



Shire of Pingelly Local Planning Scheme No. 3 Scheme Amendment No. 6

Omnibus amendment to the Scheme Text

Prepared by Edge Planning & Property for the Shire of Pingelly

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Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO TOWN PLANNING SCHEME

**SHIRE OF PINGELLY LOCAL PLANNING SCHEME No. 3
AMENDMENT No. 6**

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amends the above Local Planning Scheme by:

1. Deleting Parts 1 (other than clause 1.5), 2, 3, 4, 5, 6 (part), 7, 8, 9, 10 and 11 and replacing with Parts 1, 2, 3, 4, 5 and 6 from Model Provisions for Local Planning Schemes set out in Schedule 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Model Scheme Text).
2. Deleting Schedules One to Ten inclusive from the Scheme text.
3. Rewording and extending Part 6 – Special Control Areas (proposed Part 5).
4. Rewording Schedule Eleven – Rural Residential Zones and Provisions (proposed Schedule 2).
5. Deleting, modifying and adding definitions from Schedule One, Dictionary of Defined Words and Expressions, as they have been superseded by the definitions set out in the Model Scheme Text. Adding the Model Scheme Text definitions, plus adding other definitions to Part 6.
6. Extending and modifying the Aims of the Scheme in clause 1.6 (new clause 9).
7. Deleting the Zoning Table and replacing with a new Zoning Table with new land uses and modified permissibility.
8. Modifying references of 'Town Centre' zone to 'Commercial' zone, 'General Agriculture' zone to 'Rural' zone, 'Industry' zone to 'General Industry' zone, 'Development' zone to 'Urban Development' zone.
9. Deleting references to 'Special Use' zone.
10. Inserting provisions relating to the Commercial, Mixed Use, Residential, Rural Residential, Rural, General Industry and Urban Development zones and inserting provisions relating to dual residential density codes, general appearance of buildings and preservation of amenity, development of land without constructed/dedicated road frontage or access, repurposed dwellings and second-hand dwellings, derelict vehicles, machinery and objects, use of setback area, commercial vehicle parking, landscaping, car parking, traffic management, natural resource management, waterway resource management and protection, ancillary dwellings, caretaker's dwellings, workforce accommodation, dwellings without reticulated mains water supply, servicing, mining operations, waste and resource recovery facilities, signage and advertisements, and restrictive covenants.

11. Modifying Table 6 – Development Table – General to Table 5 Site and development standards.
12. Rewording Schedule 2 – Additional Uses including replacing Additional Use No. 2 and relocating to proposed clause 19.
13. Inserting Schedule A – Supplementary provisions to the deemed provisions.
14. Adding Schedule 1 – Exempted Signage and Advertisements.
15. Addressing administrative anomalies.
16. Renumbering the scheme provisions and schedules sequentially and updating any cross referencing.
17. Updating the Table of Contents.
18. Modifying the scheme maps through changing zone and reserve names to align with Schedule 3 – Legends used in Scheme from the *Planning and Development (Local Planning Scheme) Regulations 2015*.
19. Deleting the preamble.

The amendment is a standard amendment in accordance with part (f) and (g) of the standard amendment definition contained in Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Dated this 28..... day of November..... 2022.....

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 CHIEF EXECUTIVE OFFICER

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Attachment

1	Shire of Pingelly Local Planning Scheme No. 3 text showing proposed amendments in highlight and strikeout	
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PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL GOVERNMENT	Shire of Pingelly
DESCRIPTION OF LOCAL PLANNING SCHEME	Shire of Pingelly Local Planning Scheme No. 3
TYPE OF SCHEME	District Scheme
SERIAL NO. OF AMENDMENT	6
PROPOSAL	Undertake various amendments to the scheme text to ensure consistency with the deemed provisions, address the Model Scheme Text, address emerging planning issues and assist in creating an effective and efficient local planning system.

REPORT BY THE SHIRE OF PINGELLY

1. INTRODUCTION

The purpose of this Amendment is to modify the *Shire of Pingelly Local Planning Scheme No. 3 (LPS3)* to:

- Ensure consistency with the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Regulations');
- Ensure consistency with Schedule 1 - Model provisions for local planning schemes (Model Scheme Text) in the Regulations;
- Update the Zoning Table;
- Delete superfluous definitions and land uses and introduce new definitions and land uses;
- Insert provisions relating to the Commercial, Mixed Use, Residential, Rural Residential, Rural, General Industry and Urban Development zones;
- Insert provisions relating to amenity, servicing and natural resource management;
- Modify Development Table – General;
- Introduce Schedule A – Supplemental Provisions;
- Ensure zone and reserve names are consistent with the Regulations; and
- Review opportunities to create an effective and efficient local planning system.

The Amendment is a standard amendment in accordance with part (f) and (g) of the standard amendment definition contained in Regulation 34 of the Regulations.

2. BACKGROUND

LPS3 was gazetted on 5 May 2008. Based on the approved Report of Review, this Amendment seeks to ensure LPS3 is consistent with recent changes to the deemed provisions along with consistency with the Model Scheme Text.

The Regulations were gazetted on 25 August 2015. The Regulations, made under the *Planning and Development Act 2005* (the 'Act'), govern the way in which local planning schemes are prepared and amended.

Schedule 2 of the Regulations titled 'Deemed provisions for local planning schemes' apply to all planning schemes and prevail over schemes including LPS3. The deemed provisions are 'read into' schemes automatically under Section 257B of the Act. Provisions in LPS3, which are inconsistent with the deemed provisions, ceased to apply as of gazettal of the Regulations.

The deemed provisions address a range of matters including uniform processes and procedures to schemes, such as structure plan preparation and development assessment. The Regulations are a major part of Western Australia's planning reform agenda.

As a result of changes to the Regulations, various parts of LPS3 are now superfluous. This Amendment is now pursued to remove provisions which have been replaced by the deemed provisions, along with addressing the Model Scheme Text.

The local government has audited LPS3 (see Attachment 1) to determine which provisions are now superseded by the deemed provisions and Model Scheme Text. Accordingly, the Amendment also seeks consistency with Schedule 1 of the Regulations to address the Model Scheme Text.

Based on the approved Report of Review, the Amendment also updates other sections of the LPS3 text to address emerging planning issues, and to promote an effective and efficient local planning system. These are outlined in Attachment 1.

3. PROPOSED AMENDMENTS AND RATIONALE

The following matters have been identified as requiring modification to ensure LPS3 is consistent with the Regulations and to reflect the needs of the local community:

- Ensure consistency with the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Regulations');
- Ensure consistency with Schedule 1 - Model provisions for local planning schemes (Model Scheme Text) in the Regulations;
- Update the Zoning Table to provide sufficient controls but also to provide flexibility for a range of appropriate uses in the different zones as expected in a rural context;
- Insert provisions relating to the Commercial, Mixed Use, Residential, Rural Residential, Rural, General Industry and Urban Development zones;
- Insert provisions relating to dual residential density codes, general appearance of buildings and preservation of amenity, development of land without constructed/dedicated road frontage or access, repurposed dwellings and second-hand dwellings, derelict vehicles, machinery and objects, use of setback area, commercial vehicle parking, landscaping, car parking, traffic management, natural resource management, waterway resource management and protection, ancillary dwellings, caretaker's dwellings, workforce accommodation, dwellings without reticulated mains water supply, servicing,

mining operations, waste and resource recovery facilities, signage and advertisements, and restrictive covenants;

- Delete superfluous definitions and land uses and introduce new definitions and land uses;
- Modify Development Table – General;
- Introduce Schedule A – Supplemental Provisions;
- Review opportunities to create an effective and efficient local planning system; and
- Ensure zone and reserve names, including on the scheme maps, are consistent with the Regulations.

Attachment 1 outlines proposed modifications to the LPS3 text with new sections highlighted and deleted sections in strikeout. The aqua highlighted text are from the WAPC's Model Scheme Text, green highlighted text are proposed new provisions, while white text are retained provisions from LPS3.

4. CONCLUSION

The proposed amendments to the LPS3 text seek to ensure consistency with the Regulations, to address emerging issues and to assist in making LPS3 a more effective and efficient planning tool.

The support of the Western Australian Planning Commission and the approval of the Minister for Planning are respectfully requested.

Planning and Development Act 2005

SHIRE OF PINGELLY

LOCAL PLANNING SCHEME No. 3

AMENDMENT No. 6

That the Shire of Pingelly, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Deleting Parts 1 (other than clause 1.5), 2, 3, 4, 5, 6 (part), 7, 8, 9, 10 and 11 and replacing with Parts 1, 2, 3, 4, 5 and 6 from Model Provisions for Local Planning Schemes set out in Schedule 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015 (Model Scheme Text)*, along with the following:
 - Adding 'any supplemental provisions to the deemed provisions outlined in Schedule A of the scheme text;' in sub-clause 7(1)(b); and
 - Modifying 'Department of Main Road' to 'Main Roads Western Australia' in sub-clause 14(1).
2. Deleting Schedules One to Ten inclusive from the Scheme text.
3. Rewording and extending Part 6 – Special Control Areas (proposed Part 5) as follows:

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 in the Scheme area

Name of area	Purpose	Objectives	Additional provisions
SCA 1	Waste Water Treatment Plant Odour Buffer	<ol style="list-style-type: none"> 1. Protect the long-term operation of the water treatment plant which provides an essential service to the community through the treatment, re-use and safe disposal of the town's treated waste water. 2. Recognise the potential impacts on amenity from the wastewater treatment plant, including odour 	<ol style="list-style-type: none"> 1. Despite the land use permissibility indicated in Table 3 or any provisions elsewhere in the Scheme, a Development Application is required for any proposed use or development within the Special Control Area as depicted on the Scheme Map. 2. When determining applications for development within the Special Control Area, the local government shall: <ol style="list-style-type: none"> (a) Consider the compatibility of the use or development with waste water treatment infrastructure having regard to potential odour and noise

		<p>and noise nuisance.</p> <p>3. Avoid the development of incompatible and odour sensitive land uses within the buffer area.</p> <p>4. Where necessary and appropriate control development and land use within the buffer area.</p>	<p>emissions from the waste water treatment plant;</p> <p>(b) Consider whether the use or development would have a detrimental impact on the long-term operation of the waste water treatment plant;</p> <p>(c) Obtain and have regard to the advice and recommendations of the Water Corporation, Department of Water and Environment Regulation, Western Australian Planning Commission; and any other relevant authorities, and any policies related thereto;</p> <p>(d) Impose conditions as appropriate to any development approval to attenuate or minimise odour and noise impacts; and</p> <p>(e) Notwithstanding clause 18, not approve any development application within the buffer that, in the opinion of the local government, would suffer unacceptable impacts from odour or noise emissions, or which by its nature may adversely impact on the continued operation of the waste water treatment plant.</p>
SCA2	Moorumbine townsite and Dattening townsite	<p>Guide development in an orderly manner:</p> <p>(a) in accordance with and consistent with the limitations of existing infrastructure;</p> <p>(b) Council's settlement hierarchy;</p> <p>(c) the natural resource management provisions of this Scheme;</p> <p>(d) the general land use allocations indicated in Council's policy plan for each area.</p>	<p>1. The base zoning for each special control area is "Rural Residential". Reserves are allocated to specific purposes.</p> <p>2. An application for planning approval is required for all development within the special control area.</p> <p>3. An application for development approval for any use other than residential needs to demonstrate how its operation and location will be compatible with existing residences.</p> <p>4. An application for a use which would otherwise not be permitted in the Scheme for the particular zone or reserve may be approved by the local government having regard to the following criteria and only</p>

			<p>after following the procedure set in clause 64 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>5. An application for development approval will, where appropriate, be referred to the servicing agencies to establish the need for, or adequacy of infrastructure to satisfactorily service the development.</p> <p>6. No additional lots shall be created unless with a minimum area of 1.5 ha but the local government may recommend approval and the Commission may approve the adjustment of boundaries between lots or the amalgamation of lots.</p>
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4. Rewording Schedule Eleven – Rural Residential Zones and Provisions (proposed Schedule 2) as follows:

Description of Location	Provisions
Aldersyde Road Avon Location 4925 (RR1)	All lots of less than 2 ha shall be connected to a reticulated public water supply as a condition of subdivision.
Pingelly Townsite (RR2)	No additional lots shall be created unless with a minimum area of 1.5 ha but the Council may recommend approval and the Commission may approve the adjustment of boundaries between lots or the amalgamation of lots.
Yenellin Road Portion of Lot 5209 and portion of Lot 3902, Pingelly (RR3)	<ol style="list-style-type: none"> 1. Development (including subdivision) shall be generally in accordance with a Structure Plan adopted by Council and endorsed by the Western Australian Planning Commission. 2. A minimum lots size of 1 ha shall apply. 3. All lots are required to be connected to a reticulated water supply by a licensed provider. 4. Approved dwellings need to be connected to alternative onsite effluent disposal systems to prevent pollution of groundwater. Prospective purchasers should be advised of this requirement. 5. No lots shall have direct vehicular access to Bullaring-Pingelly Road. 6. A Revegetation Implementation Plan is to be prepared with a minimum of ten percent (10%) of the development area revegetated with native species to the satisfaction of the local government and the Department of Water and Environmental Conservation. 7. The balance of title for Lot 5209 is to be amalgamated with the adjoining Lot 3902.

5. Deleting, modifying and adding definitions from Schedule One, Dictionary of Defined Words and Expressions, as they have been superseded by the definitions set out in the Model Scheme Text. Adding Model Scheme Text definitions, plus adding other definitions to Part 6. In particular:
- Deleting agroforestry, aquaculture, dog kennels, industry-general, industry-mining, industry-service, plantation, showroom, and storage;
 - Adding ancillary dwelling, art gallery, brewery, bulky goods showroom, commercial vehicle parking, garden centre, grouped dwelling, holiday accommodation, holiday house, independent living complex, industry, industry – primary production, liquor store – large, liquor store – small, mining operations, renewable energy facility, repurposed dwelling, residential aged care facility, resource recovery centre, second-hand dwelling, serviced apartment, single house, small bar, trade supplies, transport depot, tree farm, waste disposal facility, waste storage facility, wind farm, and workforce accommodation; and
 - Adding the following:

Part 6 — Terms referred to in Scheme
Division 1 — General definitions used in Scheme

64. 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;

cabin means a dwelling forming part of a tourist development or caravan park that is —

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guests;

chalet means a dwelling forming part of a tourist development or caravan park that is —

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short-term accommodation for guests;

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;

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

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;

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

short-term accommodation means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

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.

65. Land use terms used

If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows —

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 not include agriculture — intensive or animal husbandry — intensive;

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

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture;

amusement parlour means premises —

- (a) that are open to the public; and
- (b) that are used predominantly for amusement by means of amusement machines including computers; and
- (c) where there are 2 or more amusement machines;

ancillary dwelling has the meaning given 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 pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens;

art gallery means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

bed and breakfast means a dwelling —

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms;

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

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

bulky goods showroom means premises —

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

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

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

caretaker's dwelling means a dwelling on the same site as a building, operation or plant 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 2 commercial vehicles but does not include —

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) parking of commercial vehicles incidental to the predominant use of the land;

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

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

convenience store means premises —

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 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;

grouped dwelling has the meaning given in the R-Codes;

holiday accommodation means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

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

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

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 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 of more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home occupation 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 of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

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 used as a hospital as defined in the *Health Services Act 2016* section 8(4);

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

independent living complex means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility;

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 out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50 square metres; and
- (e) does not display a sign exceeding 0.2 square metres in area;

industry — extractive means 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 premises used for an industry that —

- (a) supports and/or is associated with primary production; or
- (a) services plant or equipment used in primary production;

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;

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 means premises, which may be licensed under the *Liquor Control Act 1988* —

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles;

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

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

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or 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 premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8;

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 relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary;

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

residential building has the meaning given in the R-Codes;

residential aged care facility means a residential facility providing personal and/or nursing care primarily to people who are frail and aged or dependent persons which, as well as accommodation, includes:

- (a) appropriate staffing to meet the nursing and personal care needs of residents
- (b) meals and cleaning services
- (c) furnishings, furniture and equipment.

This may consist of multiple components that include communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, residential respite (short-term) care, and/or an independent living complex, but does not include a hospital, rehabilitation or psychiatric facility;

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

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

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

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements;

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

- (a) does not involve employing more than 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 of more than 30 tonnes gross weight;

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

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises;

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 means a group of units or apartments providing —

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities;

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

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

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

single house has the meaning given in the R-Codes;

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;

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 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;

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

warehouse/storage means premises including indoor or outdoor facilities used for —

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

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

waste disposal facility means premises used —

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

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

waste storage facility means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

wind farm means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use;

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

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.

6. Extending and modifying the Aims of the Scheme in clause 1.6 (new clause 9) through:

- Deleting 'The aims of the Scheme are through the zoning and reserving of land in appropriate locations' and replacing with 'The aims of the Scheme are to';
- Deleting 'To' at the start of each bullet point;
- Deleting 'To improve the management of the natural resources of the Scheme Area.'
- Adding the following:
 - (h) encourage the sustainable development and expansion of the Pingelly townsite to improve service viability while conserving or enhancing a strong sense of community.
 - (i) ensure that future subdivision and development within and near the Pingelly townsite provide a broad range of housing and lifestyle choices that enhance the environment and character of the townsite.
 - (j) provide opportunities for planned, contained and sustainable rural residential development with access to services and infrastructure within and abutting the Pingelly town site.
 - (k) assist employment and economic growth by facilitating the timely provision of suitable land for commercial, industrial and tourist development, as well as providing opportunities for home-based employment.
 - (l) encourage economic growth in rural areas by facilitating the more intensive and diversified use of rural land in appropriate areas for high value products

which are compatible with surrounding farm practices and encouraging processing and value adding industries to be located within the Shire.

- (m) protect good quality agricultural soils suitable for sustainable production from inappropriate subdivision and development for non-agricultural purposes.
- (n) promote the sustainable management of natural resources including energy, water, land, minerals and basic raw materials by preventing land degradation and integrating land and catchment management with land use planning.
- (o) protect the natural environment and biodiversity whilst ensuring appropriate development opportunities within the Shire are realised.
- (p) manage the use and development of land by means of zoning and development controls to achieve compatibility between land uses, and the preservation, and where possible the enhancement of visual amenity of urban and rural uses.
- (q) safeguard and enhance the character and amenity of the built and natural environment of the Scheme Area.

7. Deleting the Zoning Table and replacing with a new Zoning Table with new land uses and modified permissibility as follows:

Table 3 – Zoning Table

LANDUSE	Commercial	Mixed Use	Residential	Rural Residential	Rural	General Industry	Urban Development
Abattoir	X	X	X	X	A	A	See Clause 41
Agriculture – extensive	X	X	X	X	P	X	
Agriculture – intensive	X	X	X	X	A	X	
Amusement parlour	D	A	X	X	X	X	
Ancillary dwelling	D	D	P	D	D	X	
Animal establishment	X	X	X	A	D	A	
Animal husbandry – intensive	X	X	X	A	A	X	
Art gallery	D	D	X	I	D	D	
Bed and breakfast	P	D	A	D	D	X	
Betting agency	D	D	X	X	X	X	
Brewery	D	D	X	X	A	A	
Bulky goods showroom	A	D	X	X	X	A	
Caravan park	A	A	X	X	A	X	
Caretaker's dwelling	D	D	X	X	D	D	
Car park	D	D	X	X	X	D	
Child care premises	D	D	X	X	X	X	
Cinema/theatre	D	A	X	X	X	X	
Civic use	D	A	A	A	A	X	
Club premises	D	A	X	X	D	X	
Commercial vehicle parking	X	D	A	A	P	P	
Community purpose	D	D	A	D	D	X	
Consulting rooms	D	D	A	X	X	X	
Convenience store	D	A	A	X	X	X	
Corrective institution	X	X	X	X	A	X	
Educational establishment	D	A	A	X	A	A	
Exhibition centre	D	A	X	A	D	X	
Family day care	D	D	D	D	X	X	
Fast food outlet	A	A	X	X	X	X	
Fuel depot	A	A	X	X	D	D	
Funeral parlour	D	D	X	X	X	D	
Garden centre	D	D	X	A	D	D	
Grouped dwelling	D	P	P	X	D	X	
Holiday accommodation	A	A	X	X	A	X	
Holiday house	D	D	A	A	D	X	
Home business	P	P	A	A	A	X	
Home occupation	P	P	A	A	A	X	
Home office	P	P	P	P	P	X	
Home store	D	D	A	X	X	X	
Hospital	D	D	X	X	X	X	
Hotel	A	A	X	X	X	X	
Independent living complex	X	X	D	X	X	X	
Industry	X	X	X	X	A	D	
Industry – cottage	P	D	A	A	D	D	

Industry – extractive	X	X	X	X	D	A
Industry – light	A	D	X	X	X	P
Industry – primary production	X	X	X	X	D	D
Industry – rural	X	X	X	X	D	D
Liquor store - large	A	A	X	X	X	X
Liquor store – small	D	A	X	X	X	X
lunch bar	P	D	X	X	X	D
Market	D	D	X	X	D	X
Medical centre	P	D	A	X	X	X
Mining operations	D	D	D	D	D	D
Motel	D	A	X	X	X	X
Motor vehicle, boat or caravan sales	A	D	X	X	X	A
Motor vehicle repair	A	A	X	X	X	P
Motor vehicle wash	A	A	X	X	X	P
Nightclub	A	A	X	X	X	A
Office	P	D	X	X	X	X
Park home park	X	A	X	X	X	X
Place of worship	P	A	A	A	X	X
Reception centre	A	A	X	X	I	X
Recreation – private	D	X	X	X	A	A
Renewable energy facility	X	X	X	X	A	A
Repurposed dwelling	D	D	D	D	D	X
Residential building	D	D	A	X	A	X
Residential aged care facility	A	X	D	A	X	X
Resource recovery centre	X	A	X	X	X	D
Restaurant/café	P	D	X	X	I	X
Restricted premises	A	X	X	X	X	X
Rural home business	X	X	X	A	D	X
Rural pursuit/hobby farm	X	X	X	D	P	X
Second-hand dwelling	D	D	D	D	D	X
Serviced apartment	D	D	X	X	X	X
Service station	D	A	X	X	X	A
Shop	P	D	X	X	X	X
Single house	D	P	P	P	P	X
Small bar	P	A	X	X	I	X
Tavern	D	A	X	X	X	X
Telecommunications infrastructure	D	D	A	D	D	D
Trade display	A	D	X	X	X	D
Trade supplies	A	D	X	X	X	D
Transport depot	X	X	X	X	X	D
Tree farm	X	X	X	A	A	X
Veterinary centre	D	A	X	X	A	A
Warehouse/storage	A	D	X	X	X	D
Waste disposal facility	X	X	X	X	A	X
Waste storage facility	D	D	X	X	A	D
Wind farm	X	X	X	X	A	A
Winery	X	X	X	X	A	A
Workforce accommodation	A	A	X	X	I	X

8. Modifying references of 'Town Centre' zone to 'Commercial' zone, 'General Agriculture' zone to 'Rural' zone, 'Industry' zone to 'General Industry' zone, 'Development' zone to 'Urban Development' zone.
9. Deleting references to 'Special Use' zone.
10. Inserting provisions relating to the Commercial, Mixed Use, Residential, Rural Residential, Rural, General Industry and Urban Development zones and inserting provisions relating to dual residential density codes, general appearance of buildings and preservation of amenity, development of land without constructed/dedicated road frontage or access, repurposed dwellings and second-hand dwellings, derelict vehicles, machinery and objects, use of setback area, commercial vehicle parking, landscaping, car parking, traffic management, natural resource management, waterway resource management and protection, ancillary dwellings, caretaker's dwellings, workforce accommodation, dwellings without reticulated mains water supply, servicing, mining operations, waste and resource recovery facilities, signage and advertisements, and restrictive covenants as follows:

26. Modification of R-Codes

Dual Residential Density Codes

- (1) Where on the Scheme Map an area is identified as having a dual density coding in the form of a split R-Code (e.g. R10/20), when considering an application for development approval, or when making a recommendation to the Commission in respect of subdivision, the local government is to apply the lower of the two R-Codes to the proposal unless —
 - (a) it is consistent with all relevant planning instruments governing the control of the development to the satisfaction of the local government; and
 - (b) the lot is connected to reticulated sewerage.

32. Additional Site and Development Requirements

- (1) Clauses 34-60 set out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.
- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

33. Additional Site and Development Requirements for Areas Covered by Structure Plan or Local Development Plan

There are no additional requirements that apply to this Scheme.

34. Site and Development Standards – General

Unless otherwise provided by this Scheme, subdivision and development is required to comply with the requirements of Table 5 as follows:

35. Development in all zones

- (a) In considering an application for development approval (including additions and alterations to existing development) in all zones, the local government shall have regard to the criteria and design guidelines

contained in any local planning policy which has effect pursuant to the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- (b) Development proposals shall recognise the preservation of areas or buildings of architectural or historic interest and the development of land abutting the same.

36. Development in the Commercial Zone

- (a) Residential development in the Commercial Zone shall be in accordance with the density code (R-Code) depicted on the Scheme Map. Where the Scheme Map does not indicate an R-Code residential development shall be in accordance with the R40 density code, unless otherwise indicated by a provision(s) of this Scheme.
- (b) For mixed use development, comprising a combination of residential and non-residential uses, the relevant provisions of the R-Codes shall apply to the residential component of the development in accordance with the applicable density code, and the provisions of this Scheme to the non-residential component of the development.
- (c) Notwithstanding the development standards set out above and in Table 5, when considering an application for development approval for non-residential development in the Commercial Zone the local government may approve variations, including the following:
 - (i) An increase in plot ratio of 20% may be granted where the local government is satisfied that the functioning of public open space areas, courtyards or colonnades, or setback areas; or the preservation of heritage buildings warrants an increase to the permissible plot ratio;
 - (ii) Site coverage of up to 100% where the local government is satisfied that adequate arrangements have been made in regard to access, car parking, circulation of traffic, safety, servicing, loading and unloading, stormwater drainage, effluent disposal and any other matter which the local government deems necessary;
 - (iii) A zero building setback from the front boundary where landscape and paved pedestrian areas are existing or (are to be provided adjacent to the front boundary (within the road reserve) and the local government is satisfied that adequate arrangements have been made in regard to access, car parking, circulation of traffic, safety, servicing and loading and unloading.

37. Development in the Mixed Use Zone

- (a) Residential development in the Mixed Use Zone shall be in accordance with the density code (R-Code) depicted on the Scheme Map. Where the Scheme Map does not indicate an R-Code residential development shall be in accordance with the R40 density code, unless otherwise indicated by a provision(s) of this Scheme.
- (b) For mixed use development, comprising a combination of residential and non-residential uses, the relevant provisions of the R-Codes shall apply to the residential component of the development in accordance with the applicable density code, and the provisions of this Scheme to the non-residential component of the development.

38. Development in the General Industry Zone

- (a) In considering an application for development approval in the General Industry Zone, the local government shall have regard for the:
 - (i) compatibility of the proposed use(s) with other surrounding uses;
 - (ii) potential impact of the proposal on the efficient and effective operations of existing and planned industry, infrastructure or public purposes; and
 - (iii) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.
- (b) Buildings may abut one side boundary, provided vehicular access to the rear of the lot is maintained.

39. Development in the Rural Residential Zone

- (a) The local government may approve the development of one (1) ancillary dwelling on a lot in the Rural Residential Zone providing it is located within the same building envelope as the primary dwelling or, where there is no building envelope, within 50m of the primary dwelling.
- (b) The local government may approve the development of an outbuilding on a vacant lot in the Rural Residential Zone subject to written commitment from the applicant that they will undertake substantial commencement of a single house within 2 years. The development approval for the outbuilding is conditional that the single house is substantially constructed on the lot within 2 years of the outbuilding approval.

40. Development in the Rural Zone

- (a) In considering applications for development and/or subdivision approval in the Rural Zone, the local government will consider the following:
 - (i) the availability of services required to support the proposed development or subdivision and the economic impact of the provision of, extension or upgrading of those services that may be required;
 - (ii) the adequacy of the roads, existing or proposed in the area which may be needed to support the amount of road traffic expected to be generated by the development or subdivision; and
 - (iii) the need to enforce such conditions as the local government deems appropriate in order to minimise any adverse effect the development may have on the general environment of the area.
- (b) The local government may grant approval of up to two dwellings on any lot in the Rural Zone, provided the lot exceeds 40ha in area, where the land is managed for agricultural production, tourism, or education purposes and where the occupants are engaged in those specified predominant land uses or activities.
- (c) The existence of more than one dwelling on a lot in the Rural Zone shall not be construed as a basis for the local government's support to the subdivision of the lot.
- (d) The local government shall refuse an application for planning approval where in its opinion the proposed development will adversely affect the rural landscape or will adversely impact upon the agricultural use of the land.

- (e) In the Rural Zone there shall be a presumption against the subdivision of land unless the local government is satisfied one or more of the following exceptional circumstances apply:
 - (i) to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;
 - (ii) to protect and actively conserve places of cultural and natural heritage;
 - (iii) to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;
 - (iv) to provide for the creation of a homestead lot to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation; and
 - (v) for other unusual or unanticipated purposes which, in the opinion of the local government, do not conflict with this and other relevant policies and are necessary to the public interest.
- (f) The local government will not support subdivision in the Rural Zone which in its opinion will have the potential to adversely affect the rural landscape or be prejudicial to the agricultural use of the land.

41. Development in the Urban Development Zone

- (a) Prior to the commencement of subdivision or development in the Urban Development Zone, the local government may require a structure plan to be prepared and approved in accordance with Part 4 of the deemed provisions.
- (b) Subdivision and development in the Urban Development Zone will be subject to:
 - (i) adequate services being supplied to accommodate the intended land use;
 - (ii) lots being connected to the reticulated sewerage network where it is available and, in the local governments opinion, feasible to do so;
 - (iv) where connection to the reticulated sewerage network is not feasible, the preparation of a site and soil evaluation to confirm that each lot can accommodate on-site sewage disposal in accordance with *AS/NZS 1547 On-Site Domestic Wastewater Management (Standards Australia/New Zealand Standard, 2012) (AS/NZS 1547)*;
 - (v) for lots in a designated bushfire prone area, the preparation of a bushfire hazard level assessment and/or bushfire management plan.
- (c) Development standards and land uses permitted in the Urban Development Zone will accord with those applying to the equivalent zone for the designated primary use unless varied by the provisions of a structure plan.

42. General appearance of buildings and preservation of amenity

The local government may place conditions on any development approval granted to ensure the development will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality which may address matters including:

- (i) the design and appearance of the development;
- (ii) the colour or type of materials to be used on exposed surfaces;
- (iii) the height, bulk and massing of any building;

- (iv) screening of any areas used for servicing, storage and waste management;
- (v) managing and controlling impacts of development.

43. Development of land without constructed/dedicated road frontage or access

- (a) Notwithstanding any other provision of the Scheme, development approval is required for any development on land abutting an unconstructed road or a lot or location which does not have frontage to a dedicated road. In considering such an application, the local government may:
 - (i) place conditions on any development approval granted requiring the construction of and/or access by means of a dedicated road is provided; or
 - (ii) require other legal arrangements to be made for permanent legal access, to the satisfaction of the local government; or
 - (iii) where dedicated road access is available, grant development approval subject to a condition requiring the applicant to pay a sum of money for the cost of constructing the road or part thereof or construct the road to the local government's road construction standards.
- (b) The local government is to be satisfied that vehicular access points are suitable for the existing or proposed land use, including:
 - (i) the location and construction, with regard to the impact of the proposed land use and expected traffic volume and composition on local traffic flow and safety;
 - (ii) the character and function of the road;
 - (iii) the volume of traffic on the road and the width of the carriageway and visibility;
 - (iv) the ultimate volume and type of traffic generated by the development.

44. Repurposed dwellings and second-hand dwellings

The local government may only approve a development application for the erection of a repurposed dwelling or a second-hand dwelling on a lot where:

- (i) in its opinion such dwelling is in a satisfactory condition and the design and location of the dwelling is to the satisfaction of the local government, and will not adversely affect the amenity of the locality; and
- (ii) the proposal complies with the provisions of this Scheme and any local planning policy which has effect pursuant to the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

45. Derelict vehicles, machinery and objects

The storage of any materials, including derelict vehicles, sea containers or machinery, is not permitted without the development approval of the local government. The local government shall generally not approve the storage of any materials where it is visible from any road or public open space area and/or where, in the opinion of the local government, it detracts from the amenity of the landscape.

46. Use of setback areas

- (a) No person shall use the setback area between the building line and the street alignment for any purpose other than one or more of the following:

- (i) a means of access;
 - (ii) the daily parking of vehicles;
 - (iii) loading and unloading of vehicles;
 - (iv) trade display only with the approval of the local government;
 - (v) alfresco or other uses approved by the local government;
 - (vi) gardens and other landscaping;
 - (vii) maintenance of facades.
- (b) Outdoor displays, industrial hire services, storage facilities, depots, lay-down areas and any other open area shall be sealed, paved or landscaped to the satisfaction of local government and maintained in good condition to the satisfaction of the local government.

47. Commercial vehicle parking

- (a) In the Residential, Commercial, Mixed Use, Urban Development and Rural Resident zones the parking of a commercial vehicle in excess of 4.5 tonnes tare weight on a lot requires development approval.
- (b) For assessing a development approval, commercial vehicle parking shall comply with the following:
- (i) no part of the vehicle is parked on any portion of a right-of-way or public road contiguous with the lot;
 - (ii) the vehicle forms an essential part of the lawful occupation of an occupant of the lot and that occupation if undertaken upon the lot does not contravene the Scheme;
 - (iii) the vehicle is not to be used to carry livestock, hazardous materials, or controlled waste as it is defined by the *Environmental Protection (Controlled Waste) Regulations 2004*;
 - (iv) the vehicle is parked behind the front building line;
 - (v) any noise created by the vehicle within the lot does not contravene the *Environmental Protection (Noise) Regulations 1997*;
 - (vi) major repairs to the vehicle are not undertaken on the lot;
 - (vii) any minor repairs, servicing or cleaning of the vehicle are carried out in an area which is effectively screened from view from the public road system or a public place;
 - (viii) the vehicle is not brought to or taken from the lot between the hours of midnight and 6.00am.

48. Landscaping

- (a) In considering applications for development approval the local government shall require landscaping be provided in accordance with Table 5 - Site and development standards, or as otherwise varied by the provisions of this Scheme.
- (b) The landscaping requirements shown in Table 5 - Site and development standards or referred to in the Scheme means an open area designed, developed and maintained as garden planting and areas for pedestrian use. At the discretion of the local government natural bushland, swimming pools and areas under covered ways may be included within the landscaping requirement, however garbage collection and handling spaces, and other open storage areas shall not be included.
- (c) Access driveways between a street alignment and any buildings may be included in the landscaping requirement but other car parking areas and driveways shall not be included.

- (d) Landscaping required pursuant to this Scheme or pursuant to a conditional planning approval shall be carried out at the time of the development or at such other time as may be agreed in writing between the developer and the local government and shall thereafter be permanently maintained to the satisfaction of the local government.
- (e) No person shall, unless the local government otherwise approves, occupy any buildings forming part of an approved development until the required landscaping has been constructed and planted.
- (f) To improve the environmental amenity of areas that the local government considers deficient in tree cover, it may require as a condition of any development approval the planting of such trees and/or groups of trees and species as specified by the local government, and may include native vegetation re-establishment and/or drainage measures where considered necessary by the local government or relevant public agency.
- (g) No retaining wall shall be constructed which alters the contours of the natural surface by more than 0.5 metres without the approval of the local government.

49. Car parking

- (a) In considering applications for development approval the local government shall require off-street car parking be provided in accordance with Table 6 - Car parking requirements, or as otherwise varied by the provisions of this Scheme.
- (b) Where land is to be developed or used for purposes not mentioned in Table 6 - Car parking requirements, or where a standard or requirement is not specified in the Scheme, the local government shall determine in each case the number of off-street car parking spaces to be provided on the land having due regard to the:
 - (i) nature of the proposed development;
 - (ii) number of employees or others likely to be employed or engaged in the use of the land;
 - (iii) anticipated demand for visitor parking;
 - (iv) orderly, proper and sustainable planning of the area.
- (c) Where off-street car parking is required it shall be provided on the site the subject of the proposed development or land use, or in the immediate vicinity thereof provided that arrangements for the permanent retention of that parking can be set in place to the satisfaction of the local government.
- (d) Where an applicant can demonstrate to the satisfaction of the local government that there is not the demand for the number of off street car parking spaces specified in Table 6 - Car parking requirements, or that other off-street parking facilities are available and that these facilities can be shared with a nearby land use, the local government may vary this standard and/or require that an equivalent area of landscaping be provided in lieu.
- (e) Where the local government is satisfied that an application for development approval cannot provide the minimum off-street car parking requirements on site, the local government may accept a cash payment in lieu of the provision of car parking spaces.
- (f) Where it can be demonstrate that other off-street parking facilities are available to be shared with other land uses operating at different times,

the local government may approve a development with less than the required number of off-street car parking bays provided that:

- (i) it is satisfied that no conflict will occur in the operation of land uses for which the joint use of parking facilities is proposed; and
 - (ii) the landowners who request sharing of parking facilities enter into a legal agreement to the local government's satisfaction for reciprocal rights to parking facilities.
- (g) All off-street car parking spaces and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 *Off-street parking*, and paved, kerbed, drained and marked to the satisfaction of the local government.
- (h) All off-street car parking, loading and access areas shall be constructed prior to occupation of the development or at such time as may be agreed in writing between the local government and the proponent. Such areas shall be maintained by the landowner to the satisfaction of the local government.
- (i) Where a development provides eight (8) or more off-street car parking spaces one (1) large canopy shade tree, with sufficient soil and soft landscaping to permit water absorption and root growth, shall be provided for every four (4) car parking bays.

Table 6: Car parking requirements

Use	Minimum Number of Parking Spaces to be Provided
Bed and Breakfast	1 per bedroom
Caravan Park	1.25 per unit, bay or tent site
Civic Use	1 per 40m ² Gross Floor Area (GFA)
Club Premises	1 per 50m ² GFA, or where licensed: 1 per 5m ² and other activity area
Consulting Rooms / Medical Centre	4 per practitioner for the first practitioner and 2 bays for each practitioner thereafter
Family Day Care	1 per staff member + 2 extra spaces for the picking up and setting down of persons
Fast Food Outlet/Lunch Bar	1 per 4 seated patrons additional drive through/takeaway 1 per 3 persons
Recreation – private	1 per 40m ² GFA
Hotel	1 per 5m ² public area + 1 per bedroom
Industry	1 per 100m ² GFA
Industry - light	1 per 50m ² GFA
Liquor Store	1 per 40m ² GFA
Motel	1 per unit + 1 per 25m ² service area 1.25 per unit
Office	1 per 40m ² GFA
Cinema / theatre	1 per 4 seats provided
Place of Worship	1 per 4 seats provided
Residential	As per the Residential Design Codes
Restaurant/café	1 per 4 patrons 1 per 3 persons
Service Station	1 per 200m ² gross site area 1.5 per fuel point
Shop	1 per 40m ² GFA
Bulky goods showroom	1 per 50m ² GFA
Tourist Development	1 per unit or dwelling + 1 space per staff member
Tavern	1 per 5m ² public area
Veterinary Centre	4 per practitioner
Warehouse / storage	1 per 100m ² GFA
Other Uses Not Listed	Determined by the local government after consideration of the parking need generated by the use and/or outlined in a Local Planning Policy.

50. Traffic management

- (a) Parking, loading and unloading and access, complete with necessary drainage, signs and marking as required by the local government shall be provided prior to occupation of the development or at such time as may be agreed in writing between the local government and the developer. Such areas shall be maintained to the satisfaction of the local government.

Traffic entrances

- (b) The local government may limit access to a lot to a single entry/exit point or may require separate entrances and exits, or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or to reduce traffic hazards.
- (c) Access to a lot for vehicles shall not be permitted directly to or from major roads where access is available from side or rear streets.
- (d) Where access to a lot abutting a major road outside of the Commercial Zone is available only from that road, parking, servicing, and circulation areas within the lot shall be designed and constructed so as to allow unhindered movement within the lot and to enable vehicles to enter and leave the site in forward gear.
- (e) In the case of access to any road which is the responsibility of Main Roads Western Australia, that department is to be consulted prior to the construction/modification or closure of any vehicular access to such road.

Visual truncations

- (f) Except with the approval of the local government, no building, or fence or other form of visual obstruction greater than 0.75m in height, measured from the natural ground level at the boundary, shall be constructed or placed on a lot within a 15 metre truncation of a street corner or within a 3 metre by 1.5 metre truncation of a vehicular access way.

Access for loading and unloading vehicles

- (g) In non-residential zones access for loading and unloading vehicles shall ensure the following:
- (a) No land or buildings shall be developed unless provision is made for an area clear of the street for the purpose of loading and/or unloading goods and/or materials.
 - (b) The local government may require vehicle access and circulation to be designed so that all vehicles can leave the site in forward gear.
 - (c) Access ways shall be not less than 4.5 metres wide. The local government may in exceptional circumstances permit an access way of lesser width, to a minimum of 3.0 metres, only when a one-way system can be established.

51. Natural resource management

- (a) Notwithstanding the specific provisions of this Scheme or any Local Planning Policies, Council shall in considering any development proposal have regard to any threatened or priority ecological community as may be identified by the Environmental Protection Authority and/or any Drainage Plan and/or Soil Conservation Plan which relates to land within the Scheme area.

Tree planting/vegetation corridors/greenbelt

- (b) In order to improve the environmental amenity of areas that the local government considers deficient in tree cover, it may require as a condition of any planning approval, the planting of such trees and/or groups of trees and species as specified by the local government.

52. Waterway resource management and protection

- (a) In considering a development application which may have an impact on any water resources including waterways such as rivers, creeks, drainage lines, swamps and other wetlands, the local government shall have regard to:
 - (b) managing water balance;
 - (c) maintaining and where possible enhancing water quality;
 - (d) encouraging water conservation;
 - (e) maintaining and where possible enhancing water related environmental values, recreational and cultural values;
 - (f) advice from relevant government agencies;
 - (g) stormwater capture;
 - (h) on-site wastewater disposal systems not to be a minimum of 100 metres from waterways.
- (b) The local government may require proponents to:
 - (a) prepare a foreshore management plan, drainage strategy or other document to manage impacts of proposed development and subdivision and will require the proponent, or other agreed party, to appropriately implement the plan or strategy to the satisfaction of the local government;
 - (b) undertake appropriate pre-development and post development monitoring and undertake measures deemed appropriate by the local government to address water management and protection issues.

53. Ancillary dwellings

An ancillary dwelling on land where the R-Codes do not apply shall comply with the following:

- i. be no greater than 100m² in area;
- ii. be collocated with the single house;
- iii. be constructed to a standard that ensures the visual amenity of the area is not adversely impacted to the satisfaction of the local government;
- iv. in the Rural Zone, allow for the continued use of the lot for rural purposes and not limit the use of neighbouring Rural Zoned land.

54. Caretaker's dwellings

A caretaker's dwelling shall comply with the following:

- i. be limited to one (1) per lot;
- ii. have a maximum plot ratio area of 100m²;
- iii. be incidental to the predominant use of the site.

55. Workforce accommodation

An application for development approval for workforce accommodation shall address the following:

- (a) demonstrate a need for workers accommodation necessary for the continued operation of an industry;
- (b) the suitability of the site to be developed for the proposed use;
- (c) the suitable siting of the land use in the context of surrounding existing and proposed land uses to avoid landscape impacts and land use conflicts;
- (d) all services to the dwellings from the lot boundary (including access and egress by vehicles and pedestrians) are to be shared, where applicable;
- (e) be located to minimise any amenity impacts from noise, dust, odour and light spill from the predominant land use;
- (f) maintain the amenity of the locality;
- (g) comply with the development standards of this Scheme or any R-code standards applicable;

- (h) appropriate facility design and use including provision and/or access to recreation, entertainment and community services.

56. Dwellings without reticulated mains water supply

- (1) Where any dwelling is proposed to be constructed on a lot which cannot be connected to a reticulated mains water supply, that dwelling shall be provided with sufficient roof catchment or other methods acceptable to the local government and the provision of a rainwater tank with a minimum capacity of 135,000 litres prior to occupation unless alternative arrangements are made to the satisfaction of the local government for a supply of potable water.
- (2) Where additional water supplies are required for fire-fighting purposes, the capacity of the rainwater tank shall be a minimum of 10,000 litres in addition to the minimum tank size specified in sub-clause (1) along with sufficient roof catchment or other methods of water capture acceptable to the local government.
- (3) Water supply tanks for firefighting purposes are to be provided with a metal 50mm male camlock coupling with full flow valve fitting.

57. Servicing

All development is to be serviced with power, water supply and wastewater (effluent disposal) and stormwater to a level commensurate with the intended land use, with arrangements in place to the satisfaction of the responsible authority and relevant agencies and in accordance with this Scheme.

58. Mining operations

In considering proposals to commercially extract minerals, the local government may, in keeping with s120 of the *Mining Act 1978*, exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy.

59. Waste and resource recovery facilities

An application for development approval for waste and resource recovery facilities shall address the following:

- i. facilities shall be located on a main road or on a road that is of a suitable standard and treatment, to accommodate significant increase in traffic volumes and freight tasks which may be generated by the proposal;
- ii. facilities shall contain, or satisfactorily manage, potential environmental (including water resources), noise, amenity and air quality impacts within the landholding without affecting nearby land uses;
- iii. facilities shall not be visually dominant within key viewsheds, and should be visually compatible with surrounding land uses and development;
- iv. facilities shall be provided with essential services commensurate with the intended land use.

60. Signage and advertisements

- (1) All advertisements require an application for development approval, unless exempted by deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* or in Schedule 1 – Exempted Signage and Advertisements of this Scheme.
- (2) Advertisements that advertise goods or services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, are prohibited.

- (3) Despite subclause 60 (1) and (2), the local government will consider applications for development approval for advertisements on 'third party land' for a temporary period. The local government will have regard to the relevant Local Planning Policy.

62. 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 —
- 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
 - the local government must not grant development approval for the construction of the residential dwelling unless it advertises the application for development approval in accordance with clause 64 of the deemed provisions.

11. Modifying Table 6 – Development Table – General to Table 5 Site and development standards as follows:

Table 5 - Site and development standards

Land Use Zones	Min Lot Area (m ²)	Min Effect Frontage (m)	Min Boundary Setbacks (m)			Maximum Plot Ratio	Min Landscaping (% of Site)
			Front	Rear	Side		
Commercial	n/a	n/a	As determined by the local government			0.8	As determined by the local government
Mixed Use	1000	20	5	3	3	0.75	15
General Industry	4000	50	15	5	3	0.70	15
Residential	In accordance with the Residential Design Codes as varied by Scheme provisions						
Rural Residential	1 to 4ha	25	15	10	10	n/a	As determined by the local government
Rural	n/a	n/a	50	50	50	n/a	As determined by the local government.
Urban Development	See Clause 41						

Footnotes

- (1) Development standards may be varied by the local government at its discretion under Clause 61 and in accordance with Scheme provisions.
- (2) Side setbacks in the General Industry Zone and the Mixed Use Zone may be reduced to zero subject to the agreement of the adjoining owner and the construction of a parapet wall to the local government's satisfaction.

12. Rewording Schedule 2 – Additional Uses including replacing Additional Use No. 2 and relocating to proposed clause 19 as follows:

Table 4 - Specified additional uses for zoned land in Scheme area

No.	Description of land	Additional use	Conditions
1	Milton Road East Pingelly	Transport depot including the storage of grains in bulk and the garaging, maintenance, management, and repair of machinery used for the storage and/or transport of grain.	As determined by the local government.
2	Location 3524 – 50 Aviation Street	Transport depot and the garaging maintenance and repair of transport vehicles and future sheds for hay storage.	As determined by the local government.

13. Inserting Schedule A – Supplementary provisions to the deemed provisions as follows:

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*.

61. Development for which Development Approval Not Required

- (1) Development approval is not required for works if -
- the works are of a class specified in Column 1 of an item in the Table; and
 - if conditions are set out in Column 2 of the Table opposite that item - all of those conditions are satisfied in relation to the works.

Table

	Table Column 1 Works	Column 2 Conditions
22.	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: <ol style="list-style-type: none"> entered in the Register of Heritage Places under the Heritage Act 2018; or the subject of an order under the Heritage Act 2018 Part 4; or included on a heritage list prepared in accordance with this Scheme; or within an area designated under the Scheme as a heritage area; or the subject of a heritage agreement entered into under the Heritage Act 2018 section 90; or a Special Control Area under Part 5 of this Scheme; or abutting an unconstructed road reserve or a lot which does not have direct frontage to a gazetted road reserve.

23.	The erection or extension of an external fixture, boundary wall or fence, patio, pergola, veranda, outbuilding, garage, carport, water tank, or swimming pool.	On the same lot as a single house if a single house is a permitted use ("P") in the zone where the R Codes do not apply and where the development standards set out in the Scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is: (i) entered in the Register of Heritage Places under the Heritage Act 2018; or (ii) the subject of an order under the Heritage Act 2018 Part 4; 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.
24.	The erection of a windmill and the construction of water tanks, gully dams and soaks.	That are incidental and complementary to existing or approved agricultural use(s) being undertaken on land, within the Rural zone and where the applicable Rural zone development standards (including boundary setbacks) are satisfied.
25.	The carrying out of works by the local government.	That are wholly located on a reserve managed by the local government, except where the works involve the clearing of native vegetation.

(2)(h) Pursuant to deemed provision clause 61 (2)(h) development approval is not required for the following uses if –

- (a) the use is of a class specified in Column 1 of an item in the Table;
- (b) the zone is of a class set out in Column 2 of the Table opposite that item; and
- (c) if conditions are set out in Column 3 of the Table opposite that item - all of those conditions are satisfied in relation to the use.

Table

	Column 1 Use	Column 2 Zones	Column 3 Conditions
10	The use of local reserve managed by the local government for the provision of a service to the community if the proposed use.	All reserves	(i) meets the reserve objectives; and (ii) complements the existing and predominant use of the reserve.

14. Adding Schedule 1 – Exempted Signage and Advertisements as follows:

Schedule 1 - Exempted Signage and Advertisements

Land use/works	Exempted sign type and number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum area of exempted sign
Dwellings	One professional name-plate as appropriate.	0.2m ²
Bed and Breakfast, Home Occupation, Holiday House, Family Day Care, Industry-Cottage, and other business operating from a dwelling	One advertisement describing the nature of the business operating from a dwelling.	0.2m ²
Community Purpose, Place of Worship and community related use	One advertisement detailing the function and/or the activities of the use/institution concerned.	0.2m ²
Exhibition Centre	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
Bulky Goods Showroom, Shop, Convenience Store and other commercial uses	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 2.5 metres from the ground level of the building subject to compliance with Local Planning Policy	N/A
Industrial and Warehouse/Storage 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 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 advertisement signs not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15m ² . Maximum permissible total area shall not exceed 10m ² and individual advertisement signs shall not exceed 6m ² .
Public Places and Reserves	a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or the local government of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body;	N/A
	b) Advertisement signs (illuminated and non-illuminated) required for the management	N/A

	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	
	c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single house	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	a) Advertising signs associated with traffic management for events provided signs are – (i) not placed on the road reserve (with the exception of directional signs); (ii) displayed for a period not exceeding 8 weeks; (iii) located to promote the safety of motorists, pedestrians and cyclists. b) Advertising signs associated with traffic management for works on roads.	N/A
Building Construction Sites (advertisement signs displayed only for the duration of the construction) for dwellings and grouped dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
Property Transactions Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated.	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2m ² .
Shop	All advertisements affixed to the building below the top of the awning, or in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	N/A


15. Addressing administrative anomalies.
16. Renumbering the scheme provisions and schedules sequentially and updating any cross referencing.
17. Updating the Table of Contents.
18. Modifying the scheme maps through changing zone and reserve names to align with Schedule 3 – Legends used in Scheme from the *Planning and Development (Local Planning Scheme) Regulations 2015*.
19. Deleting the preamble.

COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Pingelly at the Ordinary Meeting of the Council held on the ...16 November 2022.....



SHIRE PRESIDENT



CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL

Supported for submission to the Minister for Planning for approval by resolution of the Shire of Pingelly at the Ordinary Meeting of the Council held on the and the Common Seal of the Shire of Pingelly was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

.....
DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT ACT 2005

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING
S.87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....