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SHIRE OF WYNDHAM-EAST KIMBERLEY

LOCAL PLANNING SCHEME NO. 9

Updated to include AMD 2 GG 25/09/2026

GOVERNMENT OF WESTERN AUSTRALIA

Department of **Planning, Lands and Heritage**

Original Local Planning Scheme Gazettal
19 February 2019

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Consultation with the respective local government authority should be made to view a legal version of the Scheme. Please advise the Department of Planning, Lands and Heritage of any errors or omissions in this document.

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SHIRE OF WYNDHAM-EAST KIMBERLEY TPS 9 - TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED WHEN		DETAILS
		DATE	BY	
-	19/02/19	19/02/2019	MLD	New scheme
1	06/05/2022	09/05/2022	MLD	Corrections of minor text errors and omissions.
2	25/09/2026	1/10/2026	RW	1. In Part 6 Division 1 Clause 37, 'Terms Used': A. Delete the definition for 'Short-term accommodation'. B. Amend the general definition for *cabin* to: 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. C. Amend the general definition for chalet to: 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. 2. In Part 6 Division 2 Clause 38, 'Land Use Terms Used': A. Delete the definitions for: o bed and breakfast; o holiday accommodation; o holiday house; o motel; o serviced apartment; and o tourist development. B. Amend the existing land use term for road house by deleting paragraph (d) and inserting: (d) 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. C. Insert the following in alphabetical order: **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

AMD NO	GAZETTAL DATE	UPDATED WHEN		DETAILS
		DATE	BY	

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;

hosted short-term rental accommodation means any of the following —
(a) short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement;
(b) short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;
(c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement;

short-term rental accommodation —
(a) means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but
(b) does not include a dwelling that is, or is part of, 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) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);
(iv) a park home park;
(v) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);
(vi) workforce accommodation;

short-term rental arrangement means an arrangement under which —
(a) a dwelling, or part of a dwelling, is provided for occupation by a person; and
(b) the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of 3 months in any 12-month period;

unhosted short-term rental accommodation
means short-term rental accommodation that —
(a) is not hosted short-term rental accommodation; and
(b) accommodates a maximum of 12 people per night;"

3. In Part 3 Table 4 'Zoning Table' insert in alphabetical order the following land uses and permissibility:
A. hosted-short term rental accommodation; designate as 'P' uses in 'Residential, Rural Townsite, Commercial, Mixed Use, Tourism, Agriculture-State of Regional Significance, Local Horticulture, Rural, Rural Residential, and Rural Smallholdings zones; and 'X' uses in all other zones.
B. un-hosted short-term rental accommodation; designate as 'P' use in Tourism, designate as 'A' use in Residential, Rural Townsite, Commercial, Mixed Use, Rural, Rural Residential and Rural Smallholdings, designate as 'X' use in all other zones.

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		DATE	BY	
				C. tourist and visitor accommodation and designate as 'P' in Tourism, designate as 'A' use in Residential, Rural Townsite, Commercial, Mixed Use, Rural, Rural Residential, Rural Smallholdings, Designate as 'X' use in all other zones. 4. In table 4 'Zoning Table', delete all references to: A. bed and breakfast; B. holiday accommodation; C. holiday house; D. motel; E. serviced apartment; and F. tourist development 5. In Schedule 1 "Additional Uses" No A1 - Lot 2 Old Darwin Road, Kununurra, Delete reference to 'holiday accommodation' in additional use section and replace with 'tourist and visitor accommodation (Chalet)'. 6. In Schedule 1 "Additional Uses" No A6 - Lot 649 Research Station Road, Kununurra, Delete reference to 'holiday accommodation' in additional use section and replace with 'tourist and visitor accommodation (Chalet) '. 7. In Schedule 1 "Additional Uses" No A8 - Lot 530 River Farm Road Kununurra, Delete reference to 'holiday accommodation' in additional use section and replace with 'tourist and visitor accommodation (Chalet)'. 8. In Schedule 1 "Additional Uses" No A10 - Lot 207 River Farm Road Kununurra, Delete reference to 'Bed and Breakfast' in additional use section and replace with 'Hosted-Short Term Rental Accommodation '. 9. In Schedule 1 "Additional Uses" No A11 - Lot 511 River Farm Road Kununurra, Delete reference to 'Bed and Breakfast' in additional use section and replace with 'Hosted-Short Term Rental Accommodation '. 10. In Schedule 1 "Additional Uses" No A13 - Lot 266 Packsaddle Road Kununurra, Delete reference to 'holiday accommodation' in additional use section and replace with 'tourist and visitor accommodation (Chalet)'. 11. In Table 9 'Development Standards Table' replace: A. 'Bed and Breakfast' under Land Use/Development with 'Hosted Short-Term Accommodation'. B. "Tourist Accommodation" under Land Use/Development with Tourist and Visitor Accommodation" 12. In Table 9 'Development Standards Table' delete reference to: A. 'Motel'. 13. Delete point 1. From the 'Tourism zone' within Schedule 3, Table 10 'Zone Development Requirements' and renumber accordingly.

SHIRE OF WYNDHAM-EAST KIMBERLEY LOCAL PLANNING SCHEME No. 9

May 2018

The Shire of Wyndham-East Kimberley

Local Planning Scheme No. 9

The Shire of Wyndham-East Kimberley under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

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PART 1 — PRELIMINARY

1. Citation

This local planning scheme is the Shire of Wyndham-East Kimberley Local Planning Scheme No. 9 ("the Scheme").

2. Commencement

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

3. Schemes Revoked

The following local planning schemes are revoked —

Town Planning Scheme No. 7: Kununurra and Environs, gazetted 19 January 2001; and

Town Planning Scheme No. 6: Wyndham Townsite, gazetted 21 January 1994

4. Notes do not form part of the Scheme

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

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

5. Responsibility for Scheme

The Shire of Wyndham-East Kimberley is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

6. Scheme area

The Scheme applies to the area shown on the Scheme Maps.

7. Contents of Scheme

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

(a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2), including any supplemental provisions provided for in Schedule A of the Scheme text; and

(b) the Scheme Maps (sheets 1 – 30).

(2) This Scheme is to be read in conjunction with the local planning strategy for the Scheme area.

8 Purposes of Scheme

The purposes of the Scheme are to —

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

(b) set aside land as local reserves for public purposes; and

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

(d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and

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

(f) set out procedures for the contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and

(g) make provision for the administration and enforcement of the Scheme; and

(h) address other matters referred to in Schedule 7 of the Act.

9. Aims of the Scheme

The aims of the Scheme are —

(a) to set aside land for the continued development of areas appropriate for urban development;

(b) to zone land for various commercial, industrial and rural residential purposes;

(c) to zone land for development purposes that is not constrained by inundation and/or other physical constraints;

(d) to zone land outside the townsite areas for rural, pastoral, mining, tourist and industrial purposes;

(e) to zone and reserve land for conservation and protection;

(f) to provide for appropriate protection of agricultural land,

(g) to manage the impact of incidental economic activities on agricultural production where such uses are considered appropriate on rural properties;

(h) to provide policies and controls for the purpose of securing land, and maintaining an orderly and proper planned use and development of land within the Scheme Area;

(i) to facilitate the preservation of sites and places of historic and heritage value;

(j) to provide for a variety of residential lifestyle opportunities;

(k) to acknowledge land set aside for the use and benefit of Aboriginal people;

(l) to protect and enhance the environmental values and natural resources of the Scheme Area and to promote ecologically sustainable land use and development;

(m) to prevent the establishment of land uses on land not appropriately zoned for that use; and

(n) to assist in the implementation of the State Planning Strategy, as well as relevant State, Regional and Local Policies.

10. Relationship with local laws

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

11. Relationship with other local planning schemes

There are no other local planning schemes of the Shire of Wyndham-East Kimberley which apply to the Scheme area.

12. Relationship with region planning schemes

There are no region planning schemes which apply to the Scheme area.

Part 2 — Reserves

13. Regional Reserves

There are no regional reserves in the Scheme Area.

14. Local Reserves

(1) In this clause —

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

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

(2) Local reserves are shown on the Scheme Maps according to the legend on the Scheme Map.

(3) The objectives for each local reserve are as follows:

Table 1 – Reserve Objectives

Reserve name	Objectives
Education	• Public Purposes which specifically provide for a range of essential education facilities.
Cemetery	• To set aside land required for a cemetery.
Heritage	• Public Purposes which specifically provide for a range of heritage purposes.
Medical Services	• Public Purposes which specifically provide for a range of medical purposes.
Infrastructure Services	• Public Purposes which specifically provide a range of essential infrastructure services.
Public Open Space	• To set aside areas for public open space, particularly those established under the *Planning and Development Act 2005* section 152. • To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Public Purposes	• To provide for a range of essential physical and community infrastructure.
Civic and Community	• To provide for a range of community facilities which are compatible with surrounding development. • To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Environmental Conservation	• To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.

	• To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation value.
Drainage/Waterway	• To set aside land required for significant waterways and drainage.
Primary Distributor Road	• To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
Local Distributor Road	• To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	• To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.

15. Additional uses for local reserves

(1) Table 2 sets out -

(a) classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and

(b) the conditions that apply to that additional use.

Table 2 - Specified additional uses for local reserves in Scheme area

No.	Description of land	Additional use	Conditions
1.	Open Space Reserve, Part Lot 504 Coolibah Drive, Kununurra (Kununurra Showgrounds)	Caravan Park and Camping Ground	Subject to a Caravan Park and Camping licence being issued.
2.	Open Space Reserve, Reserve 30290, Lot 707 Drovers Road	Caravan Park and Camping Ground	Subject to a Caravan Park and Camping licence being issued.

(2) Despite anything contained in clause 14, land that is specified in the Table to subclause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

Part 3 — Zones and Use of Land

16. Zones

(1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.

(2) The objectives of each zone are as follows –

Table 3 – Zone objectives

Zone name	Objectives
Residential	• To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Urban Development	• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. • To provide for a range of residential densities to encourage a variety of residential accommodation. • To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
Industrial Development	• To designate land for future industrial development. • To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.
Rural Townsite	• To provide for a range of land uses that would typically be found in a small country town.
Commercial	• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres. • To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. • To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
Mixed Use	• To provide for a wide variety of active uses on street level which are compatible with residential and other non–active uses on upper levels. • To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
General Industry	• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.

Zone name	Objectives
	• To accommodate industry that would not otherwise comply with the performance standards of light industry. • Seek to manage impacts such as noise, dust and odour within the zone.
Light Industry	• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones. • To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened and otherwise treated so as not to detract from the residential amenity.
Rural Enterprise	• To provide for light or rural industrial and ancillary residential development on one lot. • To provide for lot sizes in the range of 1ha to 4ha. • To carefully design rural enterprises estates to provide a reasonable standard of amenity without limiting light or rural industrial land uses. • To notify prospective purchasers of potential amenity impacts from light or rural industrial land uses.
Service Commercial	• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. • To provide for a range of wholesale sales, showrooms, trade and services which, by reason of scale, character, operational or land requirements, are not appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
Tourism	• To promote and provide for tourism opportunities. • To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. • To allow limited residential uses where appropriate. • To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Agriculture – State or Regional Significance	• To identify land of State, regional or local significance for agricultural and food production purposes. • To retain priority agricultural land for agricultural purposes. • To limit the introduction of sensitive land uses which may compromise existing, future and potential agricultural production.
Local Horticulture	• To identify land of local significance for intensive agricultural and food production purposes. • To provide for a diversity of sustainable intensive agricultural development. • To retain priority agricultural land for intensive agricultural purposes. • To limit the introduction of sensitive land uses which may compromise existing, future and potential intensive agricultural production.

Zone name	Objectives
Rural	• To provide for the maintenance or enhancement of specific local rural character. • To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage. • To provide for the operation and development of existing, future and potential rural uses by limiting the introduction of sensitive land uses in the Rural zone. • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural land uses
Rural Residential	• To provide a basis for detailed planning in accordance with the structure planning provisions of this Scheme. • To provide lot sizes in the range of 1ha to 4ha. • To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural Smallholdings	• To provide a basis for detailed planning in accordance with the structure planning provisions of this Scheme. • To provide for lot sizes in the range of 4ha to 40ha. • To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Settlement	• To identify existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of those places by – (a) requiring preparation and endorsement of a layout plan in accordance with State Planning Policy 3.2; and (b) ensuring that development accords with a layout plan.
Special Use	• To facilitate special categories of land uses which do not sit comfortably within any other zone. • To enable the local government to impose specific conditions associated with the special use.

17. Zoning Table

The zoning table for this Scheme is as follows-

Table 4 - Zoning Table

USE CLASSES	Residential	Rural Townsite	Commercial	Mixed Use	General Industry	Light Industry	Service Commercial	Rural Enterprise	Tourism	Agriculture – State or Regional Significance	Local Horticulture	Rural	Rural Residential	Rural Smallholdings	Settlement	Urban Development	Industrial Development
Abattoir	X	X	X	X	A	X	X	A	X	X	X	A	X	X	PERMITTED LAND USE AND DEVELOPMENT IN ACCORDANCE WITH CLAUSE 16 – SETTLEMENT ZONE	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN
Agriculture – Extensive	X	X	X	X	X	X	X	X	X	P	P	P	X	P			
Agriculture – Intensive	X	X	X	X	X	X	X	X	X	P	P	P	X	P			
Airfield	X	X	X	X	D	X	X	X	X	X	X	P	X	X			
Amusement Parlour	X	D	D	X	X	X	X	X	D	X	X	X	X	X			
Ancillary Dwelling	P	X	X	D	X	X	X	X	X	D	D	D	D	D			
Animal Establishment	X	X	X	X	X	X	X	A	X	X	X	P	A	A			
Animal Husbandry-intensive	X	X	X	X	X	X	X	X	X	X	X	D	X	X			
Art Gallery	X	P	P	P	X	D	A	X	D	X	X	D	X	X			
Bed and Breakfast	*Removed by AMD 2 GG 25/09/2026*																
Betting Agency	X	D	D	D	X	X	X	X	X	X	X	X	X	X			
Brewery	X	D	D	X	D	D	A	D	A	X	X	D	X	X			
Bulky Goods Showroom	X	A	A	D	X	D	P	A	X	X	X	D	X	X			
Caravan Park	X	X	A	X	X	X	X	X	P	X	X	D	X	X			
Caretaker's Dwelling	X	X	X	D	A	I	D	X	D	D	D	D	X	X			
Car Park	D	P	P	D	D	D	D	D	D	X	X	X	X	X			
Child Care Premises	A	P	P	D	X	X	X	X	X	X	X	X	A	A			
Cinema/Theatre	X	D	D	X	X	X	X	X	A	X	X	X	X	X			
Civic Use	D	P	P	D	A	D	A	X	D	D	D	D	X	X			
Club Premises	X	D	D	D	X	D	A	X	D	X	X	D	X	X			
Commercial Vehicle Parking	X	A	X	A	P	A	D	D	X	D	A	P	X	X			
Community Purpose	D	P	P	D	X	X	X	X	D	X	X	D	X	X			
Consulting Rooms	A	P	P	D	X	X	X	X	X	X	X	X	X	X			
Convenience Store	A	P	P	X	D	D	A	X	D	X	X	D	X	X			
Dwelling – Single	P	D	X	D	X	X	X	I	X	D	D	D	P	P			
Dwelling - Grouped	D	D	D	D	X	X	X	X	D	X	X	X	X	X			
Dwelling - Multiple	D	D	D	D	X	X	X	X	D	X	X	X	X	X			

USE CLASSES	Residential	Rural Townsite	Commercial	Mixed Use	General Industry	Light Industry	Service Commercial	Rural Enterprise	Tourism	Agriculture – State or Regional Significance	Local Horticulture	Rural	Rural Residential	Rural Smallholdings	Settlement	Urban Development	Industrial Development
Educational Establishment	A	P	P	D	X	A	D	X	D	A	A	A	X	X	PERMITTED LAND USE AND DEVELOPMENT IN ACCORDANCE WITH CLAUSE 16 – SETTLEMENT ZONE	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN
Exhibition Centre	X	P	P	P	X	D	D	X	D	X	X	D	X	X			
Family Day Care	A	D	D	D	X	X	X	X	X	X	X	X	A	A			
Fast Food Outlet	X	P	P	D	D	D	D	A	D	X	X	X	X	X			
Fuel Depot	X	X	X	X	D	A	D	D	X	X	X	A	X	X			
Funeral Parlour	X	A	A	A	X	A	D	X	X	X	X	X	X	X			
Garden Centre	X	D	D	A	D	D	D	D	X	A	A	D	X	A			
Holiday Accommodation	*Removed by AMD 2 GG 25/09/2026*																
Holiday House	*Removed by AMD 2 GG 25/09/2026*																
Home Business	A	P	P	D	X	X	X	X	X	A	D	D	A	A			
Home Occupation	D	P	P	P	X	X	X	X	X	D	D	P	P	P			
Home Office	P	P	P	P	X	X	X	X	P	P	P	P	P	P			
Home Store	A	P	P	D	X	X	X	X	X	A	A	D	X	A			
Hospital	X	P	P	D	X	X	A	X	X	X	X	D	X	X			
Hosted-short Term Rental Accommodation *AMD 2 GG 25/09/2026*	P	P	P	P	X	X	X	X	P	P	P	P	P	P			
Hotel	X	P	P	A	X	X	X	X	P	X	X	A	X	X			
Industry	X	X	X	X	P	A	X	A	X	X	X	D	X	X			
Industry - Cottage	A	A	A	P	X	D	A	D	X	D	D	D	A	D			
Industry – Extractive	X	X	X	X	A	X	X	X	X	X	X	D	X	X			
Industry – Light	X	X	X	X	P	P	A	X	X	X	X	X	X	X			
Industry – Primary Production	X	X	X	X	D	D	X	X	X	D	A	D	X	X			
Liquor Store - Large	X	A	X	A	A	A	X	X	A	X	X	A	X	X			
Liquor Store - Small	X	A	A	A	A	A	X	X	A	X	X	A	X	X			
Lunch Bar	X	P	P	D	D	D	D	A	D	X	X	X	X	X			
Marina	X	X	X	X	D	X	X	X	D	X	X	D	X	X			
Market	X	P	P	D	X	D	D	A	A	X	X	D	X	X			
Medical Centre	A	P	P	P	X	X	D	X	X	X	X	D	X	X			
Motel	*Removed by AMD 2 GG 25/09/2026*																
Motor Vehicle, Boat or Caravan Sales	X	D	D	A	X	D	D	X	X	X	X	X	X	X			
Motor Vehicle Repair	X	A	X	A	D	D	D	D	X	X	X	D	X	X			
Motor Vehicle Wash	X	A	A	A	D	D	D	A	X	X	X	X	X	X			

USE CLASSES	Residential	Rural Townsite	Commercial	Mixed Use	General Industry	Light Industry	Service Commercial	Rural Enterprise	Tourism	Agriculture – State or Regional Significance	Local Horticulture	Rural	Rural Residential	Rural Smallholdings	Settlement	Urban Development	Industrial Development
Office	X	P	P	P	X	X	X	I	X	D	D	X	X	A			
Park Home Park	X	X	X	X	X	X	X	X	D	X	X	D	X	X			
Place of Worship	X	D	D	D	X	A	X	X	X	X	X	A	X	X			
Reception Centre	X	D	D	D	X	X	A	X	D	X	X	D	X	X			
Recreation - Private	X	P	P	D	X	D	D	X	A	X	X	D	X	X	PEMITTED LAND USE AND DEVLOPMENT IN ACCORDANCE WITH CLAUSE 16 – SETTLEMENT ZONE	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN	LAND USE PERMISSIBILITY IS TO BE DETERMINED WITH DUE REGARD TO THE APPROVED STRUCTURE PLAN
Residential Building	A	D	D	D	X	X	X	X	D	X	X	D	X	X			
Restaurant/Cafe	X	P	P	D	X	X	X	X	D	X	X	A	X	X			
Restricted Premises	X	A	A	X	X	A	X	X	X	X	X	X	X	X			
Road House	X	P	A	A	D	A	A	A	A	X	X	D	X	X			
Rural Home Business	X	X	X	X	X	X	X	X	X	A	A	D	A	A			
Rural Pursuit/Hobby Farm	X	X	X	X	X	X	X	X	X	X	X	P	D	P			
Service Station	X	A	A	A	D	D	D	A	A	X	X	D	X	X			
Serviced Apartment	*Removed by AMD 2 GG 25/09/2026*																
Shop	X	P	P	A	X	X	D	X	A	X	X	D	X	X			
Tavern	X	P	P	A	X	X	A	X	P	X	X	A	X	X			
Telecommunications Infrastructure	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Tourist and Visitor Accommodation *AMD 2 GG 25/09/2026*	A	A	A	A	X	X	X	X	P	X	X	A	A	A			
Tourist Development	*Removed by AMD 2 GG 25/09/2026*																
Trade Display	X	X	X	X	D	D	A	D	X	X	X	D	X	X			
Trade Supplies	X	A	X	D	P	P	P	D	X	X	X	D	X	X			
Transport Depot	X	A	X	X	D	D	A	D	X	X	X	D	X	X			
Tree Farm	X	X	X	X	X	X	X	X	X	X	X	D	X	X			
Un-Hosted Short-Term Rental Accommodation *AMD 2 GG 25/09/2026*	A	A	A	A	X	X	X	X	P	X	X	A	A	A			
Veterinary Centre	X	D	D	D	X	D	D	A	X	X	X	D	X	X			
Warehouse/Storage	X	X	X	A	D	D	D	D	X	D	A	D	X	A			
Waste Disposal Facility	X	X	X	X	A	X	X	X	X	X	X	D	X	X			
Waste Storage Facility	X	X	X	X	A	A	X	A	X	X	X	D	X	X			
Winery	X	X	X	X	X	X	X	X	A	X	X	A	X	X			
Workforce	X	X	X	A	X	A	X	X	X	A	A	D	X	X			

USE CLASSES	Residential	Rural Townsite	Commercial	Mixed Use	General Industry	Light Industry	Service Commercial	Rural Enterprise	Tourism	Agriculture – State or Regional Significance	Local Horticulture	Rural	Rural Residential	Rural Smallholdings	Settlement	Urban Development	Industrial Development
Accommodation																	

18. Interpreting zoning table

(1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

(2) The symbols used in the Zoning Table have the following meanings —

'P' means that the use is permitted if it complies with all relevant development standards and the requirements of this Scheme;

'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards or requirements of this Scheme.

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

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

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

Note 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.

Note 2. In considering an application for development approval the local government will have regard to clause 67 of the deemed provisions.

Note 3. If a proposed development is identified as a 'P' use in the zoning table, but the proposed development does not comply with all of the development standards and requirements of the scheme, then it is to be treated as a 'D' use.

(3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

(4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –

(a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

(b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

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

(5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

(6) If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless -

(a) the development approval application relates to land that is being used for a non-conforming use; and

(b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.

(7) If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land -

(a) a structure plan;

(b) an activity centre plan;

(c) a local development plan.

19. Additional uses

(1) The Table in Schedule 1 sets out -

(a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and

(b) the conditions that apply to that additional use.

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

20. Restricted uses

There are no restricted uses which apply to this Scheme.

21. Special Use Zones

(1) The Table in Schedule 2 sets out –

(a) Special use zones for specified land that are in addition to the zones in the zoning table; and

(b) The classes of special use that are permissible in that zone; and

(c) The conditions that apply in respect of the special uses

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

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

22. Non-conforming uses

(1) Unless specifically provided, this Scheme does not prevent –

(a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
(b) the carrying out of development on land if –

(i) before the commencement of this Scheme, the development was lawfully approved; and
(ii) the approval has not expired or been cancelled.

(2) Subclause (1) does not apply if -

(a) the non-conforming use of the land is discontinued; and

(b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.

(3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government -

(a) purchases the land; or

(b) pays compensation to the owner of the land in relation to the non-conforming use.

23. Changes to a non-conforming use

(1) A person must not, without development approval —

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

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

(c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or

(d) change the use of land from a non-conforming use to another non-conforming use;

(2) An application for development approval under this clause is to be advertised in accordance with clause 64 of the deemed provisions.

(3) A local government may only grant development approval for a change of use of land referred to in subclause 1(d) if, in the opinion of the local government, the proposed use –

(a) is less detrimental to the amenity of the locality than the existing non-conforming use; and

(b) is closer to the intended purpose of the zone in which the land is situated.

24. Register of non-conforming uses

(1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.

(2) A register prepared by the local government must set out the following -

(a) a description of each area of land that is being used for a non-conforming use;

(b) a description of any building on the land;

(c) a description of the non-conforming use;

(d) the date on which any discontinuance of the non-conforming use is noted.

(3) If the local government prepares a register under subclause (1) the local government -

(a) must ensure that the register is kept up-to-date; and

(b) must make a copy of the register available for public inspection during business hours at the offices of the local government.

(c) may publish a copy of the register on the website of the local government.

(4) An entry in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

Part 4 — General Development Requirements

25. R-Codes

(1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.

(2) The local government –

(a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and

(b) may publish a copy of the R-Codes on the website of the local government.

(3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within boundaries shown on the Scheme Map.

(4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

26. Modification of R-Codes

(1) Notwithstanding the fourth bullet-point of deemed-to-comply requirement C1.1 of clause 5.3.1 of the R-Codes, where the outdoor living area is unenclosed, the minimum outdoor living area may be under permanent roof cover.

(2) Notwithstanding deemed-to-comply requirements C3 (iv) and (v) clause 5.4.3 of the R-Codes, outbuildings that do not exceed a wall height of 3.2m and a ridge height of 5.0m are considered to meet the deemed to comply provisions of the R-Codes.

27. State Planning Policy 3.6 to be read as part of the Scheme

(1) State Planning Policy 3.6 Developer Contributions for Infrastructure, modified as set out in clause 28, is to be read as part of this Scheme.

(2) The local government -

(a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the office of the local government; and

(b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

28. Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

29. Other State planning policies to be read as part of the Scheme

(1) The State planning policies set out in Table 5, modified as set out in clause 30, are to be read as part of this Scheme.

Table 5 - State planning policies to be read as part of Scheme

State planning policies to be read as part of Scheme
State Planning Policy 3.7 – Planning in Bushfire Prone Areas

(2) The local government –

(a) must make a copy of each State planning policy referred to in subclause (1) available for public inspection during business hours at the offices of the local government; and

(b) may publish a copy of each of those State planning policies on the website of the local government.

30. Modification of State Planning Policies

There are no modifications to a state planning policy that, under clause 29 is to be read as part of the Scheme.

31. Environmental conditions

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

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 1986*.

32. Additional site and development standards

(1) Schedule 3 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

(2) To the extent that a requirement referred to in Schedule 3 is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or State or local planning policy, the requirement referred to in Schedule 3 prevails.

(3) Where a particular use is not mentioned in Table 9 - Development Standards Table (Schedule 3), or a standard is not mentioned for a particular use or zone in Table 10 – Zone Development Requirements (Schedule 3), the development requirements shall be determined by the local government.

(4) Where an application is for more than one use on the same site and different standards apply for each use, subject to the provisions of the Scheme, the local government will determine what standards shall apply.

33. Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan

(1) Table 6 sets out the requirements relating to development that are included in structure plans, activity centre plans, and local development plans that apply in the Scheme area.

Table 6 – Additional requirements that apply for areas covered by structure plan, activity centre plan or local development plan

No.	Description of Land	Requirement
1.	Weero Road Rural Residential Area (Valentine Falls Estate)	1. Residential buildings are prohibited within 150m of the boundary to Lot 20. 2. All plantings of non local vegetation will be prohibited within 100m of the boundary of abutting Lot 20 and/or Lot 3002 (previously 781). The 100m buffer is to be maintained with intensively planted local vegetation. The advice of the Department of Biodiversity Conservation and Attractions is to be sought in relation to appropriate local species for planting. 3. Rural residential lots which are within 300m of the boundary of abutting Lot 20 and/or Lot 3002 are subject to a notification on certificate of titles advising that the lots are in close proximity to an existing agricultural operation and may be adversely affected by virtue of odour, noise, dust, light emissions from that land use and/or spray drift from agricultural chemicals. 4. All lots abutting Lot 20 shall be a minimum of 4ha in area. 5. The area is to be established as a rural residential area creating a variety of lot sizes, but not less than 1ha in accordance with the Local Planning Strategy endorsed by the local government and the Commission. 6. A reticulated water supply is not available. A fit-for-purpose domestic potable water supply, which includes water for fire-fighting must be demonstrated, sustainable and consistent with appropriate standards for water and health.
2.	Lakeside Park (Stages 5 – 7) Residential Area	Lot 356 Hibiscus Drive and Lot 100 Tamarind Meander, Kununurra are earmarked as Centre Zone to: (a) provide for commercial and retail development in residential areas remote from the existing town centre in order to cater for local service and shopping needs in the Lakeside and associated residential areas; (b) ensure that land uses proposed within the Centre zone are consistent with the local residential needs and do not detract from the commercial viability of the existing town centre retail area.
3.	East Lily Creek Residential Expansion Area	1. The local government will only support commercial development to a level it considers consistent with the convenience shopping needs of the projected residential population within the expansion area and surrounding residential areas. 2. Appropriate interface treatments need to be established between the Mirima National Park and development of the area. Consideration should be given to wildlife corridors and view corridors amongst other matters. 3. Appropriate interface treatments need to be established between Victoria Highway and the development area addressing issues of presentation and noise.

No.	Description of Land	Requirement
4.	Coolibah Estate, Kununurra	1. A Local Development Plan has been prepared for the Coolibah Estate which addresses site specific planning development and design matters, including: i) prescribed specific dwelling yields for each lot; ii) identification of all lots that shall be used only for residential uses; and iii) prescribed setbacks. 2. Design Guidelines are to be prepared and adopted for the site as a Local Planning Policy pursuant to the requirements of the Scheme, addressing, but not limited to, the following matters: i) development of a high level of aesthetic quality and Environmentally Sustainable Design principles; and ii) application of Crime Prevention Through Environmental Design principles. 3. Local Development Plans are to be prepared and adopted for those lots that have a common boundary with community facilities and those lots facing Chestnut Avenue pursuant to the requirements of the Scheme, addressing the following matters: i) the interface between residential development and community use; and ii) management of land use, access and parking between commercial, community and residential.

34. Variations to site and development requirements

(1) In this clause ***additional site and development requirements*** means requirements set out in clauses 32 and 33.

(2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.

(3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.

(4) If the local government is of the opinion that the non-compliance with an additional site and development standard will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must –

(a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and

(b) have regard to any expressed views prior to making a determination to grant development approval under this clause.

(5) The local government may only approve an application for development approval under this clause if the local government is satisfied that –

(a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and

(b) the non-compliance with the additional site and development standard will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

35. Restrictive Covenants

(1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.

(2) If subclause (1) operates to extinguish or vary a restrictive covenant –

(a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and

(b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

Part 5 — Special Control Areas

36. Special Control Areas

(1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.

(2) The purpose, objectives and additional provisions that apply to each special control area is set out in Table 7.

Table 7 – Special Control Areas

Name of Area	Purpose and Objectives	Application Requirements
SCA1 Lake Argyle Development Area (LADA)	• To identify areas requiring comprehensive planning prior to subdivision and development;	1. A Structure Plan shall be prepared in accordance with Part 4 of the deemed provisions. 2. Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan.
SCA2 Public Drinking Water Source Areas (PDWSA)	• To identify PDWSA's and priority source protection in accordance with any Western Australian Planning Commission Land Use and Water Management Strategy or Department of Water and Environmental Regulation Drinking Water Source Protection Plan. • To ensure that land use and development within PDWSA's are compatible with the protection and long- term management of water resources for public water supply. • To implement the State of Planning Policy No. 2.7 Public Drinking Water Source Policy.	1. All development (including use of land, the removal of vegetation and earthworks) within PDWSA's, shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme. 2. The local government is required to refer any Scheme Amendment or land use or development application to the Department of Water and Environmental Regulation for assessment, advice, comment and recommendation pursuant to State Planning Policy No. 2.7 and any applicable Land Use and Water Management Strategy or Drinking Water Source Protection Plan, prior to any formal consideration under the Scheme. 3. In determining any Scheme Amendment or land use or development applications within these areas the local government will be guided by: (i) any comments, advice or recommendations from the Department of Water and Environmental Regulation or other relevant agencies; (ii) the purpose and objectives of the PDWSA and provisions of subclauses (1) and (2); (iii) all other provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

Name of Area	Purpose and Objectives	Application Requirements
SCA3 Sewer Treatment Buffer Areas (STBA)	• To provide an appropriate separation distance between sewer treatment infrastructure and potentially sensitive land uses.	Development within 500m of the Kununurra and Wyndham sewer treatment infrastructure may not be approved by the local government if such development includes a permanent residential or temporary residential component, including tourist accommodation, in the event that the local government considers that such development may be affected by the odour buffer area.
SCA4 Packsaddle Wetland Protection Area (PWPA)	• To protect the ecological integrity of Lake Kununurra whilst providing for the maximum enjoyment of privately owned land in close proximity to the wetland in the Packsaddle locality. • To ensure that proposed development will not impact on the wetland values of the Lake Kununurra foreshore environment, or that an improved environmental outcome can be achieved; and • To minimise visual impact as viewed from Lake Kununurra or other public viewpoints.	1. All development within the Packsaddle Wetland Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme. 2. The local government shall refer any application for development approval within the Packsaddle Wetland Protection Area to the Department of Water and Environmental Regulation, and the Department of Biodiversity, Conservation and Attractions for advice, comment and recommendation, prior to the local government's determination of that application. 3. In considering an application for development approval within the Packsaddle Wetland Protection Area, the local government is to have due regard to the following matters: (i) any comments, advice or recommendation from the Department of Water and Environmental Regulation, and the Department of Biodiversity, Conservation and Attractions or other relevant agencies; (ii) the purpose and objectives of the PWPA and the provisions of subclauses 1 and 2; (iii) The matters set out in clause 67 of the deemed provisions; (iv) all other provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

Part 6 - Terms referred to in Scheme

Division 1 - General definitions used in Scheme

37. Terms used

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

building envelope means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.

building height, in relation to a building –

(a) if the building is used for residential purposes, has the meaning given in the R-Codes; or

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

cabin means a building that –
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(a) 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 means a building that -
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(a) 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;

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.

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

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including -

(a) a utility, van, truck, tractor, bus or earthmoving equipment; and

(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).

floor area has meaning given in the Building Code.

frontage in relation to a building -

(a) if the building is used for residential purposes, has the meaning given in the R-Codes; or

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

incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use.

minerals has the meaning given in the *Mining Act 1978* section 8(1).

net lettable area or ***nla*** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas -

(a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;

(b) lobbies between lifts facing other lifts serving the same floor;

(c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;

(d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.

non-conforming use has the meaning given in the *Planning and Development Act 2005* section 172.

plot ratio means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.

precinct means a definable area where particular planning policies, guidelines or standards apply.

predominant use means the primary use of premises to which all other uses carried out on the premises are incidental.

retail means the sale or hire of goods or services to the public.

short-term accommodation *Deleted by ADM 2 GG 25/09/2026*

wall height, in relation to a wall of a building –

(a) if the building is used for residential purposes, has the meaning given in the R-Codes; or

(b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet.

wholesale means the sale of goods or materials to be sold by others

(2) A word or expression that is not defined in this Scheme –

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

(b) If it is not defined in that Act – has the same meaning as it has in the R-Codes.

Division 2 - Land use terms used in Scheme

38. Land use terms used

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

abattoir means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.

agriculture – extensive means premises used for the raising of stock or crops including outbuildings and earthworks, but does include agriculture - intensive or animal husbandry – intensive.

agriculture – intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following -

(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;

(b) the establishment and operation of plant or fruit nurseries;

(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);

(d) aquaculture.

airfield means any premises used for purposes relating to aircraft landing, take-off and maintenance, and does not include a private airstrip incidental to agricultural and pastoral operations.

amusement parlour means premises -

(a) that are open to the public; and

(b) that are used predominantly for amusement by means of amusement machines, including computers; and

(c) where there are 2 or more amusement machines

ancillary dwelling means ancillary dwelling as defined in the R-Codes.

animal establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.

animal husbandry – intensive means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep or other livestock in feedlots, sheds or rotational pens, but does not include agriculture-extensive.

art gallery means premises –

(a) that are open to the public; and

(b) where artworks are displayed for viewing or sale

bed and breakfast *Deleted by ADM 2 GG 25/09/2026*

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*.

brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*.

bulky goods showroom means premises –

(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes –

- (i) automotive parts and accessories;
- (ii) camping, outdoor and recreation goods;
- (iii) electric light fittings;
- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and childrens' goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools;

or

(b) used to sell by retail goods and accessories by retail if -

- (i) a large area is required for the handling, display or storage of the goods; or
- (ii) vehicular access to the premises is required for the purpose of collection of purchased goods.

caravan park means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5 (1).

caretaker's dwelling means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant.

car park means premises used primarily for parking vehicles whether open to the public or not but does not include -

(a) any part of a public road used for parking or for a taxi rank; or

(b) any premises in which cars are displayed for sale.

child care premises means premises where -

(a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service, as defined in that section, is provided; or

(b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

cinema/theatre means premises where the public may view a motion picture or theatrical production.

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

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest.

commercial vehicle parking means premises used for parking of one or two commercial vehicles but does not include –

(a) any part of a public road used for parking or for a taxi rank; or

(b) parking of commercial vehicles incidental to the predominant use of the land.

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

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

convenience store means premises -

(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, and

(b) operated during hours which include, but may extend beyond, normal trading hours; and

(c) the floor area of which does not exceed 300 m² net lettable area.

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

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

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

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

fast food outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

(a) without further preparation, and

(b) primarily off the premises.

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used -

(a) as a service station; or

(b) for the sale of fuel by retail into a vehicle for use by the vehicle.

funeral parlour means premises used -

(a) to prepare and store bodies for burial or cremation;

(b) to conduct funeral services.

garden centre means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.

holiday accommodation *Deleted by ADM 2 GG 25/09/2026*

holiday house *Deleted by ADM 2 GG 25/09/2026*

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession –

(a) does not involve employing more than 2 people who are not members of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 50 m²; and

(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and

(f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and

(g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

(a) does not involve employing a person who is not a member of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 20 m²; and

(d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and

(e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(f) does not -

(i) require a greater number of parking spaces than normally required for a single dwelling; or

(ii) result in an increase in traffic volume in the neighbourhood;

and

(g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and

(h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and

(i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation -

(a) is solely within the dwelling; and

(b) does not entail clients or customers travelling to and from the dwelling; and

(c) does not involve the display of a sign on the premises; and

(d) does not require any change to the external appearance of the dwelling.

home store means a shop attached to a dwelling that –

(a) has a net lettable area not exceeding 100 m²; and

(b) is operated by a person residing in the dwelling.

hospital means premises that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4), but does not include a nursing home or residential aged care facility.

hosted short-term rental accommodation means any of the following –
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(a) short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement;

(b) short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;

(c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement;

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

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

(a) the storage of goods;

(b) the work of administration or accounting;

(c) the selling of goods by wholesale or retail;

(d) the provision of amenities for employees;

(e) incidental purposes.

industry – 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 outbuilding 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 greater than 50 m²; and

(e) does not display a sign exceeding 0.2 m² in area.

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

(a) the processing of raw materials including crushing, screening, washing, blending or grading;

(b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

industry - light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed.

industry – primary production means premises used –

(a) to carry out a primary production business as that term is defined in the Income *Tax Assessment Act 1997* (Commonwealth) section 995-1; or

(b) for a workshop servicing plant or equipment used in primary production businesses.

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 – large means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300 m².

liquor store – small means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300 m².

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.

marina means –

(a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and

(b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.

marine filling station means premises used for the storage and supply of liquid fuels and lubricants for marine craft.

market means premises used for the display and sale of goods from stalls by independent vendors.

medical centre means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

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

motel *Deleted by ADM 2 GG 25/09/2026*

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans.

motor vehicle repair means premises used for or in connection with –

(a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or

(b) repairs to tyres other than recapping or re-treading of tyres.

motor vehicle wash means premises primarily used to wash motor vehicles.

nightclub means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*.

office means premises used for administration, clerical, technical, professional or similar business activities.

park home park means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation as defined in the Caravan Parks and Camping Grounds Regulations Part 1 Clause 3.

place of worship means premises used for religious activities such as a chapel church, mosque, synagogue or temple.

reception centre means premises used for hosted functions on formal or ceremonial occasions.

recreation – private means premises that are –

(a) used for indoor or outdoor leisure, recreation or sport; and

(b) not usually open to the public without charge.

renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable energy resource, where energy is being produced for commercial gain (i.e. solar farms as opposed to solar panels).

repurposed dwelling means a building or structure not previously used as a single house which has been repurposed for use as a dwelling.

residential aged care facility a residential facility providing personal and/or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.

residential building means a building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation;

(a) temporarily by two or more persons; or

(b) permanently by seven or more persons, who do not comprise a single family, but does not include a hospital a sanatorium, a prison, a hotel a motel or a residential school.

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste.

restaurant/café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

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

(a) publications that are classified as restricted under the *Classification (publications, Films and Computer Games) Act 1995* (Commonwealth); or

(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or

(c) smoking- related implements

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 automotive repair 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 or periods exceeding a total of 3 months in any 12-month period
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(e) facilities for being a muster point in response to accidents, natural disasters and other emergencies; and

(f) dump points for the disposal of black and grey water from recreational vehicles.

rural home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or occupation -

(a) does not involve employing more than 2 people who are not members of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 200 m²; and

(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and

(f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight

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

(a) the rearing, agistment, stabling or training of animals;

(b) the keeping of bees;

(c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens;

(d) the sale of produce grown solely on the premises.

second hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a modular home or transportable dwelling.

serviced apartment *Deleted by ADM 2 GG 25/09/2026*

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

(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or

(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles

shop means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small, used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

short-term rental accommodation
AMD 2 GG 25/09/2026

(a) means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but

(b) does not include a dwelling that is, or is part of, 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) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);

(iv) a park home park;

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

(vi) workforce accommodation;

short-term rental arrangement means an arrangement under which —
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(a) a dwelling, or part of a dwelling, is provided for occupation by a person; and

(b) the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of 3 months in any 12-month period;

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*.

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network

tourist development *Deleted by ADM 2 GG 25/09/2026*
tourist and visitor accommodation
AMD 2 GG 25/09/2026

(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;

(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.

trade supplies means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the following purposes, including goods which may be assembled or manufactured off the premises -

(a) automotive repairs and servicing;

(b) building including repair and maintenance;

(c) industry;

(d) landscape gardening;

(e) provision of medical services;

(f) primary production;

(g) use by government departments or agencies, including local government.

transport depot means premises used primarily for the parking or garaging of 3 or more commercial vehicles including -

(a) any ancillary maintenance or refuelling of those vehicles; and

(b) any ancillary storage of goods brought to the premises by those vehicles; and

(c) the transfer of goods or persons from one vehicle to another

tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5.

unhosted short-term rental accommodation means short-term rental accommodation that –
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(a) is not hosted short-term rental accommodation; and

(b) accommodates a maximum of 12 people per night;"

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders

warehouse/storage means premises including indoor and outdoor facilities used for –

(a) the storage of goods, equipment, plant or materials; or

(b) the display or the sale by wholesale of goods

waste disposal facility means premises used –

(a) for the disposal of waste by landfill; or

(b) the incineration of hazardous, clinical or biomedical waste.

winery means premises used for the production of viticultural produce and associated sale of the produce.

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

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

Schedules

Schedule A Supplemental provisions to the deemed provisions

Schedule 1 Additional Uses

Schedule 2 Special Use Zones

Schedule 3 Additional site and development requirements

Schedule 4 Signage and advertisements for which development approval not required

Schedule A – Supplemental provisions to the deemed provisions

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

Clause 16(1)(c)(viii) building envelopes or building exclusion zones indicating appropriate separation distance to agricultural activities or any natural wetland or waterway.

Clause 61(1)(k) any of the exempted classes of advertisements listed in Schedule 4 except in respect of a place included in the Heritage List or in a heritage area.

Clause 61(1)(l)

(i) the erection or extension of a single house on a lot if a single house is a permitted ("P") use in the zone where the R Codes do not apply, in which that lot is located and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is entered in the State Register of Heritage Places under the *Heritage Act 2018*; or

(ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or

(iii) included on a heritage list prepared in accordance with this Scheme; or

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90;

Clause 61(1)(m) the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") use in the zone where the R Codes do not apply and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is:

(i) entered in the State Register of Heritage Places under the *Heritage Act 2018*; or

(ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or

(iii) included on a heritage list prepared in accordance with this Scheme; or

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90;

Clause 61(1)(n) the erection of a boundary fence in any zone where the R Codes do not apply.

Clause 61(1)(o) Agricultural land uses within the Agriculture – State and Regional Significance Zone and Local Horticulture Zone.

Clause 61(1)(p) the carrying out of works urgently necessary to ensure public safety, for the safety or security of plant or equipment or for the maintenance of essential services.

Clause 61(2)(g) the use of land in a Reserve, where such land is held by the local government or vested in a public authority;

(i) for the purpose for which the land is reserved under the Scheme; or

(ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.

Schedule 1 – Additional Uses (cl. 19)

No.	Description of Land	Additional Use	Conditions
A1	Lot 2 Old Darwin Road, Kununurra, as indicated on the Scheme Maps.	Tourist and Visitor Accommodation (Chalet) *AMD 2 GG 25/09/2026*	The additional use shall be considered a 'D' use – the use is not permitted unless the local government has exercised its discretion by granting development approval. Additional use restricted to 3.5 hectares, in the south western corner of the land.
A2	King Location 579 Packsaddle Road, Kununurra, as indicated on the Scheme Maps.	Grouped Dwelling Residential Building Caravan Park Educational Establishment	The additional use shall be considered a 'D' use – the use is not permitted unless the local government has exercised its discretion by granting development approval. 1. Residential accommodation and educational facilities to be associated with agricultural training and religious broadcasting facility purposes. 2. No more than 8 dwellings to be permitted on the site. 3. Only one residential building to be permitted on the site. 4. Caravan park to be limited to a maximum of twelve sites. 5. All development to occur in accordance with a structure plan approved by the local government.
A3	Coolibah Estate in Kununurra as indicated on the Scheme Maps	Single Dwelling	The additional use shall be considered a 'P' use – the use is permitted if it complies with the relevant requirements of this Scheme. A Single Dwelling is permitted on those lots shown on the approved Development Guide Plan with a prescribed dwelling yield of 1.
A4	Lot 300 Weaber Plain Road Kununurra, as indicated on the Scheme Maps	Brewery	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A5	Lot 51 Weaber Plain Road Kununurra, as indicated on the Scheme Maps	Restaurant/Café Shop Exhibition Centre	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.

No.	Description of Land	Additional Use	Conditions
A6	Lot 649 Research Station Road, Kununurra as indicated on the Scheme maps.	Tourist and Visitor Accommodation (Chalet) *AMD 2 GG 25/09/2026*	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A7	Lot 529 River Farm Road Kununurra, as indicated on the Scheme Maps	Restaurant/Café Art Gallery Industry - Light	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A8	Lot 530 River Farm Road Kununurra, as indicated on the Scheme Maps	Tourist and Visitor Accommodation (Chalet) *AMD 2 GG 25/09/2026*	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions
A9	Lot 205 River Farm Road Kununurra, as indicated on the Scheme Maps	Art Gallery Industry - Light	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A10	Lot 207 River Farm Road Kununurra, as indicated on the Scheme Maps	Hosted-Short Term Rental Accommodation *AMD 2 GG 25/09/2026*	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A11	Lot 511 River Farm Road Kununurra, as indicated on the Scheme Maps	Hosted-Short Term Rental Accommodation *AMD 2 GG 25/09/2026*	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A12	Lot 265 Packsaddle Road Kununurra, as indicated on the Scheme Maps	Restaurant/Café Art Gallery Industry - Light	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.

No.	Description of Land	Additional Use	Conditions
A13	Lot 266 Packsaddle Road Kununurra, as indicated on the Scheme Maps	Tourist and Visitor Accommodation (Chalet) *AMD 2 GG 25/09/2026*	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A14	Lot 568 Ivanhoe Road Kununurra, as indicated on the Scheme Maps	Restaurant/Cafe	The additional use shall be considered an 'A' use - the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.
A15	Lot 238 Research Station Road, Kununurra, as indicated on the Scheme Maps	Airstrip	The additional use shall be considered an 'I' use - the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards or requirements of this Scheme.

Schedule 2 – Special Use Zones (cl. 21)

Reference	No.	Description of Land	Special Use	Conditions
SU1	Lots 2, 4 and 5	Stockman Road, Kununurra	Roadhouse/Truck Stop/Fuel Depot	As determined by local government
SU2	Lot 141	Leichhardt Street, Kununurra	Church	As determined by local government
SU3	Lot 73	Leichhardt Street, Kununurra	Church Purposes	As determined by local government
SU4	Reserve 28413, Lot 967	Ironwood Drive, Kununurra	Church	As determined by local government
SU5	Lot 970	Coolibah Drive, Kununurra	School & Church Purposes	As determined by local government
SU6	Lot 2443	Weaber Plains Road, Kununurra	Housing/Christian Sanctuary	As determined by local government
SU7	Lot 66, 200, 202, 301–312, 314 - 321, 500 & part Lot 876	Peter Reid Drive, Dusty Rankin Drive, Laine Jones Drive Cyril Kleining Drive, and Victoria Hwy, Kununurra	Airport: Other uses may be permitted by the local government provided that they are incidental to the predominant use of the land or deemed to be dependent on the function of the Airport or are shown to the satisfaction of local government to be consistent with the Airport's long-term operational needs.	As determined by local government
SU8	Lot 1	Great Northern Highway, Wyndham	Club and Associated Uses	As determined by local government
SU9	Lot 472	Great Northern Highway, Wyndham	Club and Associated Uses	As determined by local government
SU10	Lot 475	Great Northern Highway, Wyndham	Service Station	As determined by local government

Reference	No.	Description of Land	Special Use	Conditions
SU11	Lots 511	Lake Argyle Road, Lake Argyle	Aquaculture	As determined by local government
SU12	1372	Great Northern Highway, Wyndham	Roadhouse	As determined by local government
SU13	1370	Great Northern Highway, Wyndham	Alcohol & Drug Rehabilitation Centre	As determined by local government
SU14	Lot 1780	Koolama Street, Wyndham	Health Centre (Alcohol Drying Out Centre)	As determined by local government
SU15	Lot 504	Farm Hill Road, Kununurra	Airfield	As determined by local government
SU16	Lots 505, 506, 508 and 509	Lake Kununurra Foreshore, Kununurra	Commercial Boating Facility	Area subject to land capability assessment for onsite sewerage disposal.
SU17	1125	Ironwood Drive, Kununurra	Medical Centre	As determined by local government

Schedule 3 – Additional site and development requirements (cl. 32)

1. Car Parking

(1) In addition to the car parking requirements specified in the Table 9 - Development Standards Table -

(a) No person shall develop or use land, or erect, use or adapt any building for any purpose unless car parking is provided and maintained in accordance with the requirements of the R-Codes and the Scheme;

(b) The number of car parking bays required shall be calculated by rounding up to the nearest whole bay.

(2) Where an application is made for development approval, and the purposes for which the land or building is to be used is not specified in Table 9 - Development Standards Table, the local government shall determine the number of car parking bays to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, orderly and proper planning of the locality, and the preservation of its amenity;

(3) When considering an application for development approval the local government shall have regard to, and may impose conditions on the number and location of car parking bays to be provided. In particular, the local government shall have regard to:

(a) The means of access to each parking bay;

(b) The location of the bays on the site and their affect upon the amenity of any adjoining properties;

(c) The extent to which the bays are located within the building setback areas;

(d) The location of the bays other than on the lot if such spaces are to be provided in conjunction with a public car park;

(e) The location of proposed public footpaths, vehicular traffic movements and safety.

(4) Shared or Combined Parking

(a) Where the number of car parking bays proposed to be provided on land or in a building, subject to an application for development approval, is less than the number required to be provided pursuant to the Scheme, the local government may approve the application if it can be demonstrated that off-street parking facilities in the near vicinity are available to cater for the requirements of the proposal and that arrangements to the satisfaction of the local government have been made to enable those facilities to be used for that purpose, or if the proponent makes a cash in lieu contribution in accordance with subclause (10).

(b) The local government may approve reciprocal parking arrangements where it can be demonstrated that parking demand will be adequately catered for.

(5) Special Purpose Bays

(a) The local government may require the provision of parking bays marked exclusively for the use of motor cycles, bicycles, delivery and services vehicles, taxis, buses, coaches and courier services;

(b) The local government will determine the number of parking bays to be allocated for bicycles and vehicles listed above depending on the nature of the development.

(6) Parking bays may, with the approval of local government, be located within the street setback area, provided that:

(a) The local government may require a minimum 1m width of landscaped area along the length of the car park;

(b) In the Commercial Zone, separate pedestrian access from the street to the premises is provided.

(7) Landscaping

(a) Where the dimension of any open car parking area exceeds 20m in length or width, trees and garden planting equivalent to at least 10 percent of the parking area shall be provided (within the car parking area) for the purposes of shade and visual relief;

(b) Car park design and construction shall include adequate provision for landscaping comprising screen features and shade trees and shrubs (of indigenous species) as appropriate.

(8) Access Design

(a) Except for single residences and certain grouped and multiple dwelling proposals, all car parking bays must be situated such that vehicles can enter and leave the site in a forward direction.

(b) Car parking must be designed so that either ingress to or egress from each bay can be achieved in one movement.

(c) Tandem or stack car parking may be considered in commercial development.

(d) In the case of non-residential development which requires onsite car parking, a vehicular driveway (ingress and/or egress) should:
   (i) be located to the street with the lowest traffic volume;
   (ii) have separate entry/exit if it is likely that it will be used simultaneously by vehicles both entering and leaving the site and obstruction to traffic in the street could occur;
   (iii) be more than 6 m from an intersection; a break in the median strip; the commencement of a curve linking the carriageways of two or more public streets at an intersection; and the approaches to “stop” or “give way” signs;
   (iv) not be within 25m of any signalised intersection and preferably not within 90m of a signalised intersection of any major road;
   (v) not be closer than 1.5m to side boundaries;

(vi) be located such that any vehicle turning from the street into the driveway or into the street from the driveway can be readily seen by the driver of an approaching vehicle and be clear of all obstructions which may prevent drivers from having a timely view of pedestrians;

(vii) be relatively level within 6m of the site boundary or any footpath.

(9) When considering any application for development approval the local government shall have regard to and may require the provision of loading docks and/or rear access. In particular, the local government may impose conditions concerning:

(a) Areas for loading and unloading of vehicles, including road trains, carrying goods and commodities to or from premises, ensuring that they be provided and maintained to the satisfaction of the local government, and in accordance with the approved plan;

(b) the size of loading docks;

(c) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to proceed in a forward direction;

(d) loading activities, ensuring that they can occur without undue disruption to, or access to, car parking;

(e) the landscaping and/or screening of loading docks and/or rear access.

(10) The following applies to cash in lieu of car parking-

(a) Where a person who applies for development approval is required to provide car parking bays in accordance with the Scheme, that person may provide a cash payment in lieu of the provision of any of the required number of parking bays, if the local government so agrees and is satisfied that-

(i) an existing public car parking area located within 400m of the proposed development; or

(ii) a firm proposal to construct a public car park within a 400 metre radius of the development and within a period of not more than 24 months from the time of agreeing to accept the cash payment.

(b) The cash in lieu payment shall not be less than the estimated cost for the owner or developer of providing and constructing the parking bays required by the Scheme plus the value of that area of the land which would have been occupied by the parking bay;

(c) The land value component for each car bay shall be based on the area of each bay as prescribed in this Scheme plus total manoeuvring areas, but excluding standard crossovers;

(d) The estimated cost of the land referred to in paragraph (c) shall be determined by the Valuer General or by a licensed valuer appointed by the local government.

Note: Valuations for the purposes of calculating cash in lieu payments for car parking will only be valid for a period of 6 months from the date of valuation. If payment is not received within the 6 months of the date of valuation a new valuation will be required. The estimated cost of construction will be reviewed annually as part of the local government annual budgetary process.

(e) If the parties cannot agree upon the amount payable, it shall be determined by arbitration in accordance with the *Commercial Arbitration Act 1985*. The costs of the arbitration shall be borne by the applicant.

(f) The monies received by the local government under paragraph (a) shall be paid into a separate car parking reserve fund and shall only be used for the acquisition or development of land as a public car park within the locality, or to reimburse the local government any expenses it has incurred, including loan repayments.

(g) Where desirable the local government will support an agreed cash-in lieu arrangement up to 100 percent of the parking required to facilitate the conservation of a heritage place contained on the State Register of Heritage Places, the Heritage List or situated within a heritage area;

(h) The local government will not allow the payment of cash in lieu for car parking bays required for residential development, but may allow for the provision of visitor parking bays for grouped or multiple dwellings to be placed within an adjacent road reserve subject to there being sufficient road reserve area and the developer accepting all construction costs;

(i) Where offsite bays are proposed to be located within the road reserve adjoining the property, the developer is to pay the local government the estimated construction cost as determined in accordance with paragraph (b), unless the applicant accepts construction for the said bays to the local government's specifications;

(j) The use of cash in lieu payments to meet car parking requirements is not 'as of right' and shall be determined at the local government's discretion applicable to commercial development within the Rural Townsite and Commercial zones of Wyndham and Kununurra;

(j) Where the Developer is granted a cash-in-lieu payment a Deed of Agreement shall be prepared at the proponent's cost and executed with the local government prior to the development first being occupied. Such agreement shall bind the owner/lessee as the party responsible for the maintenance of car parking and landscaping on the road reserve. In this regard the local government may lodge a caveat against the Certificate of Title to the land to secure the performance of that maintenance obligation;

(m) Cash-in-lieu contributions will be included as a condition of development approval for the proposed development and shall be payable prior to first occupation of the building. Where a cash-in-lieu contribution is to be provided for more than 20 car parking bays, the applicant may enter into an agreement for staged payments at the discretion of the local government.

(11) Car parking areas shall be constructed as follows:

(a) All car parking areas are to be sealed, line-marked, drained and thereafter maintained to the satisfaction of the local government, except as otherwise provided for in this Scheme.

(b) Staff, resident and visitor car parking shall be appropriately marked and/or signposted to the satisfaction of the local government.

(c) Car parking situated in rural and agricultural zones, or generally behind the building line within industrial developments, may be constructed to a suitable gravel standard only. All parking within front setbacks and/or associated with showroom/front office use shall be sealed and landscaped to the satisfaction of the local government.

(d) The minimum internal dimensions of any car parking bay for non-residential development shall be 5.5m long by 2.8m wide provided that where a bay abuts a wall or other barrier, the minimum width shall not be less than 3.5m.

(e) Parallel parking bays shall be a minimum 7m in length.

(f) The dimensions of car parking bays, parking angles and driveway widths shall be in accordance with Figure 1 – Car Parking Layouts;

(g) The minimum width of access shall be as described in Table 8.

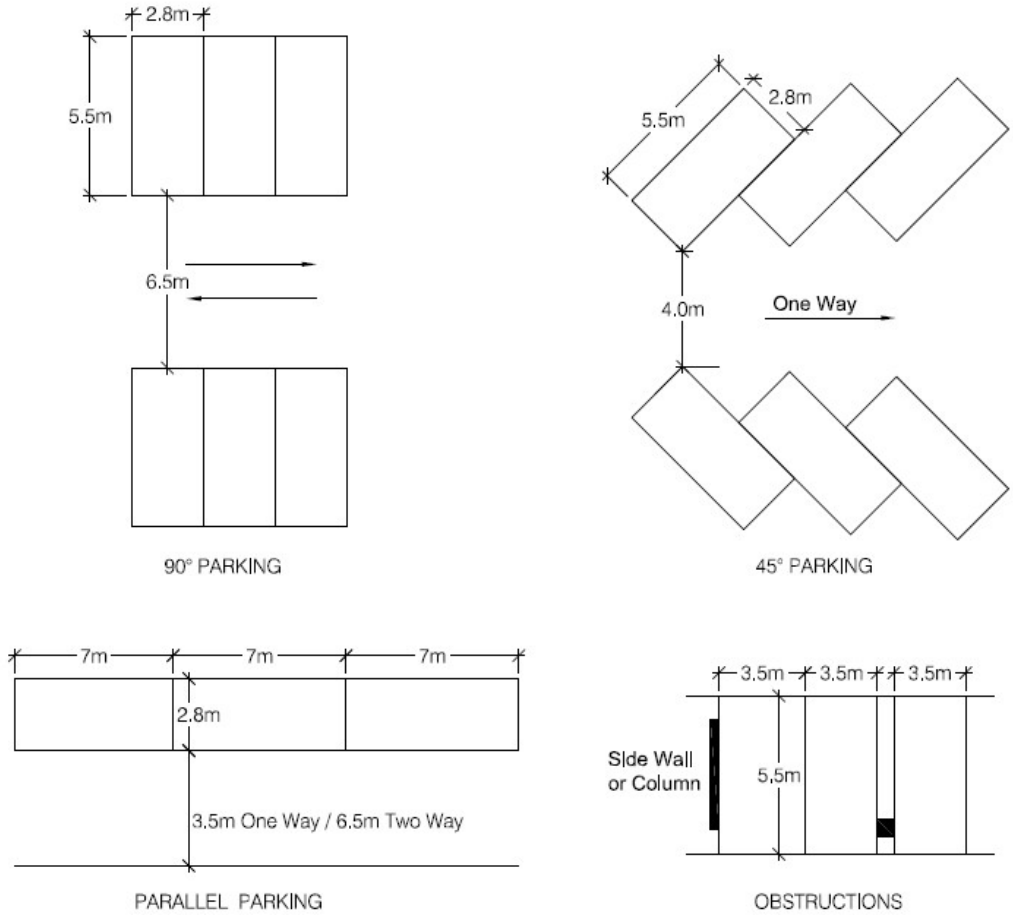
(h) The local government may vary the parking bay and access dimensions specified:

(i) by up to 10 percent where obstructions, site dimensions or topography result in the loss of a car parking bay in any run of car parking bays;
(ii) when the dimension of car parking bays are enlarged to accommodate wider vehicles.

Table 8 – Minimum Width of Access Drives

Angle of Parking	Traffic Direction	Driveway Width (m)
0 degrees (parallel)	1 way	3.5
45 degrees	1 way	4.0
90 degrees (right angle)	1 way	4.0
90 degrees (right angle)	2 ways	6.5

Figure 1 – Car Parking Standards



2. Landscaping

(1) Any application for development approval, other than a single dwelling, may be required by the local government to be accompanied by a plan showing the proposed landscaping of the site and comprising:

(a) the location and general nature of planted areas;

(b) the location and nature of materials to be used on non-planted areas;

(c) the location and size of any outbuildings or other minor proposed structures.

(2) The implementation of any approved landscape plan shall occur within six calendar months of the completion of all other approved works, or by the date of occupancy. If occupancy commences prior to completion of the development, the works shall be completed no later than 6 calendar months following approval to occupy any building.

(3) Where a building is approved upon a lot and is setback from the front boundary of that lot, the local government shall require the provision of landscape treatment between the frontage of any building and the front boundary, which may include a car parking area.

(4) The local government may impose landscaping requirements to complement any streetscape landscaping that the local government has undertaken or is implementing.

3. Home based business

(1) Development approval granted to a home occupation, home business, or cottage industry:

(a) is granted to the applicant;

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

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

(2) The local government may limit the period of validity of an approval as it deems fit.

4. Caretaker's dwellings

(1) The local government may permit the development and occupancy of a caretaker's dwelling for security and management, provided that the occupants of that residential unit are directly related to the operations of the predominant permitted and approved use;

(2) A caretakers dwelling is not to be developed and/or occupied on a lot unless that lot has been developed and is being used in accordance with the Scheme;

(3) Only one caretaker's dwelling is permitted on a lot or a parent lot of a strata or survey strata lot created under the *Strata Titles Act 1985*;

(4) A caravan or park home is not to be permitted as a caretaker's dwelling for either permanent or temporary occupation;

(5) A caretaker's dwelling is to be screened and/or fenced from the street frontage of the lot to the satisfaction of the local government and wherever possible is to be sited at the rear of other buildings on the lot;

(6) A caretaker's dwelling is to contain a maximum of 3 bedrooms only within a total floor area that does not exceed 100m² measured from the external face of walls;

(7) Open verandahs may be permitted but must not be enclosed by any means unless the total floor area remains within the 100m² referred to in subclause (6).

5. Domestic water supplies

(1) Where a reticulated water supply is not available, a minimum 120,000 litre rainwater storage facility (or equivalent) shall be provided for any dwelling, with the necessary roof catchment capacity, or alternatively, evidence shall be permitted to the satisfaction of the local government that an adequate on-site potable water source is present and will be coupled with a minimum water storage facility of 10,000 litres to serve the same purpose;

(2) Where a minimum water storage facility is required pursuant to subclause (1), a 50mm outlet with gate valve and male coupling shall be located at the base of the facility to be clearly marked "Fire Brigade Connection Point" for firefighting use where the need arises to protect residential development on the same property.

6. Water Management

(1) The local government may recommend or require the preparation of a water management strategy or plan in support of or as a condition of approval in relation to a development application, subdivision application or structure plan. The strategy or plan will need to be prepared in accordance with the Western Australian Planning Commission's Better Urban Water Management Framework.

(2) The local government will refer any water management strategy or plan to the Department of Water and Environmental Regulation for assessment, advice, comment, recommendation and approval where required.

7. Areas subject to aircraft noise

(1) In areas subject to aircraft noise in excess of 20 ANEF:

(a) development is required to incorporate noise attenuation measures to the satisfaction of the local government; and

(b) in respect of subdivision of land, the local government will recommend to the Commission that all new lots be the subject of memorials on titles, warning of the potential for aircraft noise affecting such lots.

Table 9 - Development Standards Table

Land Use/ Development	Minimum Setbacks Front	Side	Rear	Parking	Bicycle Parking	Landscaping	Special Conditions
Agriculture – Intensive	20m	Incidental development – 100m	Agricultural land uses – 20m Structures and incidental development – 100m	1 car bay per employee Where public access/tours are provided, an additional 1 bay per 40m2 of display area and 1 bay per 4 seats provided in any demonstration or lecture area.	NA	NA	NA
Amusement Parlour	Nil.	On merit	On merit	1 bay per 20m² NLA.	1 bay per 100m² NLA	10% minimum coverage of the site area	
Hosted Short-Term Accommodation *AMD 2 GG 25/09/2026*	If in a residential zone, as per R-Codes For all other zones, 6m	If in a residential zone, as per R-Codes For all other zones, 3m	If in a residential zone, as per R-Codes For all other zones, 3m	1 bay per employee plus 1 bay per guest room			
Betting Agency	Nil.	On merit	On merit	1 bay per 20m² NLA	1 bay per 200m² NLA.	10% minimum coverage of the site area	
Bulky Goods Showroom	9m	On merit	On merit	1 bay per 100m² NLA or part thereof	NA	10% minimum coverage of the site area	

Land Use/ Development	Minimum Setbacks			Parking	Bicycle Parking	Landscaping	Special Conditions
	Front	Side	Rear				
Caravan Park and Park Home Park	In accordance with Caravan Parks and Camping Grounds Act and Regulations	In accordance with Caravan Parks and Camping Grounds Act and Regulations	In accordance with Caravan Parks and Camping Grounds Act and Regulations	In accordance with Caravan Parks and Camping Grounds Act and Regulations	NA	2m landscaping strip along the front boundary	Pickup and set-down areas shall be provided as required by the local government
Caretaker's Dwelling	All parts of the Caretaker's Dwelling shall be located behind the front building line of the primary development on site	3m	3m	2 bays	NA	NA	Caretaker's dwelling shall be no greater than 100m².
Child Care Premises	6m	3m	3m	1 bay per employee and 1 bay for every 4 children attending	NA	10% minimum coverage of the site area	Pickup and set-down areas shall be provided as required by the local government
Cinema/ Theatre	Nil.	On merit	On merit	1 bay for every 4 seats plus 1 bay for each employee	1 bay for every 30 seats	10% minimum coverage of the site area	
Civic Use	9m	On merit	On merit	1 bay for every 4 persons capable of being accommodated	1 bay for every 30 persons capable of being accommodated	10% minimum coverage of the site area	
Club Premises	9m	3m	3m	1 bay for every 4 persons capable of being accommodated	1 bay for every 30 persons capable of being accommodated	10% minimum coverage of the site area	

Land Use/ Development	Minimum Setbacks			Parking	Bicycle Parking	Landscaping	Special Conditions
	Front	Side	Rear				
Community Purpose	9m	3m	3m	1 bay for every 4 persons capable of being accommodated	1 bay for every 30 persons capable of being accommodated	10% minimum coverage of the site area	
Consulting Rooms	7.5m	On merit	6m	4 bays per practitioner	1 bay per practitioner	10% minimum coverage of the site area	
Convenience Store	9m	On merit	On merit	1 bay per 15m² NLA	1 bay per 100m² NLA	10% minimum coverage of the site area	
Educational Establishment	6m	3m	3m	1 bay per staff member and if students are of driving age, adequate provision for student on-site parking as required by the local government.	Primary School - 1 bay for every 4 students Secondary School – 1 bay for every 2 students.	10% minimum coverage of the site area	Pickup and set-down areas, and bus standing and turning areas, shall be provided as required by the local government
Exhibition Centre	Nil	On merit	On merit	1 bay per 35m² NLA	1 bay per 200m² NLA	10% minimum coverage of the site area	
Fast Food Outlet/Lunch Bar	9m	On merit	On merit	1 bay per 10m² NLA or part thereof or 1 bay for every 4 seats provided; whichever is the greater	1 bay per 100m² NLA	10% minimum coverage of the site area	
Fuel Depot	9m	5m	5m	1 bay per 30m² of ancillary office NLA, with a minimum of 2 bays, plus 1 bay per employee.	NA	10% minimum coverage of the site area	Adequate manoeuvring areas for vehicles shall also be provided as required by the local government

Land Use/ Development	Minimum Setbacks			Parking	Bicycle Parking	Landscaping	Special Conditions
	Front	Side	Rear				
Funeral Parlour	9m	3m	3m	1 bay per 30m² NLA of administration and customer service area. 1 bay for every 4 persons capable of being accommodated for any memorial service areas. Where bodies are stored and/or prepared for service or cremation, an additional 2 car bays are required.	NA	10% minimum coverage of the site area	
Home Business	All parts of the home business except car parking shall be located behind the front building line	On merit	On merit	In addition to any bays required by the R-Codes, 1 additional bay for each employee not resident in the dwelling plus 1 bay for clients.	NA	NA	
Hospital	9m	3m	3m	1 bay for every 3 beds plus 1 bay for every 2 staff	1 bay for every 20 staff	10% minimum coverage of the site area	Pickup and set-down areas shall be provided as required by the local government
Hotel	9m	5m	5m	1 bay for every hotel room and 1 bay for every 6m^2 of public bar/lounge floor and public area	1 bay per 4 hotel rooms	10% minimum coverage of the site area	Pickup and set-down areas shall be provided as required by the local government

Land Use/ Development	Minimum Setbacks Front	Side	Rear	Parking	Bicycle Parking	Landscaping	Special Conditions
Industry	9m	6m	6m	1 bay per 20m² NLA of retail shop front and 1 bay per 100m² NLA for the industry component	NA	2m landscaping strip along the front boundary	
Industry – Light	9m	5m	5m	1 bay per 65m² NLA	NA	2m landscaping strip along the front boundary	
Industry – Primary Production	9m	5m	5m	1 bay for every 100m² NLA	NA	10% minimum coverage of the site area	
Medical Centre	7.5m	On merit	6m	4 bays per practitioner	1 bay per practitioner	10% minimum coverage of the site area	
Motel	*DELETED BY AMD 2 GG 25/09/2026*						
Motor Vehicle, Boat or Caravan Sales	9m for any building	5m	5m	Sales – 1 bay per 150m² of site area allocated to display and sales (including buildings) Where servicing is provided, 2 bays per service bay Hire – 1 bay per 30m² of sales/customer service area and office space and 4 additional drop off bays Separate car parking required for hire vehicles	NA	10% minimum coverage of the site area	

Land Use/ Development	Minimum Setbacks			Parking	Bicycle Parking	Landscaping	Special Conditions
	Front	Side	Rear				
Motor Vehicle Repair	9m	5m	5m	1 bay per 30m² of sales/customer service area and office space plus 2 bays per service bay	NA	10% minimum coverage of the site area	
Office	9m	On merit	On merit	1 bay per 40m² NLA	1 bay per 200m^2 NLA	10% minimum coverage of the site area	
Place of Worship	9m	3m	3m	1 bay for every 4 persons accommodated	1 bay for every 30 persons accommodated	10% minimum coverage of the site area	
Reception Centre	9m	3m	6m	1 bay per 10m² NLA or 1 bay for every 4 persons accommodated	1 bay for every 30 persons accommodated	10% minimum coverage of the site area	
Recreation - Private	9m	On merit	On merit	1 bay per 20m² NLA (including swimming pools) or part thereof	1 bay per 100m² NLA (including swimming pools)	10% minimum coverage of the site area	
Residential Building	6m	3m	3m	1 bay for every 2 persons the building is designed to accommodate and 1 bay for every staff member	1 bay for every 4 persons the building is designed to accommodate and 1 bay for every staff member	10% minimum coverage of the site area	
Restaurant	9m	3m	6m	1 bay per 10m² NLA or 1 bay for every 4 seats provided; whichever is greater	1 bay for every 30 seats	10% minimum coverage of the site area	

Land Use/ Development	Minimum Setbacks Front	Side	Rear	Parking	Bicycle Parking	Landscaping	Special Conditions
Service Station	9m 3m for canopy	3m 3m for canopy	3m 3 m for canopy	2 bays plus 1 bay per employee and 2 bays for every vehicle service bay, with a total minimum of 4 bays	2 bays per site	10% minimum coverage of the site area	Subject to meeting Australian Petroleum Institute Code of Practice for Underground Fuel Storage Facilities
Shop	9m	On merit	On merit	1 bay per 20m² NLA	1 bay per 100m²	10% minimum coverage of the site area	
Tavern	9m	3m	3m	1 bay per 6m² of public drinking area	1 per 100m² NLA	10% minimum coverage of the site area	
Tourist and Visitor Accommodation *AMD 2 GG 25/09/2026*	9m	On merit	On merit	1 bay for every 2 bedrooms of accommodation	NA	10% minimum coverage of the site area	The local government may reduce the parking requirement if the predominant mode of transport by visitors utilising the premises is by coach (particularly for backpackers accommodation)
Trade Display	9m for all buildings	On merit	On merit	1 bay per 100m² of trade display areas	NA	10% minimum coverage of the site area	No storage structures are permitted within the Open Air Display Area
Transport Depot	9m	On merit	On merit	1 bay per 30m² of ancillary office floor area, with a minimum of 4 bays, plus 1 bay per employee	NA	10% minimum coverage of the site area	Adequate parking and manoeuvring for heavy vehicles shall also be provided
Veterinary Centre	7.5m	3m	6m	4 bays plus 1 bay per employee	NA	10% minimum coverage of the site area	
Warehouse/ Storage	9m	5m	5m	1 bay per 100m² NLA	NA	10% minimum coverage of the site area	No storage of goods outside warehouse building unless specifically approved by the local government

Table 10 – Zone Development Requirements

The following standards and requirements apply in addition to use specific provisions set out in Table 9 – Development Standards Table of this scheme.

<table>
<tr><th>Zone</th><th colspan="3">Minimum Setbacks</th><th>Parking</th><th>Bicycle Parking</th><th>Landscaping</th></tr>
<tr><td>Residential Zone</td><td colspan="3">As per R-Codes</td><td>As per R-codes</td><td>N/A</td><td>As per R-Codes</td></tr>
<tr><td></td><td colspan="6">1. Except as otherwise provided, no person within any lot zoned Residential may, without the written approval of the local government:
(a) Allow any commercial vehicle or truck to remain or be parked for a period of more than 48 hours consecutively including the parking on the verge;
(b) Repair, maintain or service or clean a commercial vehicle or truck;
(c) Keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in front of the building setback line.</td></tr>
<tr><th>Zone</th><th colspan="3">Minimum Setbacks</th><th>Parking</th><th>Bicycle Parking</th><th>Landscaping</th></tr>
<tr><td rowspan="2">Commercial Zone and Rural Townsite Zone</td><td>Front</td><td>Side</td><td>Rear</td><td rowspan="2">Residential – as per R-codes
Other – one bay per 65m² NLA</td><td rowspan="2">1 bay per 200m² NLA</td><td rowspan="2">10% minimum coverage of the site area</td></tr>
<tr><td>Nil.</td><td>On merit</td><td>On merit</td></tr>
<tr><td></td><td colspan="6">1. Provision shall be made for onsite loading and unloading of service vehicles to the satisfaction of the local government. The design of such areas shall require all entry and exit movements from and to the adjoining street or right of way to be in a forward direction.
2. Addressing Streets
(a) Ground floor development fronting the street should comprise commercial land uses which provide active street frontages based on main street principles including direct entrances from adjoining paths, verandahs and eaves to provide pedestrian shelter, unobstructed shop front windows and facades with visual interest.
(b) Where a mixed use development incorporating commercial and residential development is proposed, the residential component of the site should be confined to upper stories or behind a commercial development at ground level fronting the street.
3. Residential development may be permitted to a maximum residential density code of R80 in the Commercial Zone and a maximum residential density code of R40 in the Rural Townsite zone.
4. For a lot in a Commercial or Rural Townsite zone which abuts a lot in a Residential zone, setbacks shall comply with the Residential Design Code applicable to the abutting Residential zoned lot, unless the local government approves otherwise.
5. No dumping or storage of waste or materials or construction, servicing or maintenance shall be carried out between the front building line and the street frontage, without prohibiting the display of finished goods or goods for sale or ready for delivery, as approved by local government.</td></tr>
</table>

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Mixed Use Zone	Front	Side	Rear	Residential – as per R-codes Other – one bay per 50m² NLA	1 bay per 200m² NLA	2m landscaping strip along the front and side boundaries
	9m	2m	6m			

1. Addressing Streets
   (a) Ground floor development fronting the street should comprise commercial land uses which provide active street frontages based on main street principles including direct entrances from adjoining paths, verandahs and eaves to provide pedestrian shelter, unobstructed shop front windows and facades with visual interest.
   (b) Where a mixed use development incorporating commercial and residential development is proposed, the residential component of the site should be confined to upper stories or behind a commercial development at ground level fronting the street.
2. Where a lot has frontage to 2 streets and the setback to the building is reduced, the landscape requirement may be reduced.
3. The local government may approve the construction of a carport or pergola or like structure between the building line and the front boundary providing:
   (a) that any such structure remains open sided and not in filled with any material which would ordinarily prevent the free passage of light and air, but may include lattice, battens or mesh as approved by the local government;
   (b) that any activity beneath such structure does not include any industrial use and is only used for car parking, landscaping, display purposes or any other uses the local government may approve.
4. No dumping or storage of waste or materials or construction, servicing or maintenance shall be carried out between the front building line and the street frontage, without prohibiting the display of finished goods or goods for sale or ready for delivery, as approved by local government.

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Service Commercial Zone & Light Industry Zone	Front	Side	Rear	1 bay for every 65m² NLA	As per Table 9	2m landscaping strip along the front boundary.
	9m	5m	5m			

1. Where a lot has frontage to 2 streets and the setback to the building is reduced, the landscape requirement may be reduced.
2. The local government may approve the construction of a carport or pergola or like structure between the building line and the front boundary providing:
   (a) that any such structure remains open sided and not in filled with any material which would ordinarily prevent the free passage of light and air, but may include lattice, battens or mesh as approved by the local government;
   (b) that any activity beneath such structure does not include any industrial use and is only used for car parking, landscaping, display purposes or any other uses the local government may approve.
3. No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Rural Enterprise Zone	Front	Side	Rear	Industrial /commercial component – 1 bay per 65m²	N/A	2m landscaping strip along the front boundary.
	Industrial component – 9m Residential component – behind or in line with Industrial component	5m	5m			

1. Within a lot situated within the Rural Enterprise zone, a person may only:
   (a) Undertake development which incorporates an industrial/business component;
   (b) Develop a residential dwelling where that residential component is incidental to an industrial/business component;
   (c) Allow a residential dwelling to be occupied by the owner, manager or employee (and their family and/or dependents) of the rural or light industrial pursuit;
   (d) Establish a light or rural industry that is of a nature which can operate compatibly with residential living and minimal impact on adjoining properties.
2. No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
General Industry Zone	Front	Side	Rear	1 bay for every 100m^2 NLA	N/A	2m landscaping strip along the front boundary
	9m	6m	6m			

1. Multiple unit industry development, for the purpose of providing multiple industry units on one lot, shall not be permitted unless the following requirements are complied with:
   (a) no unit shall have a floor area of less than 100m^2;
   (b) each unit shall have a service yard appurtenant to it which shall be a minimum size of 50 percent of the unit floor area;
   (c) access to any office attached to the factory unit and the major access to the unit itself shall not be through the service yard;
   (d) off-street parking may be provided in a consolidated area on-site.
2. No dumping or storage of waste or materials or construction, servicing or maintenance shall be carried out between the front building line and the street frontage, without prohibiting the display of finished goods or goods for sale or ready for delivery, as approved by local government.

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Tourism Zone *AMD 2 GG 25/09/2026*	Front	Side	Rear	As per Table 9	As per Table 9	10% minimum coverage of the site area
	9m	3m	3m			

1. The local government may approve the use of a Tourism zoned site for permanent residential accommodation purposes, inclusive of

	grouped and/or multiple dwellings, to a maximum of 40 percent of the total number of accommodation units approved for the site. 2. The local government may reduce the parking requirement if the predominant mode of transport by visitors utilising the premises is by coach (particularly for backpacker accommodation). 3. Pickup and set-down areas shall be provided as required by the local government. 4. No dumping or storage of waste or materials or construction, servicing or maintenance shall be carried out between the front building line and the street frontage, without prohibiting the display of finished goods or goods for sale or ready for delivery, as approved by local government.					
Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
	Front	Side	Rear			
Agriculture – State and Regional Significance Zone	20m	Agricultural land uses – 20m Structures and incidental development – 100m	Agricultural land uses – 20m Structures and incidental development – 100m	As per Table 9	N/A	N/A
Local Horticulture Zone	20m	Agricultural land uses – 20m Structures and incidental development – 35m and not within 70m of any residence on an adjoining property	Agricultural land uses – 20m Structures and incidental development – 35m and not within 70m of any residence on an adjoining property.	As per Table 9	N/A	N/A
Agriculture – State and Regional Significance Zone and Local Horticulture Zone	1. In considering an application for development approval, the local government must ensure that the proposed development is consistent with and will not conflict with the objectives for the zone as established in clause 16 of this Scheme. 2. The local government may only permit the development and use of land for non-agricultural uses if: (a) An established agriculture - extensive or agriculture - intensive activity is being carried out on the property, with a minimum of 50% of the land under cultivation for those uses. (b) The proposed development is to remain incidental and subordinate to the carrying out of agricultural activity on the property. (c) The proposed development is not located on any part of the property utilised for agricultural activities, and sited so it will not bisect existing or potential agricultural areas on the property. (d) Prior to the local government advertising and making a determination on the proposed development the applicant shall submit: (i) A detailed management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed. The management plan should detail measures to manage the following impacts: • dust and noise; • visual amenity; • biosecurity; and • ensuring the continued agricultural activity on the land;					

(ii) A detailed landscaping plan in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health - August 2012 regarding establishment of vegetation buffers. The vegetation buffer shall also provide an appropriate visual screen from both the road and neighbouring properties.

(e) As part of the advertising process the local government will seek comment on any application from the Department of Primary Industries and Regional Development and other relevant agencies or stakeholders, and surrounding landowners.

(f) Prior to the construction of any proposed development landscaping in accordance with the approved landscaping plan should be commenced.

(g) Prior to occupation or use of any approved development:

(i) Relevant officers shall inspect the development to ensure biosecurity information is displayed in a prominent place;

(ii) Relevant officers shall inspect procedures to ensure that all employees are made aware of the biosecurity issues and preventative measures prior to commencement of operation; and

(iii) Landscaping must be established in accordance with the approved landscaping plan.

3. Only one dwelling is permitted on any lot within the Local Horticulture Zone however the local government may, at its discretion, also approve either one ancillary dwelling or one caretaker's dwelling (but not both), provided that the total floor area of the additional dwelling does not exceed 150m².

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Rural Zone	Front	Side	Rear	As per Table 9	N/A	N/A
	20m	10m	20m			

Zone	Minimum Setbacks			Parking	Bicycle Parking	Landscaping
Rural Residential Zone and Rural Smallholding Zone	Front	Side	Rear	As per R-Codes and Table 9	N/A	N/A
	10m	5m	10m			

1. Requirement for Structure Plan

(a) Subdivision, development and land use shall generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the deemed provisions.

2. Dwellings

Only one dwelling is permitted on any lot within the Rural Residential and Rural Smallholding zones, although the local government may, at its discretion, also approve one ancillary dwelling with a total floor area that does not exceed 100m².

3. Keeping of Animals

(a) The keeping of animals on Rural Residential or Rural Smallholding zoned land for commercial gain requires the development approval of the local government, and if approved, shall accord with the maximum stocking rates prescribed by the Department of Primary Industries and Regional Development;

	(b) Any person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of local government. In considering an application for development approval for a proposed development, local government may impose conditions relating to the prevention of over stocking, erosion and any other practice detrimental to the amenity of the zone; and (c) Where the keeping of animals results in problems of land degradation, the local government may restrict stocking rates below those prescribed by paragraph (a). 4. Vegetation No clearing or destruction of any remnant vegetation shall be permitted except for: (a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended), the local government's Bush Fire Notice and/or any fire management plan endorsed by the local government and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004; (b) Clearing of vegetation for access or fire breaks specifically identified on a structure plan; (c) Clearing as may reasonably be required to accommodate an approved building and curtilage, or vehicular access to an approved building or other land use approved by the local government; (d) Trees which are dead, diseased, dangerous, introduced exotic trees, or noxious trees and weeds. 5. Outbuildings Notwithstanding clause 61(1)(m) in Schedule A – Supplemental Provisions, the development of an outbuilding in the Rural Residential Zone with either: (a) A floor area exceeding 200m²; (b) Wall height exceeding 4.4m; or (c) Ridge height exceeding 6m; will require the development approval of the local government. 6. Fencing All fencing shall be to a standard that accords with the rural amenity of the area and thereafter be maintained in a condition as approved by the local government. 7. Rural Home Business (a) Any structures or external storage areas utilised for Rural Home Business shall be provided with appropriate screening to the satisfaction of the local government. (b) All Rural Home Business activities shall operate within reasonable hours as prescribed by the local government. (c) Measures are to be taken to ensure no unreasonable noise, odour, dust or other emission extends offsite to the satisfaction of the local government.

<table>
<tr><th>Zone</th><th colspan="3">Minimum Setbacks</th><th>Parking</th><th>Bicycle Parking</th><th>Landscaping</th></tr>
<tr><td rowspan="3">Settlement Zone</td><td>Front</td><td>Side</td><td>Rear</td><td rowspan="2">As per R-Codes or Table 9</td><td rowspan="2">N/A</td><td rowspan="2">N/A</td></tr>
<tr><td>On merit</td><td>On merit</td><td>On merit</td></tr>
<tr><td colspan="6">1. Development in the Settlement Zone is to accord with an endorsed Layout Plan and provide for
(a) a mix of land uses typically found in Aboriginal Settlements, including light industrial, tourism, residential, commercial, community, recreation and public utility; protecting sensitive areas such as No Go areas and drinking water source protection areas from inappropriate development.
(b) traditional law and culture.</td></tr>
<tr><th>Zone</th><th colspan="3">Minimum Setbacks</th><th>Parking</th><th>Bicycle Parking</th><th>Landscaping</th></tr>
<tr><td rowspan="3">Urban Development Zone and Industrial Development Zone</td><td>Front</td><td>Side</td><td>Rear</td><td rowspan="2">N/A</td><td rowspan="2">N/A</td><td rowspan="2">N/A</td></tr>
<tr><td>On merit</td><td>On merit</td><td>On merit</td></tr>
<tr><td colspan="6">Development approval will not be granted and subdivision will not be supported unless a structure plan has been prepared for all or part of the zone under Part 4 of the deemed provisions.</td></tr>
</table>

Schedule 4 – Signage and advertisements for which development approval not required (Supplemental to the deemed provisions - clause 61(1)(k))

Land use / development	Exempted Sign	Maximum Size
Dwellings	One professional name-plate as appropriate.	$0.2m^2$
Home Occupation	One advertisement describing the nature of the home occupation.	$0.2m^2$
Places of Worship and Civic Uses	One advertisement detailing the function and/or the activities of the institution concerned.	$0.2m^2$
Cinemas/Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed $5m^2$
Shops, Showrooms and other uses appropriate to a Commercial or Local Centre zone	All advertisement affixed to the building below the top of the awning, below a line measured at 5m from the ground floor level of the building subject to a compliance with the requirements of any local planning policy.	Not Applicable
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding the signs projecting from a building whether or not those signs are connected to a pole, wall or other building. A maximum of two free-standing advertisements signs not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed $15m^2$ and individual advertisement signs shall not exceed $6m^2$
Race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	Not Applicable

Land use / development	Exempted Sign	Maximum Size
Public Places and Reserves	Advertisement signs (illuminated or non-illuminated) relating to the functions of Government, a public authority or local government of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body; and	Not Applicable
	Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the local government of a municipality; and	Not Applicable
	Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified herein.	Not Applicable
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All land uses other than those listed in this table	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	$0.2m^2$

Temporary Signs	Exempted sign	Maximum size
Building Construction Sites (advertisement signs displayed only for the duration of the construction)	(i) Dwellings: One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	$2m^2$
	(ii) Multiple Dwellings, Shops, Commercial and Industrial Projects: One sign as for (i) above.	$5m^2$
	(iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 4 storeys in height, and rural properties in excess of 5 ha: One sign as for (i) above.	$10m^2$
	One additional sign showing the name of the project builder.	$5m^2$
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	$2m^{2.}$
Display Homes (advertisement signs displayed for the period over which homes are on display for public inspection)	(a) One sign for each dwelling on display.	$2m^2$
	(b) In addition to (a) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	$5m^2$

ADOPTION

COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME

Pursuant to Regulation 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, by resolution of the Council of the **SHIRE OF WYNDHAM-EAST KIMBERLEY** at the Ordinary Meeting of Council held on the **24 February 2015**

CARL ASKEW

CHIEF EXECUTIVE OFFICER

DAVID MENZEL

PRESIDENT

COUNCIL RESOLUTION TO SUPPORT SCHEME FOR APPROVAL

Pursuant to Regulation 25(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council resolved to **support** the draft Scheme of the **SHIRE OF WYNDHAM-EAST KIMBERLE**Y at the Ordinary Meeting of Council held on the
20 December 2016

The Common Seal of the **Shire of Wyndham-East Kimberley** was
hereunto affixed by authority of a resolution
of the Council in the presence of:

CARL ASKEW

CHIEF EXECUTIVE OFFICER

DAVID MENZEL

PRESIDENT

Western Australian Planning Commission Recommended for Approval

KAT NEVE

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

Date: 14 Jan 2019

Approval Granted

RITA SAFFIOTI

MINISTER FOR PLANNING

Date: 1 Feb 2019