in the development contribution plan;

(v) lodges Deposited Plans for the consolidation of land parcels (amalgamation) or for the sole purpose of ceding land required for a development contribution plan item.

5.3.13.4 Where a development contribution plan expires in accordance with clause 5.3.8, an owner's liability to pay the owner's cost contribution under the development contribution plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

5.3.14 **Payment of cost contribution**

5.3.14.1 The owner, with the agreement of the local government, is to pay the owner's cost contribution by -

(i) cheque or cash;

(ii) transferring to the local government or a public authority land in satisfaction of the cost contribution;

(iii) the provision of physical infrastructure;

(iv) some other method acceptable to the local government; or

(v) any combination of these methods.

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

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

5.3.15 **Charge on land**

5.3.15.1 The amount of any cost contribution for which an owner is liable under clause 5.3.13, 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.

5.3.15.2 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 5.3.15.1 to permit dealing and may then re-lodge the caveat to prevent further dealings.

5.3.15.3 If the cost contribution is paid in full, the local government, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under clause 5.3.15.

5.3.16 **Administration of funds**

5.3.16.1 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 infrastructure costs and administrative costs within that development contribution area will be paid.

The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area.

5.3.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 5.3.16.1 is to be applied in the development contribution area to which the reserve account relates.

5.3.16.3 The local government is to public an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts being available.

5.3.17 **Shortfall or excess in cost contributions**

5.3.17.1 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 -

(i) make good the shortfall;

(ii) enter into agreements with owners to fund the shortfall; or

(iii) raise loans or borrow from a financial institution, but nothing in paragraph 5.3.17.1(i) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

5.3.17.2 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 the excess funds to contributing owners for that development contribution area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that development contribution area.

5.3.18 **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.

5.3.19 **Arbitration**

Subject to clauses 5.3.12.3 and 5.3.12.4, 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.*

5.3.20 **Development Contribution Areas 1 to 7 and 9 to11**
AMD 28 GG 16/12/14

For Development Contribution Areas 1 to 7 and 9 to11 the Cost contributions for the owners of land for which a contribution is to be made shall be the proportion that the land the subject of the contribution bears to the total area of land within the Development Contribution Area for which the Cost Contributions have yet to be made unless otherwise specified.

5.4 The Peel-Harvey Coastal Plain Catchment (PHC)

5.4.1 Purpose

a) The purpose of the Peel Harvey Coastal Plain Catchment is to give effect to the provisions of **Statement of Planning Policy No. 2.1 - The Peel-Harvey Coastal Plain Catchment** made under the Town Planning and Development Act 1928, which was published in the Western Australian Government Gazette on 21 February 1992, together with any amendments thereto. *AMD 6 GG 13/6/06*

b) The Peel-Harvey Coastal Plain Catchment is delineated on the Scheme Map as contained in the legend and identified by the reference **"PHC"**.

5.4.2 Use and Development

a) The local government shall be guided by the **Objectives and Policy** Statements contained in the draft Environmental Protection Policy (Peel-Harvey Estuarine System) 1992 and the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended, a copy of which shall be kept and made available for public inspection at the offices of the local government.

b) For the purposes of the definition of development under the Act **'Intensive Agriculture"** shall be deemed to be a material change of use requiring approval of the local government.

c) In considering a proposal to develop land for **Intensive Agriculture** the local government shall -

(i) **take account** of soil types, slope and surface water drainage and proximity to the estuary, and associated wetlands and draining and riparian vegetation.

(ii) **take account of the objectives** of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended, with respect to the potential impact of the proposal on the environment and surface and groundwater quality.

(iii) **seek advice** from the Department of Water and Environmental Regulation and Department of Primary Industries and Regional Development. AMD 154 GG 15/7/22

and take account of that advice in making its determination or defer the decision pending a formal assessment under Part IV of the Environmental Protection Act.

5.5 Jandakot Airport (JA)

5.5.1 Purpose

a) The Jandakot Airport is **owned** by the Federal Government, is **leased** and operated by a private company and is the subject of an **airport master plan**.

b) The Jandakot Airport is delineated on the Scheme Map as contained in the legend and identified by the reference **"JA"**.

5.5.2 Use and Development

a) In considering any proposal for the subdivision, use or development of land within the boundaries of the Airport, referred to the local government by the lessee, the local government shall have regard to the **Jandakot Airport Master Plan and Environmental Strategy** for the airport land, approved by the Federal Government, when providing advice on a proposal.

b) In considering any proposal for the airport referred to the local government for consideration and advice by the lessee, the local government shall have **regard for** the -

(i) recommendation made for the airport in the Darling System - **System 6** Report, reference M94;

(ii) **Water Catchment Reserve** under the Metropolitan Region Scheme;

(iii) Statement of Planning Policy No. 6 - **Jandakot Groundwater Protection Policy**;

(iv) Perth's **Bushplan** - Regionally Significant Bushland reference 388;

(v) **potential impact**, if any, on the safety, convenience and amenity of the adjoining and nearby residents in proximity to the airport;

(vi) **any other matter** the local government considers appropriate to adequately consider the proposal.

c) The referral of and processing of any proposals for the airport is to be undertaken in accordance with any informal or formal protocol established and agreed between the airport lessee and the local government.

d) For development or land use proposals submitted to the local government for advice that part of the airport reserved under the **Metropolitan Region Scheme**, the proposal shall be referred to the Commission in accordance with ***clause 2.2***.

e) For development or land use proposals submitted to the local government for advice for that part of the airport land **zoned under the Scheme**, the proposal shall be forwarded to the Commission with the local government's recommendation for its consideration.

TABLE 9 - DEVELOPMENT AREAS

REF. NO.	AREA	PROVISIONS
DA 1	PACKHAM *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development (excluded from the odour buffer surrounding Watsons or buffer to the Woodman Point WWTP, Munster Pump Station) and other appropriate land uses.
DA 2	PHOENIX ROAD	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. Notwithstanding any provision of this Scheme to the contrary, land within the Owner Development Scheme can be developed to a maximum R Code density of R20, however, the Council may permit the land north of Forrest Road being developed to a maximum R Code density of R40, in accordance with an adopted **Structure Plan**. 3. In the case of dwellings designed for the accommodation of aged or dependent persons, the Council shall not exercise its discretion to permit up to fifty percent (50%) greater the number of dwellings provided by the Residential Design Codes applying to the site.
DA 4	YANGEBUP (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions.

REF. NO.	AREA	PROVISIONS
DA 5	MUNSTER (DEVELOPMENT ZONE)	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development except within the buffers to the Woodman Point WWTP, Munster Pump Station and Cockburn Cement. 3. The local government will not recommend subdivision approval or approve land use and development for residential purposes contrary to Western Australian Planning Commission and Environmental Protection Authority Policy on land within the Cockburn Cement buffer zone.
DA 6	MARINE INDUSTRY TECHNOLOGY PARK (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06;* *AMD 36 GG 4/8/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for a Marine Industry Technology Park. 3. To provide for appropriate uses: (a) the following uses are not permitted within the odour buffer surrounding the Woodman Point WWTP, and the Kwinana Air Quality EPP buffer: • Residential uses, including Tourist and visitor accommodation or mixed use buildings incorporating a residential component. *AMD 183 GG 24/10/2025* • Primary and Secondary Schools. (b) the following land uses are not permitted within the odour buffer surrounding the Woodman Point WWGTP: • Child Care premises; • Restaurants, Taverns, Hotels & Cafes.

REF. NO.	AREA	PROVISIONS
DA 7	Lots 1, 2 and 3 on Diagram 34240 and Lot 101 on Diagram 83601 Coolbellup Avenue, Reserve 30189 and Reserve 30190 Cordelia Avenue Coolbellup and that portion of Cordelia Avenue between Coolbellup Avenue and Rosalind Way *AMD 10 GG 6/4/04*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for an integrated town centre with a mix of residential, commercial, recreation, community and education facilities, in accordance with an approved Structure Plan.
DA 8	SUCCESS LAKES (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06, AMD 165 GG 3/9/2024*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for Residential development.
DA 9	GAEBLER ROAD (DEVELOPMENT ZONE)	DELETED BY AMENDMENT 165 GG 3/9/2024
DA 10	Atwell South Development Zone	DELETED BY AMENDMENT 130 GG 29/1/2021
DA 11	LYON ROAD (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for Residential development.
DA 12	TROODE STREET (DEVELOPMENT ZONE)	*DELETED BY AMD 131 GG 23/11/18*
DA 13	HAMMOND ROAD (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for Residential development.

REF. NO.	AREA	PROVISIONS
DA 14	BEENYUP ROAD (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06;* *AMD 84 GG 13/12/11*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for Residential development. 3. *DELETED BY AMD 168 GG 8/03/2024*
DA 15	*DELETED BY AMD 144 GG 17/11/2020*	
DA 16	SOUTH BEACH (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for uses consistent with the zonings and reservations in the MRS. 3. All residential development must be designed and constructed to comply with the South Beach Village Noise Management Plan dated August 2002.
DA 17	*DELETED BY AMD 144 GG 17/11/2020*	
DA 18	*DELETED AMD 132 GG 7/12/18*	
DA 19 **DA 19**	MURIEL COURT (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06;* *AMD 62 GG 26/9/08;* *AMD 67 GG 7/5/10* MURIEL COURT (DEVELOPMENT ZONE) (Cont'd) *AMD 6 GG 13/6/06;* *AMD 62 GG 26/9/08;* *AMD 67 GG 7/5/10*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development and mixed business development where appropriate. 3. Landowners within DA 19 who front North Lake Road/Tea Tree Close between Semple and Kentucky Courts shall comply with the access requirements set out in the North Lake Road Vehicle Access Policy Plan adopted by the local government or such other arrangements as considered acceptable to the local government. 4. The North Lake Road Vehicle Access Policy Plan sets out criteria relating to: ▪ Control over the location, design and number of crossovers. ▪ A requirement, as a condition of development approval or subdivision, for easements in gross in the form of a public access easement on land titles. ▪ Ensuring that, on land adjacent to North Lake Road, all traffic enters and leaves in a forward

REF. NO.	AREA	PROVISIONS
		direction and is suitable for heavy rigid vehicles. 5. Notwithstanding 4 above, Council may make satisfactory arrangements for temporary access to North Lake Road where designated crossover and linking right-of-carriageways have not been created. 6. Where temporary access to North Lake Road is agreed to the terms and conditions of such access are to be set out in a legal agreement prepared at the landowners cost. 7. All development within the Muriel Court Development Area shall be in accordance with Design Guidelines adopted by the local government. 8. Each subdivision and development application in the DA area shall achieve at least 75% of the potential number of dwellings achievable under the R-Code designated for the application area on the adopted Structure Plan.
DA 20	SOLOMON ROAD (DEVELOPMENT ZONE) *AMD 6 GG 13/6/06;* *AMD 62 GG 26/9/08;* *AMD 20 GG 19/08/11*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for light and service industrial and mixed use development, to complement the Thomsons Lake Regional Centre and mixed business development where appropriate. 3. Landowners within DA20 who front the North Lake Road extension (Other Regional Road) between Kwinana Freeway and Armadale Road shall comply with the access requirements set out in the North Lake Road Extension Vehicle Access Policy Plan adopted by Council and the Western Australian Planning Commission. 4. The North Lake Road Vehicle Policy Plan sets out criteria relating to: Control over the location, design and number of crossovers. • A requirement, as a condition of development approval or subdivision, for easements in gross in the form of a public access easement on land titles. • A requirement, as a condition of development approval or subdivision, to provide public right-of-way to side streets and crossovers as delineated in the Access Plan. • Ensuring that, on land adjacent to the North Lake Road extension, all traffic enters and leaves in a forward direction.
DA 20	SOLOMON ROAD (DEVELOPMENT ZONE) (Cont'd) *AMD 6 GG 13/6/06;* *AMD 62 GG 26/9/08;* *AMD 20 GG 19/08/11*	

REF. NO.	AREA	PROVISIONS
		5. Notwithstanding 4. above, Council may make satisfactory arrangements for temporary access to the North Lake Road extension where designated crossover and linking public right of way has not been created and hence there is no access to the land. 6. Where temporary access to North Lake Road extension is agreed to the terms and conditions of such access are to be set out in a legal agreement prepared at the landowners cost. 7. Landowners within DA 20 whose land is Reserved "Other Regional Road" in the MRS and TPS No. 3 for the purpose of the extension of North Lake Road shall be responsible for the following – (a) Land required for the extension of North Lake Road reserved as "Other Regional Road" in the MRS is expected to be ceded as a condition of subdivision approval granted by the Western Australian Planning Commission, or as a condition of development approval where appropriate; and (b) Construction of North Lake Road extension as a two-lane kerbed road to be a condition of subdivision approval granted by the Western Australian Planning Commission, or as a condition of development approval where appropriate, and shall include the following – • Full earthworks; • Dual use path (one side); • Lighting • Landscaping; • Traffic management devices; • Provision of drainage infrastructure. 8. In the case of Lot 11 Solomon Road, the landowner's obligation to construct the part of the North Lake Road extension within Lot 11 in accordance with clause 7 (a) and (b) will arise upon the commencement of any works associated with Stage 2 of the development shown on Drawing 9211-00-0-100 revision C stamped approved on 7 March 2000 as an amendment to Development Approval reference 5513480, unless another condition of subdivision or development approval has first imposed that obligation in any event. The road extension must be completed by the landowner to the standard approved by the City prior to the commencement of the use of Stage 2, unless another arrangement satisfactory to the City is made. 9. Where it is not practical to construct the extension of North Lake Road at the time of undertaking subdivision, development, redevelopment or the extension of an existing use, Council may enter into a legal agreement with the landowner to formalise satisfactory arrangements regarding the timing of such works. The cost of preparing an agreement shall be at

REF. NO.	AREA	PROVISIONS
		the cost of the landowner.
DA 21	SIMPER ROAD TRIANGLE *AMD 6 GG 13/6/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide Light and Service Industrial development. 3. The Council may impose conditions it deems necessary including but not limited to:- a) the use of landscaping, siting and fencing of the light or service industrial development to screen it from view from residential areas. b) siting of the light or service industrial development to prevent noise from impacting on the locality.
DA 22	PORT COOGEE *AMD 3 GG 29/6/05*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The local government may adopt Design Guidelines for any development precincts as defined on the Structure Plan. All development in such precincts is to be in accordance with the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail. 3. No subdivision or development will be supported within the Development Area until the Structure Plan has been approved by both the WAPC and the local government. 4. Development of Shops (retail uses), Commercial Uses and Tourist Facilities within the Development Area shall be in accordance with the approved Structure Plan. 5. The Structure Plan is to provide for public access to the coast and waterways and provide for a continuous dual use path along the foreshore connecting into the existing pathway system. 6. The Structure Plan should retain existing remnant vegetation within the Development Area, where possible, particularly on the primary coastal dunes adjoining Coogee Beach. 7. Provision shall be made for accessing a possible future commuter railway station on the railway reserve on the north boundary of the Development Area. 8. The design, construction and development within the Development Area shall have due regard for the principles, objectives and criteria contained in the Sustainability Strategy prepared by the developer for the

REF. NO.	AREA	PROVISIONS
		Port Coogee Marina. 9. The Neighbourhood Centre shown on the Structure Plan located on Cockburn Road at the southern end of the Development Area is restricted to the following uses: ▪ Fast Food Outlet (P) (subject to 11) ▪ Health Studio (D) ▪ Medical Centre (D) ▪ Convenience Store (A) ▪ Lunch Bar (P) ▪ Shop (P) ▪ Restaurant (P) where the permissibility (P), (D) and (A) is in accordance with clause 3.3.3 of the Scheme. 10. Fast food outlets are restricted to only those premises that do not include a vehicle drive-through service. 11. No commercial fishing boats are permitted to enter or use the marina or carry out commercial fishing operations in or from the waterways. 12. The local government may approve Local Development Plan(s) for any part of the Development Area as defined on the approved Structure Plan, pursuant to clause 52 of the Deemed Provisions. 13. Local Development Plans (LDPs) may be required for any particular lot or lots within the adopted Structure Plan, however, LDPs shall be prepared for the land designated Marina Village, Neighbourhood Centre and possible future local centre and for land coded R80 and higher density coding. 14. Despite the provisions of the Scheme, the Council may, when considering a Local Development Plan (LDP), impose development requirements including but not limited to vehicle parking greater than the standards prescribed under the Scheme, if in the opinion of the Council, it would result in a more desirable outcome for the use and development of the land the subject of the LDPs. 15. The proposed future local centre adjacent to the railway line, which is approximately 4000m^2 in area, is to be developed for off-street public car parking with the location, design and landscaping being to the Council's satisfaction and the car parking area is to be maintained by the developer or landowner for this purpose, until the Council agrees that all or part of the area is no longer required and may be considered for a railway station or other alternative use. 16. (a) The ground floor of all proposed development within the Marina Village shall be set aside for commercial, retail or mixed business uses and may not be used for any other purpose unless the Council decides otherwise; and

REF. NO.	AREA	PROVISIONS
		(b) In areas immediately adjacent to the Marina Village which are coded R80 or higher density, and shown as such on the Structure Plan, where development is proposed to be two storeys or higher, the ground floor shall be set aside for commercial, retail or mixed business uses where such uses can, in the opinion of the Council, complement uses in the Marina Village, and may not be used for any other purpose unless the Council decides otherwise. 17. Development within the R20, R25, R30 and R40 coded residential areas is restricted to two storeys in height plus a loft. 18. The Marina Village is to be developed as a social and tourist focal point with the commercial uses centred around alfresco dining and entertainment, marine based retail and other complementary speciality facilities, with a minimum retail floorspace of 1500m^2 net lettable area, unless the Council decides otherwise. 19. The Marina Village shall include a site of not less than 3500m^2 for the development of a hotel, located and designed to the satisfaction of the Council. 20. Within the Marina Village, and local centre areas coded R80, development is restricted to a maximum of eight stories. The height of buildings in residential R60 and R80 areas should be limited to a maximum of five storeys (and not exceeding 21 metres) in height. Higher structures up to a maximum of eight storeys (and not exceeding 32 metres) in height may be permitted where: (a) there is broad community support for the higher buildings following a process of full consultation; (b) the proposed development(s) is suitable for the location taking into account the build form, topography and landscape character of the surrounding area; (c) the location is part of a major tourist or activity node; (d) the amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore; and (e) there is visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.

REF. NO.	AREA	PROVISIONS
DA 23	COCKBURN CENTRAL (Town Centre Precinct) *AMD 1 GG 5/1/07*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To facilitate the development of a multifunctional Town Centre which shall include a range of intensive residential and commercial development, shopping, entertainment, regional sport, bushland/wetland area and cultural facilities supported by a highly interconnected transport system. Supermarkets will not be permitted within the Town Centre; for the purpose of this clause supermarkets are defined as self-service retail stores or markets with a sales area of 1100 square metres (NLA) or greater, the main function of which is to sell a variety of ordinary fresh and/or packaged food and grocery items. 3. The Structure Plan is to provide a public transport corridor within Development Area 23 abutting the western boundary of the Kwinana Freeway Primary Regional Roads reservation, linking the Cockburn Central Railways Station with the Gateways Precinct, and safe and efficient pedestrian connections between the Cockburn Central Railway Station, the Town Centre Precinct and the Gateways Precinct. 4. The residential density applying to the area of the Town Centre Precinct is R160. 5. The local government may approve Local Development Plan(s) for any part of the Development Area as defined on the approved Structure Plan, pursuant to clause 52 of the Deemed Provisions. 6. Car parking shall be provided at a rate and in such a location as specified by the approved Structure Plan.
DA 24	COCKBURN CENTRAL (Gateways Precinct) *AMD 1 GG 5/1/06*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The combined Gross Leasable Area (GLA) of retail floor space within the Gateways Precinct shall not exceed 35,000 square metres (GLA) until a review of the shopping centre design and associated access arrangements has been undertaken to the satisfaction of Council. In this respect particular attention is to be given to access arrangements to Beeliar Drive and to the provision of a suitable public transport corridor through the Gateways Precinct to the Town Centre Precinct on advice from the Public Transport Authority. 3. The Structure Plan shall facilitate the development of a Precinct that includes regional shopping, showroom, office, entertainment, and community facilities supported by a highly interconnected transport system.

REF. NO.	AREA	PROVISIONS
		4. The local government may approve Local Development Plan(s) for any part of the Development Area as defined on the approved Structure Plan, pursuant to clause 52 of the Deemed Provisions. 5. The Structure Plan is to provide for safe and efficient pedestrian connections between the Cockburn Central Railway Station, the Town Centre Precinct and the Gateways Precinct.
DA 25	Imlah Court and Prinsep Road, Jandakot *AMD 12 GG 31/1/06;* *AMD 27 GG 12/10/10*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for Residential development along the Imlah Court frontage and Mixed Business development with co-ordinated access from Prinsep Road, in accordance with an approved Structure Plan. 3. Building on the Mixed Business lots which abut residential lots should not be higher than 3.0m in height at the residential boundary. The wall can increase in height by 1m for every 1m it is setback from the residential boundary. 4. Single house, grouped dwelling, multiple dwelling, lodging house and residential building uses shall not be permitted in the Mixed Business zone. 5. No development in the Mixed Business zone shall have access to Imlah Court. 6. The owners of Lots 19, 69, 21 and 22 Imlah Court shall pay in proportion of their land zoned Mixed Business the full cost of providing Road A shown on the Structure Plan for Development Area 25 including land, construction, drainage and all other associated costs with no contribution or reimbursement from the owner of Lot 303 Prinsep Road.
DA 26	Rowley Road (Development Zone)	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development and compatible land uses.
DA 27	Wattleup Road (Development Zone)	1 An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2 To provide for residential development and compatible land uses.

REF. NO.	AREA	PROVISIONS
DA 28	Success – Bartram / Hammond Roads *AMD 18 19/2/2010*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. Within the portion of the Residential and Local Centre zones contained between the 1 x 10^{-6} and 5 x 10^{-7} contours, as indicated on the endorsed structure plan, the following land uses are not permitted: Child Care Premises Aged or Dependant Persons Dwellings Education Establishments Hospitals. 3. Within the Mixed Business Zone area, caretakers Dwellings, Grouped Dwellings, Multiple Dwellings, Single House, Residential Building, Lodging House and Tourist and visitor accommodation are not permitted. *AMD 183 GG 24/10/2025* 4. The development of shops (retail uses) within the Development Area shall be limited to a maximum of 1600m^2 NLA.
DA 29	*DELETED BY AMENDMENT 144 GG 17/11/2020*	
DA 30	Lot 5 on Diagram 66412 and Lot 1 on Diagram 63519 and Pt Lot 50 on Diagram 78591 (Loc 630) Farrington Road *AMD 13 GG 22/6/07*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions.
DA 31	Packham North (Development Zone) *AMD 70 GG 05/11/10*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development and compatible land uses. 3. Each subdivision and development application in the Development Area shall achieve at least 85% of the potential number of dwellings achievable under the RCode designated for the application area in the endorsed Structure Plan.
DA 32	Cockburn Road (Development Zone) *AMD 74 GG 04/02/11*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for residential development and may include the sympathetic adaptation of the Heritage places for commercial and tourist related uses that are compatible with residential amenity and consistent with the Conservation Plan.

REF. NO.	AREA	PROVISIONS
		3. The Structure Plan is to facilitate the conversation and protection of the cultural heritage significance of the Heritage Places of the cultural heritage significance of the Heritage Places and their setting, consistent with a Conservation Plan. 4. No subdivision or development will be supported within the Development Area until the Structure Plan has been adopted by Council and endorsed by the Western Australian Planning Commission (WAPC). 5. The maximum building height of any development shall be in accordance with the City of Cockburn's Local Planning Policy 1.7 – Coogee Residential Height Requirements.
DA 33	Cockburn Coast *AMD 89 GG 23/4/13*	**1.0 Objectives of the Cockburn Coast Development Area** The purpose and intent of the Development Area is expressed in the following objectives. These objectives are to guide the preparation of Local Structure Plans for the Cockburn Coast Development Area — (a) Responsive to context — regionally and the immediate environment. (b) Establish a sustainability framework for future detailed planning and design. (c) Transit orientated development with appropriate density. (d) Establish an urban development framework that provides guidance for implementation. (e) Inclusive/participatory planning and consultation framework. (f) Create a place with a mix of people, housing, land uses, experiences and lifestyle. *Land use and zoning objectives* (g) Creation of an integrated mix of land uses — a place to live, work, play, where people have a choice of activities throughout the day and night. (h) Maintenance of the integrity of the existing land uses where appropriate and desired. (i) Promotion of a general transition and intensification of land uses within the Development Area. (j) Facilitation of an urban typology for residential development, and provide extensive opportunities for live/work within the Development Area. (k) Use of the natural landform, different character and roles of individual streets to create varied land use and built form character precincts.

REF. NO.	AREA	PROVISIONS
		(l) Provision for the revitalisation and enhancement of the Development Area through the combined framework of land use controls, design guidelines and public works. (m) Encouragement of new land uses within the Development Area, but seek to carefully manage the inter-relationship of such land uses with existing and future non-residential land uses. *Movement network* (n) The need to balance the function and impacts of regional and local transport. (o) Development of an internal road network with connections to the wider regional network which disperses traffic. (p) Production of a highly connected and amenable pedestrian and cyclist network providing access to the regional network. (q) Promotion of an efficient public transport system providing connections to Fremantle and the wider regional network with the potential for expansion to the south and east in the future. (r) Development of a transit oriented community. *Public Open Space* (s) Provide for a range of passive and active recreation opportunities throughout the streets and public spaces. (t) Create an urban typology for open spaces while respecting the natural landform and characteristics of the Cockburn Coast area. (u) Develop a hierarchy of open spaces at a regional, district and local scale offering a range of uses and experiences. (v) Foster multi-purpose open spaces, including integrated water management. *Public realm* (w) Ensuring attractive, interactive and interesting street environments for pedestrians and cyclists. (x) Ensuring safety in the public realm, particularly at night. (y) Create strong legibility and enhancement of the Development Area's entries, focal points, movement networks, open spaces and activity nodes.

REF. NO.	AREA	PROVISIONS
		(z) Establish a sense of place through interesting and interactive streetscapes and built form that reflect the history and coastal influences of the site. *Built form* (aa) Creation of a variety of building types, with a key focus on sustainable design. (bb) Developing landmark buildings in key locations. (cc) Stipulating adaptable mixed-use buildings in appropriate locations. (dd) Promoting traditional 'main street' forms of building design within commercial areas. (ee) Facilitating development of commercial and mixed use buildings to street edges. (ff) Encouraging active building edges fronting the public realm, particularly at the ground floor level. (gg) Retaining a sense of the area's industrial heritage through the built form, while ensuring that the architectural design is contemporary and not 'faux industrial'. **2.0 Hierarchy of Plans** Subdivision and development within the Development Area shall be guided by an approved Structure Plan, Design Guidelines and Local Development Plans as appropriate. An approved Structure Plan(s) together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. **3.0 District Structure Plan(s)** (a) The following District Structure Plans have been prepared for the Development Area — (i) Cockburn Coast District Structure Plan (2009) (ii) District Structure Plan Part 2 (b) The District Structure Plans provide guidance for the preparation of the subsequent Local Structure Plans, rather than a statutory form of planning instrument. (c) Local Structure Plans shall have regard to both the Cockburn Coast District Structure Plan and the District Structure Plan Part 2.

REF. NO.	AREA	PROVISIONS
		4.0 General Development Area Provisions (a) An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. (b) All development within the Development Area, where deemed necessary by the local government, shall be guided by Design Guidelines adopted by the local government. (c) In determining any application for approval to commence development, the local government will utilise the Design Guidelines, in conjunction with the Local Structure Plan, the Scheme and any relevant local government Local Planning Policy. (d) Local Development Plans must be prepared by the landowner and approved by the local government prior to the subdivision or development of land within the Activity Centres, and may be required for any other particular lot or lots where deemed necessary by the local government. (e) Each subdivision (excluding amalgamation proposals) and development application shall achieve at least 85% of the potential number of dwellings achievable under the R-code designated for the application area on the adopted Local Structure Plan. In calculating the potential number of dwellings for the purposes of this provision, the following average lot sizes will apply unless specified by the adopted Local Structure Plan — • R30 = 300m2 • R40 = 220m2 • R50 = 180m2 • R60 = 180m2 • R80 = 125m2 • R100 = 100m2 • R160 = 62.5m2 (f) Where appropriate the local government may require that proposals be accompanied by a report prepared by a qualified acoustical consultant, certifying that the design features of the development will achieve a satisfactory level of noise attenuation to enable the mixing of residential and non-residential land uses to occur; and/or demonstrate mitigation of impacts associated with freight noise and vibration.

REF. NO.	AREA	PROVISIONS
		5.0 Local Structure Plans **5.1 Content of Local Structure Plan Report(s)** In addition to the required details set out in clause 16(C) of the Deemed Provisions, all Local Structure Plans shall be accompanied by a report consistent with the requirements of the Structure Plan Preparation Guidelines and policy as well as being cognisant of the place specific issues of the Development Area. The following supplementary information is required to support consideration of Local Structure Plans for the Cockburn Coast area — *5.1.1 Affordable Housing Strategy* The proponent shall prepare an Affordable Housing Strategy which identifies measures to achieve the affordable housing targets as set out in the Cockburn Coast District Structure Plan to the satisfaction of the local government. *5.1.2 Local Water Management Strategy* The proponent shall submit to the local government a Local Water Management Strategy which is consistent with the approved District Water Management Strategy as an additional detail of the Local Structure Plan(s). *5.1.3 Noise and Vibration Management Plan* The proponent shall submit to the local government a Noise and Vibration Management Plan for approval as an additional detail of the Local Structure Plan(s). *5.1.4 Cultural Heritage Strategy (Historic Cultural heritage and Indigenous Cultural Heritage)* (i) The proponent shall submit to the local government a Cultural Heritage Strategy for approval as an additional detail of the Local Structure Plan(s). The Strategy shall demonstrate how matters of cultural heritage significance will be addressed across the local Structure Plan area and shall — • Identify the places of cultural heritage significance within and adjacent to the Development Area; • Outline methods of conserving places of cultural heritage significance; • Identify significant zones whereby there should be further guidance on development within and/or adjacent to places of cultural heritage significance; • Include recommendations for heritage interpretation. • Include an implementation plan setting out responsibilities.

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		(ii) The proponent shall submit to the local government Heritage Interpretation Plan(s) for approval as an additional detail of development applications as determined by the local government. (iii) Heritage Interpretation Plan(s) may be required for development in the following areas (but not be limited to) — • South Beach Horse Exercise Area • Robb Jetty Precinct • South Fremantle Power Station • Robb Jetty camp and Indian Ocean sites (Aboriginal Heritage Site 3707—Robb Jetty camp). *5.1.5 Public Art Strategy* (i) The proponent shall submit to the local government a Public Art Strategy for approval as an additional detail of the Local Structure Plan(s). (ii) The Public Art Strategy shall set out the framework to enhance each precinct through the appropriate integration of public art within the Development Area by detailing the following — • Influences for public art and possible public art themes for each precinct; • Indicative locations for artworks where they will enhance the amenity and the interpretation of the public realm, contribute to way-finding, and enhance the sense of place; and • Management arrangements and responsibilities for public art. *5.1.6 Coastal Hazard Risk Assessment* A Coastal Hazard Risk Assessment is required to be prepared for the full length of coastline adjacent to the Development Area as an additional detail of the Local Structure Plan(s) to the satisfaction of the local government *5.1.7 Foreshore Management Plan* (i) A Foreshore Management Plan is required to be prepared for the full length of coastline adjacent to the Development Area as an additional detail of the Local Structure Plan(s) to the satisfaction of the local government. (ii) The Foreshore Management Plan shall be informed by the Coastal Hazard Risk Assessment and shall demonstrate measures to mitigate potentially adverse impacts by coastal processes (including climate change induced sea level rise) on the proposed development (including public,

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		private and local government infrastructure). (iii) The Foreshore Management Plan shall be consistent with State Planning Policy No. 2.6 and shall address the following place specific matters — • Integration with the North Coogee and Coogee Beach Management Plans. • Improvement of pedestrian and cycling links with South Beach and Port Coogee. • Improvement of east-west links across the railway reserve and connect people with the foreshore. • Consideration of ecological linkages across the railway line to the Beeliar Regional Park. • Identification of measures to recognize and interpret historic cultural heritage and indigenous cultural heritage. • Potentially conflicting recreational activities, including the use of the coastline as a designated horse exercise area which is a unique characteristic of the Cockburn coast, and the use of the beach as a dog exercise area. • A comprehensive response to the future management of the Port Coogee sand bypassing operations to ensure that the sand bypassing works do not produce detrimental effects on the marine environment and public safety, and sediment outcomes for accretion and erosion between Catherine Point and Coogee Beach to the south. • Assessment of the need to upgrade the South Fremantle power station groynes. *Fire Management Plans (s)* Where the Bushfire Hazard Assessment undertaken as part of the Local Structure Plans identify a bushfire hazard risk, the proponent shall submit to the local government a Fire Management Plan for each Local Structure Plan area demonstrating compliance with Planning for Bushfire Protection Guidelines, to the satisfaction of the local government on the advice of DFES. **5.2 Matters to be addressed by Local Structure Plans** All Local Structure Plans shall address, but not be limited to the following matters — *5.2.1 Public Open Space* Local Structure Plans shall identify public open space that — (i) meets the recreational needs of the whole community by including a diverse range of open spaces of suitable dimensions, both in size and

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		character to offer formal and informal opportunities for active and passive recreation and community interaction, flora and fauna connectivity and urban water management, and a setting for other uses and activities; (ii) is accessible and attractive to users, including local residents, workers or visitors to the area; (iii) assists legibility and may play a landmark role; (iv) includes logical and interesting routes for pedestrians and cyclists, and act as links and hubs in pedestrian and cycle networks; (v) is located and designed to be safe, serviceable and well lit in a sustainable manner; (vi) provides the opportunity to conserve and enhance natural values, including the function of ecological corridors; and (vii) is provided in accordance with Western Australian Planning Commission policy. *5.2.2 Movement Network* Local Structure Plans shall achieve a street pattern that serves the needs of pedestrians, cyclists and vehicles equitably, provides good pedestrian connections to local activities and offers a memorable layout for way-finding and legibility. *5.2.3 Environmental Sustainability* Local Structure Plans shall identify the applicable measures to demonstrate how the environmental sustainability targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be achieved, to the satisfaction of the local government. *5.2.4 Building Heights* Local Structure Plans shall identify and justify the appropriate location of iconic, landmark, and gateway sites consistent with the Cockburn Coast District Structure Plan (2009) and District Structure Plan Part 2. *5.2.5 Affordable Housing* Local Structure Plans shall identify applicable measures, outlined in the Affordable Housing Strategy required by Clause 5.1.1, to demonstrate how the affordable housing targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be achieved, to the satisfaction of the local government and the Western Australian Planning Commission. *5.2.6 Employment* (i) Local Structure Plans shall identify the applicable measures to demonstrate how the employment self sufficiency targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be facilitated, to the satisfaction of the local government.

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		(ii) To meet the requirements of Clause 5.2.6 (i), Local Structure Plans shall include an assessment of the likely employment requirements of the population residing within the Local Structure Plan area, measures proposed to establish a framework to encourage and retain local employment, location of these areas, estimates of retail floor space, and estimates of future employment opportunities. *5.2.7 Environmental Feasibility* Impacts upon the marine environment including relationship to other coastal features shall be discussed in any Local Structure Plan proposing the inclusion of a marina or similar modifications to the coastline. *5.2.8 Social Feasibility* Any Local Structure Plan proposing the inclusion of a marina or similar modifications to the coastline shall discuss the social feasibility of such a proposal in contrast to the opportunities afforded by the existing coastline. *5.2.9 Transition of Land Uses* (i) Identify and describe any existing lawful development within the Local Structure Plan area which has associated offsite impacts. (ii) Identify and describe how future land use and development in accordance with the Local Structure Plan will be managed so that areas experiencing offsite impacts from existing lawful development are either avoided or managed. *5.2.10 Contaminated Sites* (i) While recognising the obligations for landowners under the *Contaminated Sites Act 2003*, identify lots contained within the whole Local Structure Plan area that are known or suspected to be contaminated and the status of contamination investigations for those lots. (ii) Describe how the land use plan responds to issues of contamination across the whole Local Structure Plan area. **5.3 Design Guidelines** 5.3.1 Local Structure Plans must have associated Design Guidelines. This must be adopted by the local government prior to or as a part of the formal consideration of the associated Local Structure Plan.

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		5.3.2 Design Guidelines shall incorporate and provide guidance on the following key design principles which are applicable to the Development Area — *General Development Guidelines* (i) All development should facilitate close interaction with the pedestrian activity along footpaths. Buildings should be designed to focus on pedestrian and cyclist amenity and safety, while accommodating on street parking and slow vehicle speeds in certain locations. (ii) Buildings should be located and designed to form an interesting and attractive urban edge to the street; to define and enclose the public street space at an appropriate scale; (iii) Achieving an appropriate built form interface with public open space and public areas which provides passive surveillance. (iv) Minimisation of the width and number of driveways and crossovers to assist in the achievement of attractive, pedestrian friendly environments. (v) Management of car parking to ensure the objectives of the Integrated Transport Plan and District Structure Plans are achieved. (vi) Provision of bicycle parking and end of trip facilities for mixed use and commercial buildings, and larger scale residential developments. (vii) All proposals that include residential development are required to demonstrate diversity in dwelling types, through the incorporation of different sized and designed dwellings. There is an expectation that a number of different types (size and design) comprise every proposal that includes residential development. (viii) All development should be designed to maximise passive solar heating, cooling and natural ventilation, and to reduce energy and resource consumption wherever possible. (ix) Development of sites adjacent to a Heritage Place shall be respectful of the recognised cultural heritage significance, and should not adversely affect the heritage significance. *Guidelines for Mixed Use/Activity Centres* (x) Buildings that front a public street should be constructed in a robust way that will allow for retrofitting to occur at a later date (e.g. residential capacity on the ground floor with the ability to retrofit into the future to intended commercial land uses).

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		(xi) Buildings and their activities are to present an active front to public streets and open space. (xii) The Development Guidelines shall include measures to facilitate sustainable mixed land use urban environments where a diverse range of carefully designed and constructed land uses can successfully co-exist with noise sensitive and noise emitting premises. The guidelines are to — • Achieve appropriate acoustic environments within residential and other noise sensitive premises. • Facilitate a diversity of businesses and services including dining, entertainment, culture and creativity industries, and ensure appropriate noise emission mitigation for these and other non-residential land uses. • Ensure mechanical, industrial and service equipment is appropriately designed, located and installed to minimise noise disturbance.
DA 34	COOLBELLUP SCHOOL SITES Reserve 38242; Lot 2719 Hilory Street, Coolbellup Reserve 38243; Lot 2718 Benedick Road, Coolbellup Part of Lot 255 pedestrian access way connecting Rosalind Way and Benedick Road, Coolbellup *AMD 55 GG 23/09/11; AMD 167 GG 19/04/24*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. Structure plans will be required to fulfil the following design objectives to the satisfaction of Council – i. Provide for a range of densities, dwelling types and lot sizes. ii. Provide for medium to higher density development on the former Koorilla Primary School site, taking advantage of its location adjoining the Coolbellup Town Centre. iii. Ensure the layout and urban form of structure plans responds appropriately to the surrounding neighbourhood environment. Structure plans must specifically be seen to facilitate a 'natural' extension to the surrounding neighbourhood environment, through providing for appropriate integration with the neighbourhood layout and pattern of residential development. iv. Ensure the layout and urban form of structure plans responds appropriately to existing and planned areas of public open space. v. Ensure that the layout and urban form of structure plans provides for the practical retention of significant trees/vegetation. This shall include the appropriate allocation of public open space areas, as well as opportunities to retain significant trees/vegetation within road reserves.

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		vi. Ensure environmentally sustainable design approaches are achieved in terms of solar orientation of lots. vi. Ensure general consistency with the findings of the Coolbellup Enquiry By Design Workshop Outcomes Report. 3. The local government may approve Local Development Plan(s) for any part of the Development Area as defined on the approved Structure Plan, pursuant to clause 52 of the Deemed Provisions. 4. A total of 3.79 hectares shall be provided across the three former school sites for the purposes of public open space and/or community purposes.
DA 35	Hammond Road North (Development Zone) *AMD 90 GG 17/10/14*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for future commercial, retail and mixed business development and compatible uses incidental thereto. The extent of such uses will be subject to the preparation and approval by Council of an economic/retail impact assessment prepared in accordance with State Planning Policy 4.2. 3. Local Development Plans and/or Design Guidelines shall be prepared and approved by Council to guide and assess development. 4. The adopted Local Structure Plan must be accompanied by a comprehensive traffic assessment, including a Vehicle Access and Parking Strategy. 5. The adopted Local Structure Plan must address and resolve the implementation and land swap arrangements as contained in the legal agreement and contract of sale between the proponent and City of Cockburn, signed 22 January 2001.
DA 36	Bartram Road (Development Zone) *AMD 93 GG 06/05/14*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development and associated protection and enhancement of the Conservation Category Wetland and associated natural environment of the subject land.

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		3. In addition to the minimum requirement of 10% Public Open Space, any proposed Structure Plan shall include the provision of an additional 7240m^2 of Public Open Space which represents the balance of Public Open Space required for the Thomsons Lake residential development. The 7240m^2 balance of additional POS comprises the following sites which were previously not included in the calculation of the gross subdivisible area for the Thomsons Lake residential development – • Lot 585 Bannigan Avenue, Success which was originally zoned Local Centre and comprised a 2000m^2 area of open space, which was to be dedicated free of cost as a community purposes site to coexist with the local shopping centre. In 2005, the site was rezoned from Local Centre to Residential R40 subject to the provision of the previously deducted Public Open Space contributions of 10% of the subject site being 1240m^2 and 2000m^2 for the area no longer provided for community purposes. • Lot 810 Wentworth Parade, Success which was 4000m^2 of land originally ceded for a police station to which a public open space credit was received. The site is no longer required for a police station and in accordance with a Deed of Covenant between the Western Australian Planning Commission, GSC Gold Pty Ltd, Gold Estates of Australia (1903) Ltd and Minister for Lands Gold Estates will provide 4000m^2 of Public Open Space within DA 36. 4. Any Proposed Structure Plan shall include a Wetland Management and Rehabilitation Plan covering the Conservation Category Wetland and portions of the adjoining transmission line area to the satisfaction of the City of Cockburn. The Wetland Management and Rehabilitation Plan shall address the following requirements: • Delineation of management plan boundaries; • Description of existing environment and the environmental values of the management areas; • Description of proposed land ownership and management arrangements; • Description of management recommendations for the management areas such as: fencing, access, signage, fire management, weed control, revegetation and rehabilitation; • Suitable pedestrian linkage to the western adjacent active open space; and • Description of an implementation schedule detailing, timing, responsibilities, funding arrangements, for recommended actions.

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		5. Any Proposed Structure Plan shall include a Bushfire Management Plan detailing appropriate Bushfire mitigation measures and design responses in respect of the Proposed Structure Plan. 6. Any Proposed Structure Plan shall include a Mosquito and Midge Management Plan. 7. Any Proposed Structure Plan shall include a Local Water Management Strategy detailing appropriate urban water management and water sensitive urban design measures in respect of the Proposed Structure Plan.
DA 37	Banjup Quarry Redevelopment *AMD 95 GG 29/10/13*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for an appropriate mix of residential and non-residential land uses, in order to support the objective for a mixed use neighbourhood. Non-residential land uses may include compatible commercial and industrial (light and service industry) land uses, as a means to provide an appropriate interface and transition to the western adjoining Solomon Road Development Area 20. 3. The Structure Plan is to provide for safe and efficient pedestrian connections between DA37 and the Cockburn Central Railway Station.
DA 39	Rockingham Road *AMD 100 GG 9/9/14*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to: (a) Provide for medium to high density residential development; and (b) Ensure the layout and urban form provides an appropriate interface to adjacent roads, the Primary Regional Road Reservation, existing public open space, and any proposed areas of public open space.
DA 40	Blackwood Avenue *AMD 100 GG 9/9/14*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to: (a) Provide for medium density residential development; and

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		(b) Ensure the layout and urban form provides an appropriate interface to adjacent roads and the Primary Regional Road Reservation.
DA 41	DELETED BY AMD 187 GG 12/05/2026	
DA 42	Hamilton Senior High School Redevelopment Site (Lot 850 Purvis Street, Hamilton Hill) *AMD 134 GG 17/12/19*	1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide an appropriate mix of residential densities, open space, and an appropriately scaled mixed use, neighbourhood node.
DA 43	Lots 705 and 707 Armadale Road, Treeby *AMD 146 GG 02/10/2020*	1. An approved Structure Plan together with all the approved amendments shall be give due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.
DA 44	Lot 5131 Jandakot Road, Treeby Lot 705 Armadale Road, Treeby *AMD 151 GG 18/03/2022*	1. An approved Structure Plan together with all the approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.
DA 45	Glen Iris Estate Jandakot *AMD 152 GG 16/06/2023*	1. An approved Structure Plan together with all approved amendments shall be give due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions 2. The Structure Plan is to provide an appropriate mix of residential and compatible land uses. 3. Public open space and the use of wider, landscaped road reservations shall be arranged to: • Promote the retention of significant mature trees and provide an amount of public open space beyond minimum standards in recognition of the character of the area and the former use as a private recreational space; • Retain where practicable an appropriate, amount of black cockatoo habitat, in consultation with the Department of Biodiversity, Conservation and Attractions;: • Provide for future active recreational needs of the community; and • Provide an appropriate interface to surrounding landholdings. 4. Future subdivision and development of the DA 45 area is limited to a maximum of 250 dwellings (by no later than 2026), until such time as a new traffic-light controlled intersection on Berrigan Drive is approved by Main Roads Western Australia and constructed at the

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		subdivider/developer's expense. AMD 152 GG 16/06/2023

TABLE 10 - DEVELOPMENT CONTRIBUTION PLANS

Ref No:	**DCA 1**
Area:	**Success North**
Provisions:	All landowners within DCA 1 shall make a proportional contribution to the widening and upgrading of Hammond Road between Beeliar Drive and Bartram Road, Success. The proportional contribution is to be determined in accordance with the provisions of ***clause 5.3*** and contained on the Development Contribution Plan. Contributions shall be made towards the following items: • Land reserved for Hammond Road under the Metropolitan Region Scheme; • Full earthworks; • Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided; • Dual use path (one side only); • Pedestrian crossings (where appropriate at the discretion of the local government); • Drainage; • Costs to administer cost sharing arrangements - preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs; • Servicing infrastructure relocation where necessary.
Period of Operation *AMD 156 GG 20/10/2023*	30 June 2033
Timing and priority: *AMD 156 GG 20/10/2023*	The widening and upgrade of Hammond Road between Beeliar Drive and Bartram Road, Success, is to be completed within 1-3 years.
Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 1.

Ref No:	**DCA 2**
Area:	**Success Lakes**
DELETED BY AMENDMENT 138 GG 19/7/19	

Ref No:	**DCA 3**
Area:	**Gaebler Road**
DELETED BY AMENDMENT 139 GG 19/7/19	

Ref No:	**DCA 4**
Area:	**Yangebup West**
Provisions:	All landowners within DCA 4 and DCA5 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA 4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue. The proportional contribution is to be determined in accordance with the provisions of *clause 5.3* and contained on the Development Contribution Plan. The contribution shall include the following:- • Land requirements for the other Regional Road Reservation between Watson Road and Spearwood Avenue under the MRS; • Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage; • Full earthworks; • Construction of a four lane median divided kerbed road; • Dual use path (both sides); • Pedestrian Crossings (where appropriate at the discretion of the local government); • Lighting • Landscaping; • Traffic signals and roundabouts at major intersections; • Drainage • Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs; • Servicing infrastructure relocation where necessary; Costs for the repayment of any loans raised by the local authority for the purchase of any land for Beeliar Drive or for any of the abovementioned works.
Period of operation: *AMD 156 GG 20/10/2023*	30 June 2033
Timing and priority: *AMD 156 GG 20/10/2023*	Construction of the infrastructure item has been completed.
Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 4.

Ref No:	**DCA 5**
Area:	**Yangebup East**
Provisions:	All landowners within DCA5 and DCA4 with the exception of Lots 500 and 600 Shallcross Street and Lots 500 and 504 Storey Place within DCA4 shall make a proportional contribution of 40.88% of the total cost of constructing Beeliar Drive between Stock Road and Spearwood Avenue and all landowners within DCA5 south of Beeliar Drive shall make a proportional contribution of 30.65% of the cost of Spearwood Avenue between Beeliar Drive and Fancote Avenue and all landowners north of Beeliar Drive shall make a proportional contribution to 100% of the cost of closing Yangebup Road at the Railway Line. The proportional contribution is to be determined in accordance with the provisions of *clause 5.3* and contained on the cost contribution schedule.

	Contributions shall be made towards the following items for Beeliar Drive: • Land requirements for the Other Regional Road Reservation between Watson Road and Stock Road; • Land requirements for an average 45 metre wide road reserve between Watson Road and Stock Road and where necessary to accommodate channelisation at intersections and drainage; • Full earthworks; • Construction of a four lane median divided kerbed road; • Dual use path (both sides); • Pedestrian Crossings (where appropriate at the discretion of the local government); • Lighting; • Landscaping; • Traffic signals and roundabouts at major intersections; • Drainage; • Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs; • Servicing infrastructure relocation where necessary; Costs for the repayment of any loans raised by the local government for the purchase of any land for the road reserve or any of the abovementioned works. Contributions shall be made towards the following items for Spearwood Avenue: • Land requirements for a 25 metre wide road reserve; • Full earthworks; • Construction of a two lane kerbed road with channelisation at intersections; • Dual use path (one side only); • Traffic Management devices; • Drainage; • Servicing infrastructure relocation where necessary; • Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.
Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 5.
Period of operation: *AMD 156 GG 20/10/2023*	30 June 2033
Timng and priority: *AMD 156 GG 20/10/2023*	Construction of all infrastructure items has been completed.

Ref No:	**DCA 6**
Area:	**Munster**
Provisions:	All landowners within DCA6 shall make a proportional contribution to 23.4% of the cost of widening and upgrading of Beeliar Drive (Mayor Road) between stock Road and Cockburn Road, Munster. The proportional contribution is to be determined in accordance with the provisions of *clause 5.3* and contained on the Development Contribution Plan. Contributions shall be made towards the following items: • Land requirements for the Other Regional Road reservation between Stock Road and Cockburn Road as reserved in the Metropolitan Region Scheme; • Additional land where necessary to accommodate channelisation at intersections and drainage;

	• Full earthworks; • Construction of a two lane kerbed road; • Dual use path (both sides); • Pedestrian Crossings (where appropriate at the discretion of the local government); • Lighting; • Landscaping; • Traffic management devices; • Drainage; • Servicing infrastructure relocation where necessary; • Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits. Costs for the repayment of any loans raised by the local government for the purchase of any land for the road reserve or any of the abovementioned works.
Period of operation: *AMD 156 GG 20/10/2023*	30 June 2033
Timing and priority: *AMD 156 GG 20/10/2023*	The widening and upgrade of Beeliar Drive (Mayor Road) between Stock Road and Cockburn Road, Munster, is to be delivered within 10 years.
Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 6.

Ref No: *AMD 17 GG 15/2/05*	**DCA 7**
Area:	**Aubin Grove**
DELETED BY AMENDMENT 140 GG 19/7/19	

Ref No:	**DCA 8**
Area:	Solomon Road
Provisions: *AMD 20 GG 19/08/11*	Landowners within DCA 8 shall make a proportional contribution to the cost of common infrastructure for the Solomon Road Arterial Drainage System. The proportional contribution is to be determined in accordance with the provisions of **Clause 5.3** of TPS 3 and contained on the Development Contribution Plan. The Council in its discretion may exclude properties from the DCA area which it deems to have no development or subdivision potential. Contributions shall be made towards the following items associated with the proposed Solomon Road Arterial Drainage System – (a) Full earthworks; (b) Provision of drainage infrastructure; (c) Supply and boring of a pressure main under the Kwinana Freeway and works associated with the proposed pump station; (d) Servicing infrastructure relocation where necessary; (e) Landscaping works around the drainage basin; (f) Cost of land required for the Arterial Drainage basin; (g) Costs to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.
Period of operation: *AMD 156 GG 20/10/2023*	30 June 2033
Timing and priority: *AMD 156 GG 20/10/2023*	The construction of drainage infrastructure and associated works for the Solomon Road Arterial Drainage System, Jandakot, is to be delivered within 10 years.

Participation and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 8.

Ref No:	**DCA 9**
Area:	**Hammond Park**
Relationship to other planning instruments	The development contribution plan generally conforms to the following endorsed plans: • Southern Suburbs District Structure Plan 3 • Strategic Community Plan.
Infrastructure and administrative items to be funded: *AMD 28 GG 16/12/14*	Contributions shall be made towards the following items: ▪ Proportional (61.6%) cost of widening and upgrading of Hammond Road between Gaebler Road and Rowley Road including: o Construction of one carriage way comprised of two lanes for Hammond Road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided; o The purchase of land reserved for Hammond Road under the Metropolitan Region Scheme; o Full earthworks; o Dual use path (one side only); o Pedestrian crossings (where appropriate at the discretion of the local government); o Land and infrastructure associated with the drainage of Hammond Road; o Costs associated with the relocation of servicing infrastructure resulting from the implementation of this scheme, where appropriate; o Traffic management devices (traffic lights to the intersection of Hammond Rd and the realigned Wattleup Road to facilitate traffic and pedestrian/cyclist movement). • Costs associated with the provision of regional drainage infrastructure; • Costs to administer cost sharing arrangements – preliminary engineering design and costing's, valuations, annual reviews and audits and administration costs.
Method for calculating contributions:	All landowners within DCA 9 shall make a proportional contribution to 61.6% of the cost of widening and upgrading of Hammond Road between Gaebler Road and Rowley Road. All landowners except Lot 51 Rowley Road and Lot 301 Barfield Road within DCA 9 shall make a proportional contribution to the cost of regional drainage infrastructure. The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan. Contributions shall be calculated on a per hectare basis.
Period of Operation: *AMD 184 GG 16/12/2025*	Until 30 June 2031. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments.
Priority and Timing:	In accordance with the City of Cockburn DCA9 and DCA10 Capital Expenditure Plan.
Review Process:	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the development contribution area since the last review and the degree of development potential still existing. The estimated infrastructure costs contained in the Hammond Park Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.

Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 9.

Ref No:	**DCA 10**
Area:	**Wattleup**
Relationship to other planning instruments	The development contribution plan generally conforms to the following endorsed plans: • Southern Suburbs District Structure Plan 3 Strategic Community Plan.
Infrastructure and administrative items to be funded: *AMD 28 GG 16/12/14*	Contributions shall be made towards the following items: ▪ Proportional (38.4%) cost of widening and upgrading of Hammond Road between Gaebler Road and Rowley Road including: ▪ o Construction of one carriage way comprised of two lanes for Hammond Road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided; o The purchase of land reserved for Hammond Road under the Metropolitan Region Scheme; o Full earthworks; o Dual use path (one side only); o Pedestrian crossings (where appropriate at the discretion of the local government); o Land and infrastructure associated with the drainage of Hammond Road; o Costs associated with the relocation of servicing infrastructure resulting from the implementation of this scheme, where appropriate; o Traffic management devices (traffic lights to the intersection of Hammond Rd and the realigned Wattleup Road to facilitate traffic and pedestrian/cyclist movement). • Costs associated with the provision of regional drainage infrastructure; • Costs to administer cost sharing arrangements – preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.
Method for calculating contributions:	All landowners within DCA 10 shall make a proportional contribution to 38.4% of the cost of widening and upgrading of Hammond Road between Gaebler Road and Rowley Road. The landowners of Lots 1, 2, 110, and 111 Wattleup Road shall make a proportional contribution towards regional drainage infrastructure. The proportional contribution is to be determined in accordance with the provisions of clause 5.3 and contained on the Development Contribution Plan. Contributions shall be calculated on a per hectare basis.
Period of Operation: *AMD 184 GG 16/12/2025*	Until 30 June 2031. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments.
Priority and Timing:	In accordance with the City of Cockburn DCA9 and DCA10 Capital Expenditure Plan.
Review Process:	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the development contribution area since the last review and the degree of development potential still existing. The estimated infrastructure costs contained in the Wattleup Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent

	person.
Participants and Contributions:	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 10.

Ref No:	**DCA 11**
Area:	Muriel Court
Provisions *AMD 67 GG 7/05/2010*	All landowners within DCA 11 shall make contribution to land and infrastructure works required as part of the development of the Muriel Court Development Contribution Area. With the exception of existing lots 3 and 21 Verna Court and lots 52 and 150 Semple court, the contribution is to be calculated on the potential number of dwellings that can be constructed on each lot or lots and calculated in accordance with the following: • R20 lots – 450m^2 • R25 lots – 350m^2 • R40 lots – 220m^2 • R60 lots – 166m^2 • R80 lots – 125m^2 • R160 lots – calculated by dividing the lot area (m^2) by 62.5 to give the number of dwellings. No contribution is required in respect to land and lots required for public open space, drainage, the widening and extension of Muriel Court and Kentucky Court and the widening and realignment of Semple Court. Contributions shall be made towards the following items by all landowners within DCA 11. • Pro-rata contribution to the upgrading of North Lake Road between Kentucky Court and Semple Court including upgrading the existing carriageway, construction of the future carriageway, drainage, lighting, landscaping and service relocation where necessary. • The cost of land and works for the widening and realignment of Semple Court between Verna Court and North Lake Road as shown on the Muriel Court Structure Plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land. • The cost of land and works for the realignment of Semple Court shown on the Muriel Court Structure Plan between Berrigan Drive and Verna Court. Works are to include the cost of the carriageways, median landscaping, drainage, lighting and paths. • Traffic management devices along realigned Semple Court and traffic lights or a roundabout at the intersection of Semple Court with Berrigan Drive and North Lake Road. • Modifications to existing Semple Court including closures and pavement modifications shown on the Muriel Court Structure plan. • Cost of the link road between Thomas Street and a roundabout on Semple Court including both land and construction components. • Cost of land and works for the realignment of Elderberry Drive between Berrigan Drive and Jindabyne Heights. • The cost of land and works for the widening of Muriel court and Kentucky Court between realigned Semple Court and North Lake Road as shown on the Muriel Court Structure plan. The cost of works is the cost over and above that of providing a normal subdivision road with drainage, lighting, footpaths and parking embayments which will be a cost to the owners of the adjoining land.

Ref No:	**DCA 11**
	• Traffic management devices along Muriel Court and traffic lights at the intersection of Kentucky Court and North Lake Road. • Provision of land for public open space area shown on the Muriel Court Structure Plan and the cost of landscaping and bushland/wetland restoration. • Land and works for internal and off site groundwater control and drainage infrastructure including detention basins, gross pollutant traps, nutrient stripping and land scaping. • Preliminary professional services including drainage, services, geotechnical, site contamination, traffic and planning. • Further detailed studies and design including design guidelines and engineering design of drainage and major roads. • Costs to administer cost sharing arrangements of the DCA including detailed engineering design of drainage and roads the subject of the DCA provisions, cost estimates and schedules, valuations, annual reviews of land and works, audits and administrative costs. • Cost including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA 11. The following lots shall make a contribution to the cost to administer cost sharing arrangements of the DCA and a proportional contribution to the road and drainage works listed above unless rezoned to residential in which case all the above requirements will apply. • Lot 52 Semple Court 1.25% of the total cost • Lot 3 Verna Court 7.6% of the total cost • Lot 21 Verna Court 1.5% of the total cost.
Period of operation: *AMD 156 GG 20/10 2023*	30 June 2033
Timing and priority: *AMD 156 GG 20/10/2023*	Construction of the following infrastructure items has been completed: • Upgrading North Lake Road between Kentucky Court & Semple Court • Traffic lights at Kentucky Court & North Lake Road intersection The following infrastructure is to be delivered within 10 years, informed by timing of subdivision and development where practical: • Widening and realignment of Semple Court between Verna Court & North Lake Road • Widening and realignment of Semple Court between Berrigan Drive & Verna Court • Traffic management devices along realigned Semple Court including traffic lights at the intersection of Semple Court with Berrigan Drive and North Lake Road • Modifications to existing Semple Court • Realignment of Elderberry Drive between Berrigan Drive to Jindabyne Heights • Widening and upgrading of Muriel Court and Kentucky Court between realigned Semple Court and North Lake Road • Traffic management devices along Muriel Court • Public open space – Land, development & bushland/wetland restoration • Groundwater control & drainage infrastructure.
Participants and Contributions *AMD 67 GG 7/5/10*	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 11.

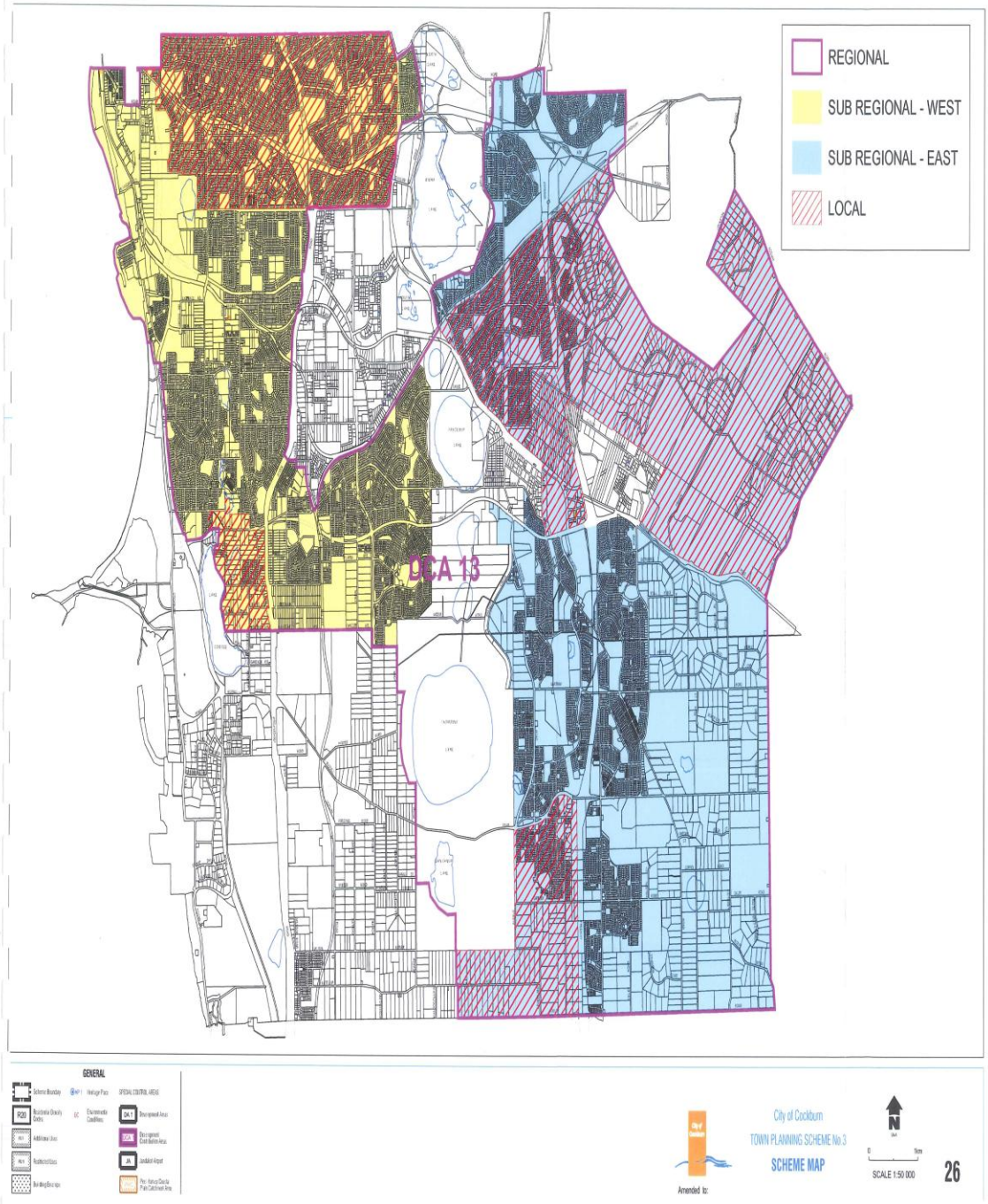
Ref No: *AMD 87 GG 24/7/12*	**DCA 12**
Area	**Packham North**
Infrastructure and administrative items to be funded	Contributions shall be made towards the following items: Landowners shall generally be required to contain drainage on their own site. However, where a landowner(s) is required to provide additional capacity within their subdivision or development that is to serve adjoining landowners then all landowners whose land is to be serviced by designated drainage area shall make a proportional contribution to the required drainage land and works. Such proportion is to be calculated on the basis of the area of land within the drainage catchment areas. Drainage works referred to above include internal and offsite arterial groundwater control and drainage infrastructure including detention basins, gross pollutant traps, nutrient stripping and landscaping. Infrastructure within subdivision roads and development sites is the responsibility of the land developer and is not a DCA responsibility. Landowners(s) are required to provide 10% of their landholding(s) for public open space (POS) in accordance with Element 4 of Liveable Neighbourhoods. The structure plan will generally locate POS such that the 10% requirement is satisfied on each owner or group of owners land holdings. However, where the adopted structure plan requires landowners(s) to provide more than their required 10% POS within their subdivision then the over and above POS land area shall be a DCA cost item which is contributed to by those landowners not providing 10% of their land. The above liability for POS is to be based on the value of the POS being over provided which is determined in accordance with clause 5.3.9 of the Scheme and apportioned to under providing owners on the basis of the area of a landowner(s) shortfall in meeting the 10% requirement. The cost of landscaping public open space including wetland restoration. The costs of any traffic management device on Integrator or Neighbourhood Connector roads as defined by Element 2 of Liveable Neighbourhoods which are required as part of the development of the DCA area. This includes existing and proposed internal and abutting roads. Preliminary professional services prefunded by the City including drainage, engineering, environmental, servicing, traffic and planning which relate to the DCA area. Costs to implement and administer cost sharing arrangements of the DCA including design, cost estimates and schedules, valuations, annual reviews of land and works, audits, legal advice and administrative costs. The DCA costs shall not apply to Lot 6 Rockingham Road or Lots 16, 17 and 18 Mell Road unless they are the subject of further development in addition to that which already exists or is the subject of a current approval. Cost including fees and interest on any loans raised by the local government to purchase land or undertake any of the DCA12 works.
Method for calculating contributions	All landowners within DCA 12 shall make a proportional contribution to land, infrastructure, works and all associated costs required as part of the development and subdivision of the Packham North Development Contribution Area. The proportional contribution is to be determined in accordance with the provisions of Clause 5.3 and this Development Contribution Plan. Contributions shall be calculated on a per hectare basis. Lots 480-482 Mell Road and Lot 483 Rockingham Road will be required to make only a pro-rata contribution toward the District/Local Water Management Strategy (35.5% for the District level portion of the Strategy only) and Ocean Road/Hamilton Road Traffic Management Device (30%)

Ref No: *AMD 87 GG 24/7/12*	**DCA 12**
	and no contribution toward the Vegetation Survey and Rare and Priority Flora Search Ocean Road Wetland Study. The pro-rata contributions have been calculated based on locational factors and differences in demand and forecast usage of infrastructure.
Period of Operation	Until 30 June 2027. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments.
Priority and Timing	In accordance with the City of Cockburn Capital Expenditure Plan.
Review Process	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the development contribution area since the last review and the degree of development potential still existing. The estimated infrastructure costs contained in the Packham North Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.
Participants and Contributions	In accordance with the Cost Contribution Schedule adopted by the local government for DCA 12.

Ref No: *AMD 81 GG 30/08/11* *AMD 98 GG 12/9/14* *AMD 103 GG 06/05/16*	**DCA 13**
Area:	As shown on sheet 26 says (DCA 13 is shown on map sheets 1 – 11, 13,14,15,17,18 and 19 on the WAPC's version of the maps) of the Scheme Map.
Relationship to other planning instruments	The Development Contribution Plan generally conforms to the Plan for the District (2010-2020), Bibra Lake Landscape, Recreation and Environmental Management Plan (2009), Bicycle Network and Footpath Plan (2010), the Sport and Recreation Plan (2010) and the review of COC Library Services (2007) which have been adopted by Council.
Infrastructure and administrative items to be funded – *AMD 98 GG 12/9/14*	***Regional*** Coogee Surf Club Wetland Education Centre/Native Ark Cockburn Central Recreation and Aquatic Centre Cockburn Central Community Facilities Visko Park Bowling and Recreation Club Coogee Golf Complex (excluding the pro shop and restaurant components) Bibra Lake Management Plan Proposals Atwell Oval Cockburn Coast Foreshore Reserve (excluding coastal protection measures) Cockburn Coast Beach Parking ***Sub Regional—East*** Cockburn Central Library and Community Facilities Cockburn Central Playing Fields Anning Park Tennis Cockburn Central Heritage Park Bicycle Network—East ***Sub Regional—West*** North Coogee Foreshore Management Plan Proposals (excluding rebuilding of the groyne) Phoenix Seniors and Lifelong Learning Centre Beale Park Sports Facilities Western Suburbs Skate Park Bicycle Network—West

Ref No: *AMD 81 GG 30/08/11* *AMD 98 GG 12/9/14* *AMD 103 GG 06/05/16*	**DCA 13**
	Dixon Reserve/Wally Hagen Facility Development (excluding the café component) ***Local*** Lakelands Reserve Southwell Community Centre Hammond Park Recreation Facility Frankland Reserve Recreation and Community Facility Munster Recreation Facility Banjup Playing Field Banjup Community Centre Cockburn Coast Sport Oval and Clubroom (including land cost) *Administrative costs including* – Costs to prepare and administer the Contribution Plan during the period of operation (including legal expenses, valuation fees, cost of design and cost estimates, proportion of staff salaries, computer software or hardware required for the purpose of administering the plan). Cost to prepare and review estimates including the costs for appropriately qualified independent persons. Costs to prepare and update the Community Infrastructure Cost Contribution Schedule. **Costs including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA13.**
Method for calculating contributions *AMD 97 GG 12/2/13*	The City's Plan for the District identifies the needs that impact on the Development Contribution Plan. The contributions outlined in this plan have been derived based on the need for the facilities generated by the additional development in the Development Contribution Plan. This calculation excludes the demand for a facility that is generated by the current population in existing dwellings. Contributions shall be calculated on the basis of the number of new lots and/or dwellings created. Existing dwellings on a lot or lots to be subdivided or developed will be exempt from the contribution. Land required for public roads, public open space, drainage and other uses not including residential development will not be assessable. Where a lot may have further subdivision potential, for example as a grouped dwelling site, contributions will be sought at the next development approval stage where additional dwellings or lots are created. Contributions applying to development of aged or dependant persons dwellings or single bedroom dwellings shall be calculated on the number of dwelling units permitted prior to the application of the variations permissible under clause 5.1.3.A3.i of State Planning Policy - Residential Design Codes. Notwithstanding the definitions of 'lot' listed Schedule 1, for the purposes of calculating cost contribution liability within DCA13, the term lot will be inclusive of green title, survey strata and built strata subdivisions.
Period of operation	Until 30 June 2031. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments.
Priority and timing	In accordance with the Plan for the District 2010-2020 and subsequent revisions of this document.
Review process	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.

Ref No: *AMD 81 GG 30/08/11* *AMD 98 GG 12/9/14* *AMD 103 GG 06/05/16*	**DCA 13**
	The estimated infrastructure costs contained in the Community Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.
Participants and contributions	In accordance with sheet 26 of the Scheme Map and the Community Infrastructure Cost Contribution Schedule adopted by the local government for DCA 13.


REGIONAL
SUB REGIONAL - WEST
SUB REGIONAL - EAST
LOCAL
DCA 13
GENERAL
City of Cockburn
TOWN PLANNING SCHEME No.3
SCHEME MAP
SCALE 1:50 000
26
Amended to:

Ref No:	**DCA 14** *AMD 94 GG 17/3/15*
Area:	Cockburn Coast: Robb Jetty Precinct and Emplacement Precincts
Relationship to other planning instruments	The development contribution plan generally conforms to the following endorsed plans – • Cockburn Coast District Structure Plan 2009 • Cockburn Coast District Structure Plan – Part 2 • Strategic Community Plan • Robb Jetty Local Structure Plan • Emplacement Local Structure Plan
Infrastructure and administrative items to be funded	Contributions shall be made towards the following items by all landowners within DCA 14 - • Contribution to the upgrading of Cockburn Road between Rollinson Road and MacTaggart Cove including the cost of land required for road widening, verge and median landscaping between Rollinson Road and MacTaggart Cove, construction of the Robb Jetty Main Street signalised intersection, construction of drainage and service relocation where necessary. Earthworks, service relocation and construction of dual carriageways will be funded and constructed by Main Roads Western Australia. • The cost of land and works (including landscaping) associated with the construction of the proposed Robb Jetty Main Street between the Cockburn Road intersection and Robb Road intersection. The works include construction of an at-grade rail crossing including vehicle and pedestrian signalisation associated with the new Robb Road intersection (including sufficient fencing to deter pedestrians from unsafe crossing). The cost of works is the cost over and above that of providing a normal 20m wide local subdivision road whereby drainage, lighting, footpaths, lower specification landscaping and parking embayment's provided at the cost of adjoining landowners. • The cost of land and works (including landscaping) associated with the construction of the proposed Bus Rapid Transit (BRT) route which extends between the Rollinson Road / Cockburn Road intersection and the intersection of MacTaggart Cove and the proposed BRT route. The cost includes acquisition of Lot 18 Garston Way and provision of bus stops and associated infrastructure. The cost of works is the cost over and above that of providing a normal 20m wide local subdivision road whereby drainage, lighting, footpaths, lower specification landscaping and parking embayment's provided at the cost of adjoining landowners. • Provision of pedestrian signals at the Rollinson Road railway crossing (including sufficient fencing to deter pedestrians from unsafe crossing). • Provision of land for public open space area as detailed in the Robb Jetty and Emplacement Precinct Local Structure Plan(s) and the cost of landscape construction (including minor earthworks and drainage). • The cost of land and construction of a multistorey local community building and associated landscaping, play equipment and car parking areas.

<table>
<tr><td>Ref No:</td><td>DCA 14 AMD 94 GG 17/3/15</td></tr>
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Costs to administer cost sharing arrangements of the DCA including detailed engineering design and project management POS, drainage, roads, rail crossings and the community building the subject of the DCA provisions, cost estimates and schedules, valuations, annual reviews of land and works, audits and administrative costs.
Cost including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA 14.

</td></tr>
<tr><td>Method for calculating contributions</td><td>
All landowners within DCA 14 shall make a contribution to land and infrastructure works required as part of the development of the Robb Jetty and Emplacement Precinct Development Contribution Area (with the exception of the Mixed Business Zone).

The proportional contribution is to be determined in accordance with the provisions of Clause 5.3 of the Scheme and this Development Contribution Plan.

Cost Apportionment for the Mixed Business Zone

Owners of land within the Mixed Business zone are not required to contribute towards the cost of land for public open space, public open space construction, or local community facilities, however are required to contribute towards the costs of upgrading all DCP roads, service infrastructure and DCP administration costs.

Cost contributions for the owners of land in the Mixed Business zone shall be based on the proportion that the land the subject of the contribution bears to the total area of land within the Development Contribution Area for which the Cost Contributions have yet to be made unless otherwise specified. Contributions shall be calculated on a per metre square basis in accordance with the Cost Apportionment Schedule in the Development Contribution Plan Report.

Development Potential and Cost Apportionment Calculation for all other Zones and R-Codes

A landowner’s contribution will be calculated based on the proportion of potential dwellings that can be constructed on the land the subject of the contribution bears to the total number of potential dwellings within the DCA. The calculation incorporates the ‘potential dwelling’ methodology in the Development Contribution Plan and the ‘contribution summary per landholding’ methodology in the Cost Apportionment Schedule in the Development Contribution Plan Report.

<table>
<tr><th>Zone/R-Code</th><th>Method for Calculating No. of Dwellings</th></tr>
<tr><td>District Centre R-ACO (R160 equivalent)</td><td>1x equivalent dwellings per 62. 5m^2 of net land area</td></tr>
<tr><td>Mixed Use (R100 equivalent)</td><td>1x equivalent dwellings per 100m^2 of net land area</td></tr>
<tr><td>R40</td><td>1x dwellings per 220m^2 of net land area</td></tr>
<tr><td>R80</td><td>1x dwellings per 125m^2 of net land area</td></tr>
<tr><td>R100</td><td>1x dwellings per 100m^2 of net land area</td></tr>
<tr><td>R160</td><td>1x dwellings per 62. 5m^2 of net land area</td></tr>
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</td></tr>
</table>

Ref No:	**DCA 14** *AMD 94 GG 17/3/15*
	Notwithstanding Clause 5.3.13 of Town Planning Scheme No. 3 Text, applications for continuance or extension of existing non-conforming uses will be exempt from development contributions.
Period of Operation	Until 30 June 2034. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments.
Priority and Timing	In accordance with the City of Cockburn Capital Expenditure Plan for Robb Jetty and Emplacement Precincts.
Review Process	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the development contribution area since the last review and the degree of development potential still existing.

Ref. No.	**DCA15** *AMD 141 GG 24/11/2020*
Area:	Treeby/Jandakot
Relationship to other planning instruments	The development contribution plan generally conforms to the following plans: • City of Cockburn Community Sport and Recreation Facilities Plan(2018-2033). • Treeby District Structure Plan (December 2017).
Infrastructure and administrative items to be funded	**Treeby East playing field** specifically: • The cost of land for the oval site is not included in the development contribution plan and will form part of the subdivider's minimum 10% public open space. • The proportional cost of works to construct a multiple use playing field space capable of accommodating either: o1 x senior size football oval; or o 2 x rectangular fields The cost of works is the cost over and above that of providing a neighbourhood park, proportioned as set out below.

Playing field element	Subdivider obligation	To be shared through DCP15
Landscape Preliminaries	100%	
Site establishment and preliminaries	100%	
Clearing and earthworks	66.66%	33.33%
Fine grading to all soft and hardworks areas		100%
Soil treatments and grading	66.66%	33.33%
External drainage to oval	100%	
Paving and hardscape	66.66%	33.33%
Turf	100%	
Trees and shrub plantings	100%	
Lighting (Paths and oval and amenity lighting)		100%
Sports goals		100%
Playground equipment	100%	
Picnic furniture	100%	
BBQs (2)	1 BBQ unit	1 BBQ unit
Drinking fountain (1)	1	
Bins (5)	2 bins	3 bins
Wooden bollards	100%	

	<table><tr><td>Reticulation</td><td>100%</td><td></td></tr><tr><td>Mature tree transplants</td><td></td><td>100%</td></tr><tr><td>Irrigation bore and pump</td><td>100%</td><td></td></tr><tr><td>Iron filtration unit (1)</td><td>100%</td><td></td></tr><tr><td>Power connection</td><td>100%</td><td></td></tr><tr><td>Water supply</td><td>100%</td><td></td></tr><tr><td>Consolidation (12 weeks) plus 2 years maintenance period</td><td>100%</td><td></td></tr></table> • The oval is to be located generally in accordance with the Treeby District Structure Plan (adjacent to a primary school site) and structure plan for Lot 705 Armadale Road which will comfirm the location. **Treeby East Clubrooms** 100% of the cost of works to construct 1 x single storey clubroom building of 590m^2 to be located on the same land as the playing field, comprising: • Flexible spaces to accommodate a range of potential clubs/sports • Standard level of finishes and amenities for a public building • Associated car parking bays and access for 40 cars.
Method for calculating contributions	The City's Community Sport and Recreation Facilities Plan (2018 - 2033) identifies the needs that impact on the Development Contribution Plan. The contributions outlined in this plan have been derived based on the need for the facilities generated by the additional development in the Development Contribution Plan. This calculation excludes: • the demand for a facility that is generated by the current population in existing dwellings; and • the proportion of costs the subdivider of the land upon which the infrastructure will be located would ordinarily be obliged to cover through subdivision conditions. Contributions shall be calculated on the basis of the number of new lots and/or dwellings created. Existing dwellings on a lot or lots to be subdivided or developed will be exempt from the contribution. Land required for public roads, public open space, drainage and other uses not including residential development will not be assessable. Where a lot may have further subdivision potential, for example as a grouped dwelling site, contributions will be sought at the next development approval stage where additional dwellings or lots are created. Contributions applying to development of aged or dependent persons dwellings or single bedroom dwellings shall be calculated on the number of dwelling units permitted prior to the application of the variations permissible under clause 5.1.3.A3.i of State Planning Policy - Residential Design Codes. Notwithstanding the definitions of 'lot' as may be defined elsewhere in this Scheme, for the purposes of calculating cost contribution liability within DCA15, the term lot will be inclusive of green title, survey strata and built strata subdivisions.
Administration of funds	In relation to the proportion of costs the subdivider of the land upon which the infrastructure will be located and which they would ordinarily be obliged to meet through subdivision conditions: • These costs will also be held in the reserve account for DCA15 as maintained in accordance with 5.3.16 of the Scheme, unless the landowner seeks to satisfy that obligation by provision of the physical infrastructure.

	• Should provision of the physical infrastructure be considered, it must be in accordance with 5.3.14 of the Scheme.
Period of operation	Until 30 June 2036. However the DCP may also be extended for further periods with or without modification by subsequent Scheme Amendments
Priority and Timing	In accordance with the City of Cockburn Capital Expenditure Plan
Review Process	The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing. The estimated infrastructure costs contained in the Community Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.
Participants and contributions	In accordance with the Cost Contribution Schedule adopted by the local government for DCA15

TABLE 11 - STATUTORY STATIC FEASABILITY ASSESSMENT MODEL

AMD 81 GG 30/08/11

Gross realisation				
Net lot yield @ average market value per lot "X" lots @ "$Y" per lot		$		(1)
Less GST @ standard/normal rates				
(1) Multiplied by GST rate /(100 + GST rate)		$		(2)
(1 – 2)			$	(3)
Less selling, marketing, advertising & settlement fees				
@ market % multiplied by (1)		$		(4)
Add back Input Tax Credit on selling fees (4) Multiplied by GST rate/				
(100 + GST rate)		$		(5)
(4 – 5)			$	(6)
Balance after selling costs etc & Input Tax Credit (3 – 6)			$	(7)
Less adjusted profit & risk allowance as per SPP 3.6				
Market determined profit & risk allowance	%			(8)
Less fixed profit allowance per SPP3.6	10%			(9)
Risk rate applied (8 – 9)	= %			(10)
EXPLANATION: (10) to be expressed as a whole number				
e.g. 15% = 15				
i.e. Risk = (7) multiplied by (10)/(10) + (100)			$	(11)
Balance after profit & risk factor (7 – 11)				
			$	(12)
Less development costs @ "X" lots multiplied by "$Z" per lot		$		(13)
Add back Input Tax Credit on (13)				
(13) Multiplied by GST rate/(100 + GST rate)		$		(14)
Development cost after Input Tax Credit (13 – 14)		$		(15)
Add interest on net development costs (15)				
For ½ development ½ selling term				
@ Applicable market rates				
(15) Multiplied by % rate		$		(16)
(15 + 16)			$	(17)
Balance after deduction of development costs & interest (12 – 17)			$	(18)
Less interest on land value, rates & taxes and stamp duty				
Assessed over ½ development and ½ selling term				
@ Applicable market rates				
(18) multiplied by % rate (100 + % rate)			$	(19)
Balance after interest on the land (18 – 19)			$	(20)
Less rates and taxes			**$**	**(21)**
Balance after rates & taxes (20 – 21)			$	(22)
Less Stamp Duty @ current statutory rates				
(22) Multiplied by stamp duty rate/(100 + stamp duty rate)			$	(23)
Residual Land Value prior to GST considerations (22 – 23)			$	(24)
Add GST (24) + GST at prevailing statutory rate			$	(25)

ASSESSED STATORY CONTRIBUTION PER SPP 3.6 (22 + 23)

PART 6 - TERMS REFERRED TO IN SCHEME

1. General Definitions

In this Scheme -

	GENERAL DEFINITIONS
building:	has the same meaning as is given to it in the Residential Design Codes.
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.
building setback:	means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.
buffer area:	means an area which has been prescribed by the local government or other competent Government Agency around land and buildings which because of the nature of their use may generate pollution within which sensitive uses are either restricted or prohibited.
cabin: *AMD 183 GG 24/10/2025*	means a building that – (a) is an individual unit other than a chalet; and (b) forms part of – (i) tourist and visitor accommodation; or (ii) a caravan park; and (c) if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.
chalet: *AMD 183 GG 24/10/2025*	means a building that – (a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and (b) forms part of – (i) tourist and visitor accommodation; or (ii) a caravan park; (c) and if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.
classification:	means the designation of land use on a Structure Plan which uses the same description and objectives as provided for in the Scheme for each zone under ***Part 4***.
commercial vehicle:	means any vehicle used or intended to be used in a business or trade which has a tare weight in excess of 3.5 tonnes, and excludes vehicles directly associated with the conduct of a rural pursuit, business or trade on the lot for which the vehicle or vehicles are used.
conservation:	has the same meaning as in the *Heritage of Western Australia Act 1990.*

	GENERAL DEFINITIONS
conservation management plan:	means a plan which sets out how a conservation area is to be managed to ensure that the purpose of a conservation area will be achieved and maintained.
constraints map:	means a map that shows the physical and man-made constraints that affect the land the subject of a Structure Plan and shall be used as the basis for preparing the plan and establishing any design criteria to guide subdivision and development.
contamination:	means the pollution of the environment to an extent which exceeds the standards adopted by the Environmental Protection Authority.
convenience:	means the accessibility of the facilities and services provided within a neighbourhood or an employment centre which are dispersed at acceptable travel distances within their respective catchments and operate at times and at a level of service appropriate to the people they serve.
cultural heritage significance:	has the same meaning as in the *Heritage of Western Australia Act 1990.*
Development Area:	means an area designated as "Development Area (DA)" on the Scheme Map.
district:	means the Municipal District of the City of Cockburn.
edible goods:	has the same meaning given to 'food' defined in the *Health Act 1911*.
environment:	has the same meaning as in the *Environmental Protection Act 1986*.
eco-system:	means living things, their physical, biological and social surroundings and interactions between them.
existing vegetation:	means native and exotic vegetation existing on land within the district.
facilities:	means the amenities other than services reasonably required or expected to be provided in a fully developed area of the kind in question and without limiting the generality of the foregoing may include such items as public open space and community purposes sites.
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 section 87 of the *Planning and Development Act 2005*.

	GENERAL DEFINITIONS
gross lettable area (gla):	means in relation to a building the area of all floors capable of being exclusively occupied and used by a tenant, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
height:	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 ground level and the finished roof height directly above.
incidental use:	means a use of premises which is ancillary and subordinate to the predominant use.
landscaped area:	means an area set aside on a lot exclusively for the purpose of the installation and maintenance of landscaping.
landscaping:	means grass, groundcover, plants, shrubs, and trees, installed and irrigated in accordance with plans approved by the Council.
local government:	means the City of Cockburn.
Local Government Inventory:	Has the same meaning as in the *Heritage of Western Australia Act 1990*. *AMD 86 GG 14/9/12*
Local Planning Strategy:	means the Local Planning Strategy of the local government prepared as the Scheme Report for the purposes set out in Regulation 12A of the *Town Planning Regulations 1967.*
lot:	has the same meaning as in the *Planning and Development Act 2005* but does not include a strata or survey strata lot.
minerals:	has the same meaning as in the *Mining Act 1978.*
minimum development height:	means the lowest height datum at which the floor of a building may be constructed.
native fauna:	means terrestrial fauna native to Australia.
nature reserve:	means an area of land reserved for the conservation and protection of flora and fauna and where public access may be permitted or prohibited, depending upon the statutory purpose of the reserve.
native species:	means plants and animals indigenous to a given locality.

	GENERAL DEFINITIONS
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 172 of the *Planning and Development Act 2005*.
permitted height contours:	means a contour line defined on a plan of subdivision lodged with the local government which specifies the height above the natural surface of the land above which buildings or structures may not be erected.
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.
pollution:	means the alteration of the environment to its detriment due to the condition of the air, land or water or other aspect of the environment, so as to make it harmful or potentially harmful to the health, welfare, safety and sustainability of all plants and animals dependent upon the condition of the environment for their survival and well being.
potable water:	means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in "International Standards for Drinking Water - Third Edition, World Health Organisations".
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.
public authority:	has the same meaning given to it in the *Planning and Development Act 2005.*
rehabilitation:	means the restoration of an area of land to support native ecosystems typical of the locality and the recreation of similar land forms and the reclamation of altered land forms to re-establish native ecosystems occurring in the locality of similar topography and soil characteristics.
retail:	means the sale or hire of goods or services to the public.
revegetation:	means the re-establishment of vegetation on land which has been excavated, cleared, eroded or otherwise despoiled in order to recreate vegetation communities existing prior to their removal and that the vegetation so established is protected and maintained to assure their survival.

	GENERAL DEFINITIONS
services:	means the services reasonably required or expected to be provided in a fully developed area of the kind in question and without limiting the generality of the foregoing may include such items as sewerage, drainage, water supply, power supply, telecommunications, roads and ways, and transport services.
setback:	means the distance a building, structure or use is located from the lot boundary on which the building, structure or use is located.
shade tree:	means a tree which will grow to at least 5 metres in height and develop a natural canopy which will provide shade to at least 25m^2 on the ground at some time during the day, between the months of December and February of each year.
shop-local:	means the use of land and buildings less than 1000m^2 net lettable area wherein the only goods or services offered for sale are foodstuffs, toiletries, stationery or goods or services of a similar domestic nature, intended for day to day consumption or use by persons living or working in the locality of the shop and which may include a delicatessen, greengrocery, general smallgoods, butcher's shop, newsagency, hairdressers, chemist, but not a supermarket, and any other shop which in the opinion of the local government serves the day to day shopping needs of the immediate locality.
shopping centre - district:	means a group of shops, offices and community facilities with a net lettable area of between 10,000 m^2 and 20,000 m^2 which serves the needs of the surrounding district of approximately 25,000 to 50,000 catchment population, is serviced by a district distributor road, public transport services, and located between 3 kilometres and 5 kilometres from another District Shopping Centre.
shopping centre - neighbourhood:	means a group of local shops and offices with a net lettable area of between 1000m^2 and 5000m^2 which serves the needs of the immediate locality of approximately 6000 catchment population, is services by a local distributor road, a public transport route and located between 1.5 kilometres and 3.0 kilometres from another neighbourhood shopping centre.
shopping centre regional:	means a group of shops, offices, community facilities and other related multi purpose facilities and services with a net lettable area of 30,000 m^2 or more which serves the needs of the surrounding region of between 50,000 to 100,000 catchment population, is served by a primary road and regional public transport services, and located between 5 kilometres and 10 kilometres from another Regional Shopping Centre.
shopping centre regional strategic:	means a group of shops, offices, community facilities and other related multi purpose facilities and services with a net lettable area of 50,000 m^2 or more which functions as a major employment centre for the surrounding region with a catchment population of 100,000 people or more, is served by a primary road and regional public transport services and located between 5 kilometres and 10 kilometres from another Strategic Regional Shopping Centre.
sign:	means a sign as defined under the local government's Signs, Hoardings and Bill Postings By-laws.

	GENERAL DEFINITIONS
site improvement:	means reclamation of land by drainage or filling, the construction of a retaining wall or other structures or walls appertaining thereto, the excavation, grading, levelling, filling or compaction of land, the removal of rock, stone, sand and soil and the clearing of timber, scrub or other vegetation.
stable:	means any building in which a horse is stabled or kept and includes any shed, loose box, stall or shelter used for the keeping, stabling, feeding, watering, grooming, sheltering, shoeing or veterinary treatment of a horse.
streetscape:	means the visual quality of a street depicted by road width, street verge planting, characteristics and features, public utilities constructed within the road reserve, the setback of the buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.
street verge:	means the publicly owned land located between the edge of the road pavement and the boundary of the lot and comprises part of the road or right of way reserve.
Town Planning Act: *AMD 99 GG 17/10/14*	means the *Planning and Development Act 2005.*
wholesale:	means the sale of goods or materials to be sold by others.

2. Land Use Definitions

In this Scheme -

	LAND USE DEFINITIONS
agriculture - extensive:	means premises used for the raising of stock or crops but does not include agriculture - intensive or animal husbandry - intensive.
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, whereby any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the *Fisheries Act 1905* (as amended) and the *Fisheries Regulations 1938* (as amended) is required.
agroforestry:	means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare.
airport:	means the Jandakot Airport used for light aircraft and pilot training, including airport operations, aircraft storage and maintenance, associated offices, facilities and accommodation planned and developed in accordance with an adopted Airport Master Plan.
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.
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, cattery or dog kennels
animal husbandry - intensive:	means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.
bank:	a shop where money is exchanged and business is transacted.
bed and breakfast:	DELETED BY *AMD 183 GG 24/10/2025*
betting agency:	means an office or totalisator agency established under the *Totalisator Agency Board Betting Act 1960.*
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.

	LAND USE DEFINITIONS
cattery:	means the use of an approved outbuilding constructed in accordance with the Health Act Model By-laws Series "A" Part One - General Sanitary Provisions (as amended) for the purpose of keeping more than three (3) cats over the age of three (3) months.
child care premises:	has the same meaning as in the *Community Services (Child Care) Regulations 1988.*
cinema/theatre:	means premises where the public may view a motion picture or theatrical production.
civic use:	means premises used by a government department, an instrumentality of the 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.
commercial vehicle parking:	means the parking of any vehicle used or intended to be used in the course of a business or trade which has a tare weight of 3.5 tonnes or more.
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.
convenience store: *AMD 116 GG 06/01/17*	means premises - (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300 m2 net lettable area.
convention centre:	means land and buildings used and designed for the conduct of conferences, seminars and other similar uses for the dissemination of information and educational purposes.
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.
distribution centre:	means land and buildings used for the storage of goods, the breaking down and making up of lots of goods for transfer onto commercial vehicles for distribution to other warehouses, showrooms, shops or other retail outlets, but does not include the display or sales of goods.
dog kennels:	means land and buildings used for the boarding and breeding of dogs where the premises are registered or required to be registered by the local government and includes the sale of dogs where that use is incidental to the predominant use.
educational establishment:	means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre.

	LAND USE DEFINITIONS
exhibition centre:	means premises used for the display, or display and sale, of materials of an artistic, cultural or historic nature, and includes a museum or art gallery.
family day care:	means premises used to provide family day care within the meaning of the *Community Services (Child Care) Regulations 1988.*
farm supply centre:	means the use of land and buildings for the supply of: (a) vegetable seeds, (b) fertilisers, (c) agricultural chemicals, (d) stock foods, (e) tractors, (f) farm machinery, farm implements or components, or (g) irrigation equipment and includes the maintenance, repair and servicing of those items.
fast food outlets:	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 petrol filling station or 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.
garden centre:	means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of pre-fabricated garden buildings but in any land use area other than an industrial land use area does not include the sale or display in bulk of sand, gravel, rocks, blue metal, cement, firewood, sleepers or other items for use in a house or garden.
hardware store:	means land and buildings used for the storage, display and sale of building products, construction equipment and other similar items used primarily for domestic purposes.
health studio:	means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.
hobby farm:	means the use of land for rural living, the agistment of horses, the growing of vegetables, fruit and flowers and the keeping of domestic poultry for private use only and not for commercial purposes or sale and shall include any building normally associated therewith.
holiday Home (standard):	DELETED BY *AMD 183 GG 24/10/2025*
holiday Home (large):	DELETED BY *AMD 183 GG 24/10/2025*

	LAND USE DEFINITIONS
home business:	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.
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.

	LAND USE DEFINITIONS
hotel: *AMD 99 GG 17/10/14*	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.
industry:	means premises used for the manufacture, dismantling, processing, assembly, testing, servicing, maintenance or repairing of goods or products 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.
industry - cottage:	means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which - (a) does not cause injury to or adversely affect the amenity of the neighbourhood; (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household; (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put; (d) does not occupy an area in excess of 50 square metres; and (e) does not display a sign exceeding 0.2 square metres in area.
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, general (licensed), light, mining, noxious, rural or service industry, or motor vehicle repair or motor vehicle wrecking.
industry - general (licensed)	means an industry which is a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations, notwithstanding the production or design capacity for each category of prescribed premises specified in the Schedule, but where a prescribed premises is also included in Schedule 2 of the Health Act, the Health Act prevails, for the purpose of the Scheme.
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.

	LAND USE DEFINITIONS
industry - noxious:	means an industry which is an offensive trade within the meaning of Schedule 2 of the Health Act but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations, Schedule 2 of the Health Act prevails and includes a landfill site, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm or rabbit farm.
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.
liquor store:	means a building the subject of a Store Licence granted under the provisions of the Liquor Act.
lodging house:	DELETED BY *AMD 183 GG 24/10/2025*
lunch bar:	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.
marine engineering:	means the carrying out of any process for and incidental to the fitting out, maintenance and repair of ships, including the construction of boats, but excluding all blasting other than wet slurry blasting operations a defined by Clean Air Act Regulations.
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.
masonry production:	means land and buildings used in the production of slabs, blocks, paving and construction bricks, manufactured from the sand and minerals extracted from the land on which the manufacturing plant is located or from elsewhere.
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:	DELETED BY *AMD 183 GG 24/10/2025*
motor vehicle, boat or caravan sales:	means premises used to sell or hire motor vehicles, boats or caravans.

	LAND USE DEFINITIONS
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.
motor vehicle wash:	means premises where the primary use is the washing of motor vehicles.
motor vehicle wrecking:	means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second hand motor vehicles accessories and spare parts.
night club:	means premises - (a) used for entertainment with or without eating facilities; and (b) licensed under *the Liquor Licensing Act 1988.*
nursery	means land and buildings used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticultural and garden decor.
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.*
petrol filling station:	*DELETED BY AMD 116 GG 06/01/17*
place of worship:	means premises used for religious activities such as a church, chapel, mosque, synagogue or temple.
public amusement:	means land and buildings used for the amusement or entertainment of the public, with or without charge.
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: *AMD 183 GG 24/10/2025*	has the same meaning as in the Residential Design Codes.
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 Licensing 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 Censorship 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.

	LAND USE DEFINITIONS
road house: *AMD 183 GG 24/10/2025*	means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services – (a) a full range of automative repairs services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) accommodation for guests, on a commercial basis, with no individual guest accommodated for a period of periods exceeding a total of 3 months in any 12-month period; (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.
rural pursuit:	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; (d) the sale of produce grown solely on the lot, but does not include agriculture - extensive or agriculture - intensive, and a hobby farm.
service station: *AMD 116 GG 06/01/17*	means premises other than premises used for a transport depot, panel beating, spray painting, major repair or wrecking, that are used for - (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.
shop:	means premises 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, fast food outlet, bank, farm supply centre, garden centre, hardware store, liquor store and nursery.
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: *AMD 99 GG 17/10/14*	means premises licensed as a small bar under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises, but not including the sale of packaged; and with the number of persons who may be on the licensed premises limited to a maximum of 120.
storage yard: *AMD 116 GG 06/01/17*	means premises used for the storage of goods, equipment, plant or materials.
tavern: *AMD 99 GG 17/10/14*	means premises licensed as a tavern under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises.
telecommunications	means land used to accommodate any part of the infrastructure of a

	LAND USE DEFINITIONS
infrastructure:	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.
tourist accommodation:	DELETED BY *AMD 183 GG 24/10/2025*
tourist and visitor accommodation: *AMD 183 GG 24/10/2025*	(a) means a building, or a group of buildings forming a complex, that – (i) is wholly managed by a single person or body; and (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and (iii) may include on-site services and facilities for use by guests; and (iv) in the case of a single building – contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but (c) does not include any of the following – (i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1); (ii) a caravan park; (iii) hosted short-term rental accommodation; (iv) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1); (v) a park home park; (vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1); (vii) a road house; (viii) workforce accommodation.
trade display:	means premises used for the display of trade goods and equipment for the purpose of advertisement.
transport depot:	means land or buildings used or intended to be used for the transfer of goods or persons from one motor vehicle to another motor vehicle for hire or reward, including management, maintenance and repair of the vehicles used and includes the garaging or parking of such vehicles associated with this use, but does not include the parking of a commercial vehicle in the residential and rural land use areas.
vehicle – Disused: *AMD 07 GG 20/09/10;* *AMD 116 GG 06/01/17*	Means a railway carriage or other railway rolling stock, a tram, caravan, truck, trailer, pantechnicon, or any other vehicle whatsoever and any sea container or freezer unit or the like, or any other thing of a kind similar to any of the things herein before mentioned, which is not actively in use for the purpose for which has been stored or left stationary on land in the Scheme Area for more than thirty days.

	LAND USE DEFINITIONS
veterinary centre:	means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders and includes the accommodation of sick animals.
warehouse:	means premises used to store or display goods and may include sale by wholesale.
workforce accommodation: *AMD 183 GG 24/10/2025*	means premises, which may include modular or relocatable buildings, used – (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

Notes:

1. *Where there is a difference between a definition contained in **Schedule 1** to the Scheme and a definition contained in the **Model Scheme Text** the Scheme prevails.*

2. *Where there is a difference between a definition contained in **Schedule 1** to the Scheme and a definition contained in the **Statement of Planning Policy No. 2.3** - Jandakot Groundwater Protection Policy or the **Statement of Planning Policy No. 2.1** - Peel Harvey Coastal Plain Catchment Policy the Policies prevail, and where there is a difference between the Policies, the Statement of Planning Policy No. 2.3 prevails.*
   AMD 6 GG 13/6/06

PART 7 - SCHEDULES

SCHEDULE A	**SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS**
SCHEDULE 1	**ENVIRONMENTAL CONDITIONS**

SCHEDULE A - SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

AMD 158 GG 3/9/24

13B

1. The local government may establish and maintain a significant tree register to identify trees within the Scheme area that are worthy of preservation.

2. The significant tree register

   a. Must set out a description of each tree, its location and the reason for its entry in the significant tree register; and
   b. Must be available, with the scheme documents, for public inspection during business hours at the offices of the local government; and
   c. May be published on the website of the local government.

3. The local government must not enter a tree, or remove a tree from the significant tree register unless the local government has received a written nomination from the owner of the land which contains the tree. A written nomination can only be made by the owner of the land which contains the tree.

4. Upon receiving a written nomination in accordance with sub-clause (3), the local government may:

   a. Carry out any other consultation the local government considers appropriate; and
   b. Following any consultation and consideration of the submissions made on the proposal, resolve that the tree be entered into the significant tree register with or without modifications, or that the tree be removed from the significant tree register.

5. If the local government enters a tree in the significant tree register or modifies an entry of a tree in the significant tree register, the local government must give notice of the entry or modification to each owner and occupier of the land which contains the tree.

6. The local government may require assessment or certification by an arboriculturist to be carried out prior to the determination of an application for development approval for land which contains a tree identified on the significant tree register.

7. Any tree included on the local government's Local Government Inventory and Heritage List prior to clause 13B coming into effect continues under this scheme and is taken to be on the significant tree register.

18(6) The local government may advertise a proposed structure plan associated with any proposal to amend the scheme concurrently.

61(2) j) the **demolition** of any building or structure **except** where the building or structure is -

   (i) located in a place that has been entered in the **Register of Places** under the *Heritage of Western Australia Act 1990*;

   (ii) the subject of an order under ***Part 6*** of the *Heritage of Western Australia Act 1990*;

   (iii) included on the **Heritage List** under the Scheme;

   (iv) located within a **Heritage Area** designated under the Scheme;

   (v) included on the Local Government Inventory.

   k) the erection of a dividing fence;

   l) the erection on a single lot of two grouped dwellings (included extensions and ancillary outbuildings) where a grouped dwelling is designated with the symbol 'P' in the cross-reference to that Use Class and a Zone in the Zoning Table, and where the development

is consistent with Local Planning Policy No. 1.2 (Residential Design Guidelines) and the Residential Design Codes.

m) the erection on a lot of a single house, including extensions and ancillary outbuilding with an area:-

(i) of less than 100 square metres and a wall height not exceeding 4.5 metres in the Rural Zone and Rural Living Zone;

(ii) of 200 square metres or less with a wall height of 4.5 metres in the Resource Zone;

(iii) and the single house addition or outbuilding are located within a building envelope applying to the lot, where a single house is designated with the symbol 'P' in the cross-reference to that Use Class and the respective zones in the Zoning Table, in the case of the Rural Zone and the Rural Living Zone.

n) the erection of a single house and two grouped dwellings including any ancillary outbuildings and swimming pools which comply with the provisions of a Local Development Plan;

o) The parking of commercial vehicles in accordance with clause 4.10.8 a), 4.10.8 b) and clause 4.10.8 c).

Land Use and/ or Development	Exempted Sign	Maximum Size
In all zones except in the Residential Zone. *AMD 6 GG 13/6/06*	Advertising. Relating directly to advising the name, address, telephone number and purpose of the service provided on the property on which it is located.	4 square metres
In all zones	Property for sale or auction sign.	6 square metres
In all zones	Advisory signs. About future development or proposal.	6 square metres
In all zones	Temporary sign. Advertising a coming event within the district where it will not be erected for more than 4 weeks.	4 square metres
In all zones except the Residential Zone.	Advertising signs. Displayed on walls, windows or verandah facades which do not project above the wall or roof on which it is attached.	6 square metres

p) Family Day Care Centre.

67(zc) Any advice of the Design Review Panel. *AMD 149 GG 02/02/2021*

80A Heritage Advisory Committee

1) The local government may establish a Heritage Advisory Committee to **advise** it on any

matter arising under this clause.

2) The **membership** of the Committee may include at least one person nominated by the National Trust and/or the Heritage Council of Western Australia, a person having experience or expertise relevant to the conservation or adaptation of places of cultural heritage significance, and a person representing the community with an interest in heritage conservation.

80B Advisory Committees

1) The local government may from time to time establish Advisory Committees to **advise** it on any matters in the Scheme, subject to such terms of reference, procedures and conditions of office as the local government thinks fit.

2) The **membership** of an Advisory Committee may comprise of community representatives and/or technical experts who in the opinion of the local government have the relevant knowledge, experience or expertise to give fair and reasoned advice on the matters referred to the Committee.

3) The Advisory Committee shall **comprise** no more than 5 members appointed by the local government and shall be **chaired** by a person elected by the Committee.

4) A member of an Advisory Committee shall not discuss or **vote** on any matter before the Committee in which that member has a **pecuniary interest**.

5) When dealing with any matter involving an application for planning **approval or Structure Plans** or when dealing with any other matter involving a development or land use proposal, the local government shall have **due regard** to any relevant recommendation of any Advisory Committee.

80C Reference Committees

1) The local government may from time to time establish Reference Committees to **advise** it on any matters of community interest subject to such terms, procedures and conditions of office as the local government thinks fit.

2) The local government shall determine which if any **matters** are referred to the Reference Committee for consideration and advice.

3) Reference Committees shall **represent** the community of a specified locality within the district and comprise residents and ratepayers from that locality.

4) A Reference Committee shall **comprise** no more than 7 residents and/or ratepayers appointed by the local government and shall be **chaired** by a person elected by the Committee.

5) A member of the Reference Committee shall not discuss or **vote** on any matter before the Committee in which that member has a **pecuniary interest**.

6) When dealing with any matter of community interest including Applications for planning **approval, Structure Plans** or when dealing with any matter involving a development or land use proposal referred to it by the local government, the local government shall have **due regard** to any relevant recommendation of any Reference Committee.

SCHEDULE 1 - ENVIRONMENTAL CONDITIONS

SCHEME OR AMENDMENT NO.	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS
Town Planning Scheme No. 3		There are no environmental conditions imposed by the Minister for the Environment which apply to the Scheme.

ADOPTION

(Regulation 13(1))

ADOPTED BY RESOLUTION OF THE COUNCIL OF THE CITY OF COCKBURN AT THE GENERAL MEETING OF THE COUNCIL HELD ON THE TWENTY FIRST DAY OF DECEMBER 1999.

_____ _____

MAYOR DATE 26 NOVEMBER 2002

_____ _____

CHIEF EXECUTIVE OFFICER DATE 26 NOVEMBER 2002

FINAL APPROVAL

1. ADOPTED BY RESOLUTION OF THE COUNCIL OF THE CITY OF COCKBURN AT THE GENERAL MEETING OF THE COUNCIL HELD ON THE TWENTY SIXTH DAY OF NOVEMBER, 2002 AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT TO THAT RESOLUTION HEREUNTO AFFIXED IN THE PRESENCE OF :

_____ _____

MAYOR DATE
26 NOV 2002

_____ _____

CHIEF EXECUTIVE OFFICER DATE
26 NOV 2002

SEAL

2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION.

_____ _____

DELEGATED UNDER S20 OF WAPC ACT 1985 DATE

3. FINAL APPROVAL GRANTED

_____ _____

MINISTER FOR PLANNING & INFRASTRUCTURE DATE