



PERTH, TUESDAY, 31 OCTOBER 2023 No. 144 **SPECIAL**

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PLANNING AND DEVELOPMENT ACT 2005

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**CITY OF KALGOORLIE-  
BOULDER**

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**LOCAL PLANNING SCHEME 2**



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**CITY OF KALGOORLIE-BOULDER**

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The City of Kalgoorlie-Boulder under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

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**PLANNING AND DEVELOPMENT ACT 2005****CITY OF KALGOORLIE-BOULDER****LOCAL PLANNING SCHEME 2****PART 01—PRELIMINARY****1. Citation**

This local planning scheme is the City of Kalgoorlie-Boulder Local Planning Scheme No.2.

**2. Commencement**

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

**3. Scheme revoked**

The following local planning scheme is revoked—

**Name:** *City of Kalgoorlie-Boulder Town Planning Scheme No.01, 1997.*

**Gazettal date:** 18 April 1997 as amended.

**4. Notes do not form part of Scheme**

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

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

**5. Responsibility for Scheme**

The City of Kalgoorlie-Boulder is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

**6. Scheme area**

This Scheme applies to the area shown on the Scheme Map.

**7. Contents of Scheme**

- (1) In addition to the provisions set out in this document (the scheme text), this Scheme includes the following—
  - (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2) (as amended);
  - (b) the Scheme Map;
  - (c) any supplemental deemed provisions outlined in Schedule A of the scheme text; and
  - (d) the following plans, maps, diagrams, or illustrations or materials—

There are no plans, maps, diagrams, or illustrations or materials in addition to the provisions set out in this document.
- (2) This Scheme is to be read in conjunction with any Local Planning Strategy for the Scheme area.

**8. Purposes of Scheme**

The purposes of this Scheme are to—

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in this Scheme; and
- (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

**9. Aims of Scheme**

The aims of the Scheme are to—

- (a) ensure there is a sufficient supply of serviced and suitable land for housing, commercial activities, community facilities, recreation, and open space;
- (b) support such expansion as is consistent with the provision and improvement of infrastructure, services and facilities;

- (c) provide for a range of accommodation choices that meets the needs and aspirations of the community;
- (d) provide for convenient, attractive and viable commercial areas and tourist facilities to serve the needs of the residents and visitors;
- (e) encourage the development of businesses that will strengthen the economic base of the City;
- (f) ensure that areas of environmental and cultural significance are protected and that land use and development within the City is environmentally sustainable;
- (g) ensure the use and development of land does not result in significant adverse impacts on the physical and social environment;
- (h) nurture new economic development opportunities through flexible land use planning controls;
- (i) ensure that development is performed in an orderly and proper manner;
- (j) protect, and where possible, enhance amenity by promoting high quality built form;
- (k) conserve historic and Aboriginal cultural heritage values;
- (l) manage land use planning and development so that it does not diminish the mineral resource sector;
- (m) preserve the rare and valuable natural environment and promote the use of environmentally sustainable building design and materials;
- (n) facilitate a diverse and integrated network of open space catering for both the active and passive recreation needs of the community;
- (o) protect remnant vegetation.

#### 10. Relationship with local laws

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

#### 11. Relationship with other local planning schemes

There are no other local planning schemes of the City of Kalgoorlie-Boulder which apply to the Scheme area.

#### 12. Relationship with region planning scheme

There is no region planning scheme which applies to the Scheme area.

### PART 02—RESERVES

#### 13. Regional Reserves

There are no regional reserves in the Scheme area.

#### 14. Local Reserves

(1) In this clause—

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

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

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

(3) The objective of each local reserve are as follows—

**Table 1: Reserve Objectives**

Reserve name	Objectives
Civic and Community	<ul style="list-style-type: none"> <li>• To provide land for a range of community facilities which are compatible with surrounding development.</li> <li>• To provide for public facilities such as halls, theatres, art galleries, educational, health, and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.</li> </ul>
Drainage or Waterway	<ul style="list-style-type: none"> <li>• To set aside land required for significant waterways and drainage areas.</li> </ul>
Public Purpose	<ul style="list-style-type: none"> <li>• To set aside land that provides a range of essential physical and community infrastructure.</li> </ul>
Public Open Space	<ul style="list-style-type: none"> <li>• To set aside land for public open space, particularly those lands established under the <i>Planning and Development Act 2005</i> section 152.</li> <li>• To provide for a range of active and passive recreation uses such as recreation buildings and courts, and associated car parking and drainage.</li> </ul>
Environmental Conservation	<ul style="list-style-type: none"> <li>• To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.</li> <li>• To identify and protect areas of biodiversity conservation significance within National Parks, and State and other conservation reserves.</li> </ul>

Reserve name	Objectives
Special Purpose	<ul style="list-style-type: none"> <li>To set aside land for a special purpose.</li> <li>Purposes that do not comfortably fit in any other reserve classification.</li> </ul>
Railways	<ul style="list-style-type: none"> <li>To set aside land required for passenger rail and rail freight services.</li> </ul>
Primary Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</li> </ul>
District Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.</li> </ul>
Local Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>

### 15. Additional uses for local reserves

(1) The Table sets out—

- classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and
- the conditions that apply to that additional use.

**Table 2: Specified additional uses for land in local reserves in Scheme area.**

No.	Description of land	Additional use	Conditions
AR1	Reserve 32178	Restaurant/café	The scale of the 'restaurant/café' is not to exceed current operations.
AR2	Reserve 40918	Caravan Park	The use of the land for 'Caravan Park' for up to 24 hours and within the defined area. Camping is not permitted.

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

## PART 03-ZONES AND USE OF LAND

### 16. Zones

- Zones are shown on the Scheme Map according to the legend on each map
- The objectives of each zone are as follows—

**Table 3: Zone Objectives**

Zone name	Objectives
Commercial	<ul style="list-style-type: none"> <li>To provide for a range of shops, offices, restaurants and other commercial outlets in defined town sites or activity centres.</li> <li>To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.</li> <li>To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li> </ul>
Service Commercial	<ul style="list-style-type: none"> <li>To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</li> <li>To provide for a range of uses which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the mixed use, commercial and/or industrial zones.</li> </ul>
Mixed Use	<ul style="list-style-type: none"> <li>To provide for a wide variety of land uses which are compatible with residential uses.</li> <li>To allow for development of a mix of varied but compatible land uses, such as housing, offices, showrooms, amusement centres, eating establishments and appropriate activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> </ul>

Zone name	Objectives
Tourism	<ul style="list-style-type: none"> <li>• To promote and provide for tourism opportunities.</li> <li>• To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where such facilities are an integral part of the development and are of an appropriate scale where they will not significantly impact detrimentally on the surrounding or wider area.</li> <li>• To allow limited residential uses, where appropriate.</li> <li>• To encourage the location of tourist facilities so that they may benefit from existing road services, physical services, infrastructure, other tourist attractions, natural features and urban facilities.</li> </ul>
General Industry	<ul style="list-style-type: none"> <li>• To provide for a broad range of industrial services and storage activities which, by the nature of their operations should be isolated from residential and other sensitive land uses.</li> <li>• To accommodate industry that would not otherwise comply with the performance standards of light industry.</li> <li>• To seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>
Light Industry	<ul style="list-style-type: none"> <li>• To provide for a range of industrial uses and service industries generally compatible with urban areas that cannot be located in commercial zones.</li> </ul> <p>To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</p>
Rural Townsite	<ul style="list-style-type: none"> <li>• To provide for a range of land uses that would typically be found in a small country town.</li> </ul>
Rural	<ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect broadacre agricultural activities such as cropping and grazing, and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas, especially the natural valley and water course systems from damage.</li> <li>• To provide for the operation and development of existing, future, and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural land use.</li> </ul>
Residential	<ul style="list-style-type: none"> <li>• To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>• To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>• To provide for a range of non-residential uses which are compatible with, and complementary to, residential development.</li> </ul>
Private Clubs, Institutions and Places of Worship	<ul style="list-style-type: none"> <li>• To provide sites for privately owned and operated recreation, institutions and places of worship.</li> <li>• To integrate private recreation areas with public recreation areas wherever possible.</li> <li>• To separate potentially noisy engine sports from incompatible uses.</li> <li>• To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.</li> <li>• To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.</li> </ul>
Urban Development	<ul style="list-style-type: none"> <li>• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of the Scheme.</li> <li>• To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>• To provide for progressive and planned development of future urban areas for residential purposes, and for commercial and other uses normally associated with residential development.</li> </ul>
Industrial Development	<ul style="list-style-type: none"> <li>• To designate land for future industrial development.</li> <li>• To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.</li> </ul>



**17. Zoning table**

The zoning table for this Scheme is as follows –

Land Uses	Rural	Rural Townsite	Residential	Urban Development	Private Clubs Institutions and Places of Worship	Commercial	Mixed Use	Tourism	Service Commercial	Light Industry	General Industry	Industrial Development
Abattoir	A	X	X		X	X	X	X	X	X	D	
Agriculture-extensive	P	X	X		X	X	X	X	X	X	X	
Agriculture-intensive	P	X	X		X	X	X	X	X	X	X	
Airfield	A	X	X		X	X	X	X	X	X	X	
Amusement parlour	X	X	X		A	D	A	P	P	A	X	
Ancillary dwelling	P	P	P		X	X	D	X	X	X	X	
Animal establishment	D	D	X		X	X	D	X	X	X	X	
Animal husbandry—intensive	D	X	X		X	X	X	X	X	X	X	
Art gallery	D	P	X		D	D	A	P	X	X	X	
Bed and breakfast	D	P	D		X	A	A	X	X	X	X	
Betting agency	X	I	X		A	D	X	I	X	X	X	
Brewery	D	P	X		X	A	X	D	A	P	D	
Bulky goods showroom	X	D	X		X	D	A	X	P	D	X	
Car park	X	D	X		X	D	D	D	P	P	X	
Caravan park	X	P	X		X	X	X	P	X	X	X	
Caretaker's dwelling	I	I	X		X	X	I	X	X	I	X	
Child care premises	X	D	A		X	D	A	X	X	X	X	
Cinema/theatre	X	X	X		X	D	X	D	D	X	X	
Civic use	X	D	X		D	D	D	A	D	D	D	
Club premises	A	D	A		P	D	A	X	X	X	X	
Commercial vehicle parking	P	P	A		X	D	A	X	P	P	P	
Community purpose	D	P	A		D	D	D	D	P	X	X	
Consulting rooms	X	A	A		X	D	A	X	D	D	X	
Container deposit recycling centre	X	D	X		D	D	A	X	P	P	P	
Convenience store	X	P	D		X	P	A	I	P	X	X	
Corrective institution	A	X	X		X	X	X	X	X	A	X	
Educational establishment	X	P	A		X	D	A	X	X	A	X	
Exhibition centre	X	A	X		P	D	X	A	X	X	X	
Family day care	X	A	A		X	D	D	X	X	X	X	
Fast food outlet	X	D	X		X	D	A	X	D	X	X	
Fuel depot	A	X	X		X	X	X	X	X	D	P	
Funeral parlour	X	X	X		X	D	X	X	D	D	D	
Garden centre	A	P	X		X	X	A	X	D	D	D	
Grouped dwelling	D	D	P		X	X	D	X	X	X	X	
Holiday accommodation	X	D	D		X	X	A	X	X	X	X	
Holiday house	X	P	D		X	X	A	X	X	X	X	
Home business	A	A	A		X	X	A	X	X	X	X	
Home occupation	P	P	P		X	P	P	X	X	X	X	
Home office	P	P	P		X	P	P	X	X	X	X	
Home store	A	A	A		X	P	A	X	X	X	X	
Hospital	X	X	X		X	A	A	X	X	X	X	
Hotel	X	A	X		X	D	A	P	X	X	X	

Land Uses	Rural	Rural Townsite	Residential	Urban Development	Private Clubs Institutions and Places of Worship	Commercial	Mixed Use	Tourism	Service Commercial	Light Industry	General Industry	Industrial Development
Industry	A	X	X		X	X	X	X	X	D	P	
Industry—extractive	A	X	X		X	X	X	X	X	X	X	
Industry—light	D	A	X		X	X	A	X	X	P	P	
Industry—rural	P	X	X		X	X	X	X	X	X	D	
Liquor store—large	X	X	X		X	A	X	X	A	A	X	
Liquor store—small	X	A	X		X	A	X	I	A	X	X	
Lunch bar	X	P	X		X	P	A	D	D	D	D	
Market	X	P	X		I	A	X	I	X	X	X	
Medical centre	X	D	A		X	D	D	X	D	X	X	
Mining operations	A	A	A		A	A	A	A	A	A	A	
Motel	X	D	X		X	D	D	P	A	X	X	
Motor vehicle repair	X	D	X		X	D	A	X	P	P	P	
Motor vehicle wash	X	D	X		X	A	A	X	P	P	D	
Motor vehicle, boat or caravan sales	X	D	X		X	X	A	X	P	D	D	
Multiple dwelling	X	X	P		X	D	D	X	X	X	X	
Nightclub	X	X	X		X	A	X	X	X	X	X	
Office	X	D	X		I	P	A	I	I	I	I	
Park Home Park	X	A	X		X	X	X	X	X	X	X	
Place of Worship	A	A	A		X	A	A	X	A	A	X	
Reception centre	X	D	X		P	D	A	P	D	X	X	
Recreation—private	X	D	A		P	D	D	D	D	D	X	
Renewable energy facility	A	X	X		X	X	X	X	X	D	P	
Repurposed dwellings	D	D	D		X	X	D	X	X	X	X	
Residential aged care facility	X	D	P		X	D	P	X	X	X	X	
Residential building	D	P	D		X	D	D	X	X	X	X	
Resource recovery centre	A	X	X		X	X	X	X	X	A	A	
Restaurant /café	D	P	A		I	P	A	P	D	D	X	
Restricted premises	X	X	X		X	A	X	X	A	A	X	
Road house	D	D	X		X	X	X	X	D	D	D	
Rural home business/ industry-cottage	P	P	X		X	X	D	X	X	X	X	
Rural pursuit/hobby farm	P	D	X		X	X	D	X	X	X	X	
Second hand dwellings	D	D	D		X	X	D	X	X	X	X	
Service station	D	D	X		X	A	X	I	P	P	D	
Serviced apartment	X	X	X		X	D	A	P	X	X	X	
Shop	X	P	X		I	P	A	I	P	D	X	
Single house	P	P	P		X	X	D	X	X	X	X	
Small bar	X	A	A		I	P	A	D	X	A	X	
Tavern	X	P	X		I	D	X	D	X	X	X	
Telecommunications infrastructure	A	A	A		A	A	A	A	A	A	A	
Tourist development	X	D	X		X	D	X	P	X	X	X	
Trade display	D	D	X		D	D	D	D	P	D	D	
Trade supplies	D	P	X		X	D	D	X	P	D	D	
Transport depot	A	A	X		X	X	X	X	X	P	P	

Land Uses	Rural	Rural Townsite	Residential	Urban Development	Private Clubs Institutions and Places of Worship	Commercial	Mixed Use	Tourism	Service Commercial	Light Industry	General Industry	Industrial Development
Tree farm	P	X	X		X	X	X	X	X	X	X	
Veterinary centre	X	D	X		X	D	D	X	P	P	D	
Warehouse/storage	I	X	X		X	D	A	X	P	P	P	
Waste disposal facility	A	X	X		X	X	X	X	X	D	P	
Waste storage facility	A	X	X		X	X	X	X	X	D	P	
Winery	P	D	X		X	X	A	X	X	X	X	
Workforce accommodation	D	A	A		X	X	X	X	D	D	X	

### 18. Interpreting zoning table

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

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

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

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

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

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

#### Notes for this clause—

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land.*
2. *Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.*
3. *Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.*
- (3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
- (4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table—
  - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
  - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
  - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- (5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
- (6) If the zoning table does not identify any permissible uses for land in a zone, the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land—
  - (a) a structure plan;
  - (b) a local development plan.

**19. Additional uses**

(1) Table 4 sets out—

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

**Table 4: Specified additional uses for zoned land in Scheme area.**

No.	Description of land	Current Zone	Additional use	Conditions
A1	Lots 40, 72, 100-101, 104-105, 120-121, R6-10, R12-23 Piccadilly Street, Piccadilly. Lots 735, 738-741, 40-43, and 51 Charlotte Street, Piccadilly. Lots 1, 2, 4, and 5 Porter Street, Kalgoorlie. Lots 10, 20, 887-890 41 and 40 McDonald Street, Kalgoorlie.	Residential	As a "P" use <ul style="list-style-type: none"> <li>• Child care Premises</li> <li>• Community Purpose</li> <li>• Consulting Rooms</li> <li>• Family Day Care</li> <li>• Medical Centre</li> </ul>	Development as per standards for Commercial zone
A2	Lot 126, Hare St, West Lamington.	Residential	As a 'D' use— <ul style="list-style-type: none"> <li>• Convenience Store</li> <li>• Recreation—Private</li> </ul>	Development as per standards for Commercial zone
A3	Lot 2878, Federal Rd, South Kalgoorlie.	Residential	As a 'A' use— Liquor Store (small)	Development as per standards for Commercial zone
A4	Lot 50, Ward St, Lamington.	Residential	As a 'A' use— Tavern	Development as per standards for Commercial zone
A5	Lot 847 Campbell Street, Lamington.	Residential	As a 'D' use— <ul style="list-style-type: none"> <li>• Shop</li> <li>• Restaurant / café</li> </ul>	Development as per standards for Commercial zone
A6	Lot 205 Aslett Drive, Karlkurla.	Residential	As a 'P' use— Serviced apartment	Development as per standards for Commercial zone

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

**20. Restricted uses**

(1) The Table sets out—

- (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that restricted use.

**Table 5: Restricted uses for land in Scheme area.**

No.	Description of land	Restricted Use	Conditions
R1	Lot 370 No 25 Hopkins Street, South Boulder	All uses permissible in the Commercial zone except residential uses.	Subject to the permissibility for the use set out in the zoning table.

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

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

**21. Special use zones**

There are no Special Use zones that apply to this Scheme.

**22. Non-conforming uses**

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

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

- (b) the carrying out of development on land if—
  - (i) before commencement of this Scheme, the development was lawfully approved; and
  - (ii) the approval has not expired or been cancelled.
- (2) Subclause (1) does not apply if—
  - (a) the non-conforming use of the land is discontinued; and
  - (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
- (3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government—
  - (a) purchases the land; or
  - (b) pays compensation to the owner of the land in relation to the non-conforming use.

### **23. Changes to non-conforming use**

- (1) A person must not, without development approval—
  - (a) alter or extend a non-conforming use of land; or
  - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
  - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
  - (d) change the use of land from a non-conforming use to another non-conforming use that is not permitted by the Scheme.
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use—
  - (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
  - (b) is closer to the intended purpose of the zone in which the land is situated.

### **24. Register of non-conforming uses**

- (1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
  - (2) A register prepared by the local government must set out the following—
    - (a) a description of each area of land that is being used for a non-conforming use;
    - (b) a description of any building on the land;
    - (c) a description of the non-conforming use;
    - (d) the date on which any discontinuance of the non-conforming use is noted.
  - (3) If the local government prepares a register under subclause (1) the local government—
    - (a) must ensure that the register is kept up to date; and
    - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government.
- 3A Subclause (3)(b) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

## **PART 04—GENERAL DEVELOPMENT REQUIREMENTS**

### **25. R-Codes**

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.

2A Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within boundaries shown on the Scheme Map.
- (4) The R-Codes apply to an area if—
  - (a) the area has a coding number superimposed on it in accordance with subclause (3); or
  - (b) a provision of this Scheme provides that the R-Codes apply to the area.
- (5) The R-Codes can be applied in full or in part in a provision of the Scheme.

### **26. Modification of R-Codes**

- (1) In areas identified with a Dual Residential Coding specified on the Scheme Map, the local government may permit development above the lower code to the higher code provided that the development is consistent with the Scheme and complies with the following requirements—
  - (a) Where Grouped or Multiple residential development is proposed; and

- (b) There is evidence that the site is free of contamination, or that any contamination has been suitably addressed; and
  - (c) There is no more than one vehicle entry point per street.
- (2) A maximum plot ratio bonus of up to 50% can be obtained for multiple dwellings in the Dual Residential Code areas where sub clause (1) is satisfied or within the Commercial zone, subject to demonstration of the following to the local government's satisfaction—
- (a) Preservation of heritage for those properties that are within a heritage protected place (based proportionately upon the scale of restoration) or properties are located within the Character Protection Special Control Area and the local government is satisfied the building design contributes to the character values (up to 30% of total bonus); and/or
  - (b) Provision of facilities for public purposes (proportionate to site area or 5% per item achieved up to 20% of the total bonus); and/or
  - (c) Community Housing (owned by a registered social housing provider), 5% per dwelling (up to 25% total); and/or
  - (d) Provision of privately owned public space (up to 20% bonus as a percentage of the site. This will require a public access easement under section 196 of the *Land Administration Act 1997*); and/or
  - (e) Provision of Aged and Dependent Persons housing as per R-Codes definitions and requirements, within a development (5% bonus per unit, up to a maximum bonus of 30%); and
  - (f) Residential development shall be accentuated and stepped back from lower-level development, to clearly demonstrate the differences in land use except where inconsistent with subclause (a).

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

- (1) State Planning Policy 3.6—Development Contributions for Infrastructure, modified as set out in clause 28, is to be read as part of this Scheme.
- (2) The local government must ensure that State Planning Policy 3.6 is published in accordance with clause 87 of the deemed provisions.
- (3) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

### 28. Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

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

- (1) The State planning policies set out in Table 6, modified as set out in clause 30, are to be read as part of this Scheme.

**Table 6: State Planning Policies to be read as part of the Scheme**

State planning policies to be read as part of the Scheme
(1) State Planning Policy 3.7—Planning in Bushfire Prone Areas
(2) The local government must ensure that each State planning policy referred to in subclause (1) is published in accordance with clause 87 of the deemed provisions.
(3) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

### 30. Modification of State planning policies

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

### 31. Environmental conditions

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

### 32. General development standards and requirements

- (1) Table 7 and 8 and Clauses 33 to 49 set out the requirements relating to development that are additional to those set out in Part 3 of the Scheme, the R- Codes, precinct structure plans, local development plans, or State or local policies.

**Table 7 General development standards and requirements for non-residential development**

<b>Zone</b>	<b>Commercial</b> (also see Table 8)	<b>Service Commercial</b>	<b>Mixed Use</b>	<b>Tourism</b>	<b>General Industry</b>	<b>Light Industry</b>	<b>Rural Townsite</b>	<b>Rural</b>	<b>Private Clubs and Institutions and Places of Worship</b>
Minimum Lot Area	N/A	1,000 m <sup>2</sup>	400 m <sup>2</sup>	1,000 m <sup>2</sup>	1,000 m <sup>2</sup>	1,000 m <sup>2</sup>	1,000 m <sup>2</sup>	As per WAPC Policy	500 m <sup>2</sup>
Maximum Plot Ratio—Non Residential	1.0*	0.7*	0.5	2.0	0.8	0.8	0.8	N/A	0.8
Average Front Setback (m)	N/A	3.0	N/A	3.0	3.0	3.0	5.0	30.0	N/A
Minimum Side Setback (m)	N/A	N/A	N/A	N/A	N/A	N/A	3.0	20.0	N/A
Minimum Rear Setback (m)	1.0	1.0	1.0	1.0	3.0	3.0	3.0	20.0	N/A
Landscaping of site minimum area	15%	15%	15%	15%	10%	10%	15%	10%	10%
Maximum Building Height (m)	25.0 or See Table 8	9.0 **	6.0 **	21.0 **	20.0 **	15.0 **	9.0	12.0**	12.0 **
Maximum Boundary Wall Height (m)	6.0 or See Table 8	6.0 **	5.5	6.0	12.0	12.0	6.0	6.0	6.0
Relevant R-Code development standards	As per Scheme map	N/A	As per Scheme map	N/A	N/A	N/A	R10	R2	N/A

\* The local government may permit a maximum plot ratio bonus of up to 30% for the preservation of heritage (based proportionately upon the scale of restoration) for those properties that are within a Character Special Control Area or heritage protected place.

\*\* Building and boundary wall height bonuses apply as per Clause 40(2).

**Table 8 Development standards for non-residential development in zones with R-AC coding**

<b>R-AC coding</b>	<b>R-AC1</b>	<b>R-AC2</b>	<b>R-AC3</b>	<b>R-AC4</b>
Minimum frontage to have a verandah where nil setback applies (Exemptions may be considered for heritage protected places where a verandah is not part of the heritage value)	100%	80%	20%	0%
Maximum building height (storeys)	9	7	6	3
Maximum boundary wall height (storeys)	4	4	3	2
Minimum building height (storeys)	2	2	n/a	n/a
Minimum % parking to be provided on-site (not applicable to residential component of development)	20	40	60	80
Maximum Plot Ratio—Non Residential	3	3	3	3
Minimum Landscaping % of site minimum area	N/A			
Minimum % of ground floor to be non-residential	60	40	n/a	n/a

(2) To the extent that a requirement referred to in subclause 1 and clauses 33-48 is inconsistent with a requirement in the R-Codes, structure plan, a local development plan, or a State or local planning policy, the requirement referred to in subclause (1) and 33-48 prevails. To the extent to which a requirement in Clauses 32-48 is inconsistent with Clause 49, those in Clause 49 prevail.

### 33. Amenity of Non-Residential Development

(1) The amenity of non-residential development shall be in accordance with the following—

- (a) the form, bulk, and scale of development is to be compatible with surrounding land uses; and

- (b) the impacts of the development are to be contained on site and/or suitably managed to limit impacts on adjoining properties; and
- (c) the impact of the development on the road network and traffic management is to be consistent with the road function and hierarchy; and
- (d) adequate and safe provision and access is to be made for parking and service, haulage and waste vehicles, and loading areas where required; and
- (e) storage of plant and equipment, services, and areas for waste management and essential services, to be screened or separated from public areas, particularly from street frontages; and
- (f) external lighting of public spaces is to be provided and designed to minimise light spill and glare on adjoining properties; and
- (g) visual impacts are to be minimised by the use of vegetation screening and tree retention; and
- (h) buildings are to have coordinated or complementary materials, colours and styles, and be reflective of the character of the locality.

#### **34. Landscaping and Site Maintenance**

- (1) Where required under this Scheme, landscaping shall be predominantly street facing, installed prior to occupancy, and maintained thereafter to the local government's satisfaction, which may require a landscape management plan as a condition of development approval.
- (2) Street setback areas shall not be used for any purpose other than a means of access; daily parking of vehicles; loading and unloading of vehicles; and/or landscaping, but may include an awning, pergola, or similar structures.
- (3) Land shall be maintained to a standard commensurate with that generally prevailing in the vicinity, and the local government may by written notice require the owner, occupier, or lessee of any land to undertake such works as may be necessary to upgrade or restore the condition of the land to a standard acceptable to the local government, which may include, but not be limited to, works to prevent and control erosion and sediment, landscaping and/or removal of structures, waste and debris.

#### **35. Vegetation Protection**

- (1) Unless approved by the local government, no clearing or destruction of remnant vegetation or revegetation shall be permitted. The following clearing does not require the approval of the local government—
  - (a) clearing to comply with the requirements of the *Bush Fires Act 1954* (as amended), the Local Governments Bushfire Notice and/or any bushfire management plan approved by the local government, and the *Environment Protection (Clearing of Native Vegetation) Regulations 2004*;
  - (b) clearing as may reasonably be required to accommodate an approved building and curtilage, access, and/or other land use/s approved by the local government;
  - (c) trees that are diseased, dangerous or have been assessed as a significant bushfire risk;
  - (d) clearing of vegetation that is not native to the locality;
  - (e) clearing of remnant vegetation where required for 'agriculture—extensive' in the Rural zone, where in accordance with the *Environmental Protection Act 1986* or *Environment Protection and Biodiversity Conservation Act 1999* (as amended) and *Environment Protection (Clearing of Native Vegetation) Regulations 2004*.

#### **36. Wastewater and stormwater disposal**

- (1) All development generating wastewater shall connect to reticulated sewerage where available to the lot. Where reticulated sewerage is not available, wastewater disposal shall be in accordance with the Government's sewerage policy and the local government and Department responsible for health must be satisfied that on-site wastewater disposal will not result in adverse health or environmental issues.
- (2) Unsewered industrial development will be restricted to dry industry i.e. industries which generate less than 540L of wastewater per 1,000m<sup>2</sup> daily and where trade waste is to be managed/or disposed of on-site or off-site the associated risks must be identified and addressed, including the vulnerability of the receiving environment where relevant.
- (3) Stormwater discharge is to be uncontaminated and discharged to the street, or to an alternative location, to the satisfaction of the local government and any relevant authority, but is not to be discharged into the City's reticulated sewer network or onto adjoining properties.

#### **37. Parking**

- (1) Car and bicycle parking bays and end-of-trip facilities are to be provided in accordance with Schedule 1. The required number of bays shall be rounded up to the nearest whole number and where multiple uses are proposed, the number of bays shall be calculated separately for each use and rounded to the nearest whole number and then added together. Where a land use is not specified, the local government shall determine parking requirements having regard to demand from employees, visitors; parking rates for similar uses, availability of on-street parking, and keeping roads and verges free of obstruction.
- (2) Parking bays shall be designed, paved or sealed, drained, and marked in accordance with AS 2890.1, AS 2890.3, AS 2890.6 and AS2890.5 and maintained to the local government's satisfaction, and a minimum of one tree is to be planted for every six carparking bays.



- (3) For heritage protected properties or those in the Character Precinct Special Control Area, no additional on-site parking spaces are needed for a change of use or where up to 50% additional floor space is proposed.
- (4) The parking requirements under Schedule 1 may be reduced where the local government is satisfied that parking demand can be met through other parking available after normal trading hours.
- (5) Where a parking reduction is sought and/or any circumstance where on-street parking is to be utilised in lieu of on-site parking in accordance with subclause (3), the applicant is to demonstrate to the satisfaction of the local government there will be sufficient availability of bays during the hours of operation of the proposed use, which may require a parking management plan as a condition of approval.
- (6) The local government may allow a cash-in-lieu payment for any of the required number of car parking bays under Schedule 1 subject to—
  - (a) the payment shall not be less than the estimated cost of land as determined by the Valuer General or licensed valuer appointed by the local government and cost of bay construction; and
  - (b) there being a public carpark in the vicinity of the development, as determined by the local government, or planning underway by the local government for provision of new parking facilities; and
  - (c) payments being deposited into a fund to be used exclusively to provide parking and access infrastructure in the vicinity of the development site.
- (7) The local government may permit any parking shortfall to be met via shared parking with an adjacent site (shared site) subject to—
  - (a) demonstrating adequate availability of parking at all times for both the development and the shared site, and the hours of peak operation of the development and the shared site must not significantly overlap; and
  - (b) the shared site providing suitable parking for the development, and is adequately maintained and easily accessible to the development, which may require a legal agreement be put in place between the owners of both sites and with the local government where necessary to ensure ongoing access and maintenance arrangements are in place.

### **38. Commercial Vehicle Parking in Residential Areas**

- (1) Where planning approval is required for commercial vehicle parking in residential areas the following must be met—
  - (a) There shall be no more than 3 vehicles and no vehicle shall exceed 5 metres in height or 19 metres in length; and
  - (b) There must be a dwelling on the site, and the vehicles shall form an essential part of the occupant's occupation; and
  - (c) The allocated commercial vehicle parking area must not exceed more than 40% of the site area and must be adequately obscured from the street frontage and adjoining residential properties; and
  - (d) The vehicle(s) must be able to access and egress the site in forward gear and a constructed crossover servicing the vehicles must be installed.

### **39. Vehicle access**

- (1) Development shall have access to a constructed road via a constructed crossover and/or arrangements shall be put in place to the local government's satisfaction to provide permanent legal access to a constructed road which may include conditions to require the applicant to construct and maintain or contribute towards road construction and associated stormwater management, or pay a sum of money to local government towards construction.
- (2) There shall only be one access point per lot, except where it is demonstrated it is to improve traffic conditions and reduce hazard, to the satisfaction of the local government and subject to Main Roads approval where on or adjoining a primary distributor road. Where a lot has access to more than one street, access and egress shall be from the minor street as determined by the local government.
- (3) Notwithstanding that each lot has the right to a legal access, access from distributor roads will only be permitted where approval is obtained from Main Roads Western Australia or the local government, as applicable, and upon demonstrating that access will not adversely affect traffic flow and safety.
- (4) Vehicular access shall not be within 9 metres of an intersection or carriageway deviation except where lot dimensions do not permit this.
- (5) Vehicular accessways to service areas shall be constructed and maintained to the local government's satisfaction and shall be designed so that all vehicles can load and unload without obstructing rights of way and exit in a forward gear.
- (6) Where access is needed between properties, arrangements which may include a right of carriageway or other legal agreements are to be put in place between landowners to the satisfaction of the local government to secure ongoing access.

**40. Building Height and Setbacks**

- (1) A chimney, mast, satellite dish, wind turbine, telecommunications infrastructure, mining related structures such as headframes or tower, spire or arch of a place of worship, may exceed the heights set out in Table 7 and 8 subject to meeting provisions of Special Control Area 2 and provided the structure is not determined to detract from the visual amenity of the locality.
- (2) In addition to sub-clause (1), the local government may permit buildings or structures to exceed maximum height limits and up to 20% taller wall height and in accordance with Table 7 where—
  - (a) it is compliant with Special Control Area 2; and
  - (b) the development will not significantly restrict other properties' solar access or ventilation, or privacy, and the development is sympathetic with the surrounding scale, character, streetscape and heritage values; and
  - (c) in the case of industrial development or rural land use, additional height is required for the operation of industrial land uses.
- (3) Where a site has more than one street frontage the local government may designate one of the streets to be the primary street for the purpose of determining setbacks and streetscape requirements, and permit the setback on the secondary street to be reduced to half of the front setback or averaged, unless the site is adjacent to a distributor road.

**41. Caretaker's Dwellings**

- (1) Only one caretaker's dwelling is permitted per lot and it shall meet the following requirements—
  - (a) the total floor area shall not exceed 80m<sup>2</sup> as measured from the external face of the walls and including any enclosed verandahs; and
  - (b) it shall be screened from the street and located behind the predominant use; and
  - (c) it shall be carefully sited and constructed so the potential impacts from noise, dust, odour or amenity are minimised; and
  - (d) the use of a caravan as a caretaker's dwelling is not permitted.

**42. Shipping Containers**

- (1) A shipping container must be out of public view or constructed or upgraded and maintained to a standard that ensures the visual amenity of the area is not adversely impacted to the local government's satisfaction.

**43. Second hand and Repurposed Dwellings**

- (1) Notwithstanding any other provision of the Scheme, all repurposed and secondhand dwellings shall require development approval.
- (2) Only one secondhand dwelling, repurposed dwelling or single house is permitted on a lot zoned Residential.
- (3) In the Residential zone the R-Codes apply to secondhand dwellings and repurposed dwellings as if the dwelling is a single house.

**44. Non-Residential Development in the Residential Zone**

- (1) Non-residential development in the Residential Zone, shall comply with the following—
  - (a) a maximum plot ratio of 0.2;
  - (b) a minimum of 25% of the site area, including front setback areas not required for parking or access to be landscaped to the local government's satisfaction;
  - (c) building setbacks as per the applicable R-Code. For the purpose of this clause, a major opening is a window, door or other opening which could affect the privacy of nearby residences or future residences;
  - (d) any conditions the local government considers necessary to minimise impact on residential amenity, including limiting the scale of development and restricting the times during which the non-residential use may be undertaken.
- (2) Where proposed in the Residential zone, a family day care centre must not be located on a lot less than 500m<sup>2</sup> or display a sign exceeding 0.2 m<sup>2</sup>.

**45. Development in Rural Zone**

- (1) In the Rural zone, there shall only be one dwelling on lots up to 5ha, up to two dwellings on lots between 5—40 ha, and up to three dwellings on lots greater than 40ha.
- (2) The presence of two or more dwellings on a rural lot should not form a basis for subdivision of land, unless it is in keeping with the exceptional circumstances for rural subdivision in the Western Australian Planning Commission's Development Control Policy 3.4—Subdivision of Rural land.
- (3) In the Rural zone, a rural pursuit/hobby farm or animal establishment must not be located within 15m of a dwelling or other sensitive land use defined by EPA Guidance.

**46. Development in the Mixed Use Zone**

- (1) Notwithstanding the permissibility set out in the zoning table, animal establishments and/or rural pursuits/hobby farms will only be permitted in the Mixed Use zone on lots which are 3,000m<sup>2</sup> or greater and where the local government is satisfied impacts such as noise and odour will be contained on site, and that the use is in keeping with the general amenity of the local area.

- (2) Development applications and subdivision proposals in the Mixed Use zone shall address the interface with adjoining areas and impacts on adjoining land uses, access and traffic impacts, and appearance from the street, to the satisfaction of the responsible authority.

#### **47. Workforce Accommodation**

- (1) Notwithstanding any other provision of the Scheme, the following development provisions apply to Workforce Accommodation proposals—
  - (a) buildings and structures shall be designed and configured, including form and scale, that contributes to the amenity and desired character of the surrounding area;
  - (b) the primary street setback areas shall only be used for landscaping, parking and access, unless otherwise approved by the local government;
  - (c) front fences shall be visually permeable, and the design, height, colour and materials used should reflect the local character.
- (2) Where workforce accommodation is proposed to be located on site for a finite period of time, development applications shall be accompanied by information demonstrating suitable arrangements for the removal of structures and/or rehabilitation of the site; and proposals may be subject to a time-limited development approval.
- (3) When located near mining or industrial operations, workforce accommodation must be carefully sited and constructed so that potential impacts from noise, dust, odour, amenity and heavy vehicles are minimised.

#### **48. Mining Operations**

- (1) 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 Petroleum 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.

#### **49. Additional site and development requirements for areas covered by a Structure Plan, Activity Centre Plan or Local Development Plan**

There are no additional site and development requirements that apply to this Scheme.

#### **50. Variations to site and development requirements**

- (1) In this clause—

***general development standards and requirements*** means any requirement set out in this Scheme unless otherwise stated and does not apply to R-Codes or land use permissibility in the zoning table.
- (2) The local government may approve an application for a development approval that does not comply with general development standards and requirements.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (4) If the local government is of the opinion that the non-compliance with general development standards or requirements will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development, the local government must—
  - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
  - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The local government may only approve an application for development approval under this clause if the local government is satisfied that—
  - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
  - (b) the non-compliance with the general development standard or requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

#### **51. Restrictive Covenants**

- (1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- (2) If subclause (1) operates to extinguish or vary a restrictive covenant—
  - (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
  - (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

## PART 05—SPECIAL CONTROL AREAS

## 52. Special control areas

- (1) Special control areas are marked on the Scheme Maps according to the legend on the Scheme Maps.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in Table 9.

Table 9—Special control areas in the Scheme area

Name of Area	Purpose	Objectives	Additional Provisions
SCA1 Aircraft Noise	Minimise the impact of aircraft noise on sensitive land uses	<ul style="list-style-type: none"> <li>• To regulate development for sites located within the Australian Noise Exposure Forecast (ANEF);</li> <li>• To ensure that new development within the SCA is designed and constructed to mitigate impact from aircraft noise;</li> <li>• To ensure that development is in accordance with and does not compromise the objectives of the Kalgoorlie Airport Master Plan.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all habitable structures wholly or partly within SCA1 including the construction, extension or alteration of any building.</li> <li>2. The local government may refer planning applications to State and/or Federal regulatory agencies and must have due regard to advice received when determining applications.</li> <li>3. In considering any application for planning approval, subdivision or scheme amendment, the local government shall have regard to—               <ol style="list-style-type: none"> <li>(a) the objectives of the Aircraft Noise SCA1;</li> <li>(b) advice from State and/or Federal regulatory agencies;</li> <li>(c) potential impacts of the proposal on the current and future operations of the airport;</li> <li>(d) relevant ANEF contour information;</li> <li>(e) Australian Standards AS2021-2015 (as amended) Acoustics—Aircraft Noise Intrusion—Building Siting and Construction; and</li> <li>(f) the Kalgoorlie-Boulder Airport Master Plan.</li> </ol> </li> <li>4. Noise sensitive land uses may be considered for approval in areas between ANEF 20 to 25 subject to the design and construction of noise attenuation measures contained in Australian Acoustics—Aircraft Noise Intrusion—Building Siting and Construction; and Sensitive land uses in areas where the ANEF contour is greater than ANEF 25 will not be permitted.</li> <li>5. The local government will require a Section 70A notification to be placed upon the title of subdivided properties advising the lot(s) are subject to noise associated with the operation of the Kalgoorlie-Boulder Airport.</li> </ol>
SCA2 Height Restrictions	To control height of structures to protect operations of Kalgoorlie-Boulder airport	<ul style="list-style-type: none"> <li>• To regulate development located within the Obstacle Limitation Surfaces (OLS) areas;</li> <li>• To control the type of vegetation and height of structures being constructed within areas that are</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development wholly or partly within SCA2 including the construction, extension or alteration of any building; and               <ol style="list-style-type: none"> <li>(a) Development application plans are to state the ultimate heights of buildings/structures in Australian Height Datum (AHD).</li> <li>(b) Excludes all single and grouped dwellings and associated structures.</li> </ol> </li> </ol>

Name of Area	Purpose	Objectives	Additional Provisions
		subject to airport height restrictions; <ul style="list-style-type: none"> <li>• To ensure that development is in accordance with, and does not compromise, the objectives of the Airport Master Plan.</li> </ul>	(c) The local government may refer planning applications to State and/or Federal regulatory agencies and airport operator and must have due regard to advice received when determining applications. <ol style="list-style-type: none"> <li>2. Any object outside of the Obstacle Limitation Surface (OLS) that extends above a height of 110m above site ground level must be assessed by the Civil Aviation Safety Authority (CASA) to determine whether development is an obstacle to aircraft operations; and any object outside of the OLS that extends above a height of 150m above site ground level is to be regarded as an obstacle unless assessed by CASA to be otherwise.</li> </ol>
<b>SCA3</b> Fimiston Gold Mine Safety Area	To reduce the level of risk associated with human health in relation to open cut mining activities	<ul style="list-style-type: none"> <li>• To provide a separation buffer between the Super Pit Gold Mine and urban areas to maintain the safety and health of surrounding residents and the population in general;</li> <li>• Minimise the impact on the amenity of the adjoining urban and residential areas; and</li> <li>• To allow for the continuation of operations at the Super Pit Gold Mine.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development wholly or partly within SCA3 including the construction, extension or alteration of any building.</li> <li>2. Planning applications shall be given consideration after written endorsement or advice has been received from—               <ol style="list-style-type: none"> <li>(a) The Department of Mines, Industry Regulation and Safety or a similar State agency; and</li> <li>(b) Kalgoorlie Consolidated Gold Mines Pty Ltd.</li> </ol> </li> <li>3. The local government will not permit any new residential development within the SCA3. This includes any caretakers' dwellings or habitable structures.</li> <li>4. The local government will conditionally permit the following development where it can be proven that the objectives of SCA3 are not compromised by the development of—               <ol style="list-style-type: none"> <li>(a) An industrial land use; or</li> <li>(b) Activities for a recreational purpose; or</li> <li>(c) Activities related to a public purpose.</li> </ol> </li> <li>5. The local government will require a Section 70A notification to be placed upon the title of subdivided properties indicating that lot(s) are subject to risk associated with operation of nearby mines.</li> </ol>
<b>SCA4</b> Gribble Creek Flood Control	To ensure that development is appropriately located and constructed to minimise the impacts of flooding	<ul style="list-style-type: none"> <li>• To protect existing and future inhabitants from flood hazards and the potential danger and damage associated with the use of flood prone land;</li> <li>• To protect Gribble Creek from inappropriate development which may have a detrimental effect</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development wholly or partly within SCA4 including the construction, extension or alteration of any building or structure.</li> <li>2. The local government may refer planning applications to the Department of Water and Environmental Regulation or a similar State agency and have due regard to recommendations and advice received from those authorities when determining applications.</li> </ol>

Name of Area	Purpose	Objectives	Additional Provisions
		<p>on its natural hydrological flows;</p> <ul style="list-style-type: none"> <li>• To consider the appropriateness of land use and to employ necessary built form outcomes to minimise flood risk.</li> </ul>	<p>3. No new development shall be permitted in the floodway except where—</p> <ul style="list-style-type: none"> <li>(a) the proposal is for minor additions to existing buildings or to replace an existing development; and</li> <li>(b) the proposed minimum finished floor level is 500mm greater than the designated 1% (1 in 100) Average Exceedance Probability (AEP) flood level; and/or at a height specified by the Department of Water or Environmental Regulation (DWER) or other relevant State agency; and this is supported by an engineer's report to the satisfaction of the local government; and</li> <li>(c) in the case of a new dwelling to replace an existing dwelling, the obstruction of the floodway caused by the new dwelling is no greater than the obstruction caused by the existing dwelling; and</li> <li>(d) where the proposed development will not adversely affect the free flow of floodwaters within the floodway; and</li> <li>(e) the applicant enters into a flood/erosion indemnity agreement between the applicant and the local government; and</li> <li>(f) safe access and evacuation procedures exist to manage the risk of isolation during a major flood; and</li> <li>(g) a notification is to be placed upon the title indicating that the subject land is subject to inundation.</li> </ul> <p>4. Development in the flood fringe may be supported where—</p> <ul style="list-style-type: none"> <li>(a) the proposed minimum finished floor level is 500mm greater than the designated 1% (1 in 100) AEP flood level; and/or at a height specified by DWER or other relevant State agency and is supported by an engineer's report to the satisfaction of the local government; and</li> <li>(b) it does not encroach any fill into the floodway; and</li> <li>(c) the side slope of fill should be a maximum of 1:4 and suitably vegetated/treated to minimise potential erosion during major flooding; and</li> <li>(d) the applicant enters into a flood/erosion indemnity agreement between the applicant and the local government; and</li> <li>(e) safe access and evacuation procedures exist to manage the risk of isolation during a major flood; and</li> </ul>

Name of Area	Purpose	Objectives	Additional Provisions
			<p>(f) a notification is placed upon the title indicating that the subject land is subject to inundation.</p> <ol style="list-style-type: none"> <li>5. A stormwater management plan must be approved prior to commencement of development and must be to the satisfaction of the local government and the DWER or a similar State agency.</li> <li>6. Any vegetation clearing, site works, fencing, landfill or any other development which changes the existing topography of the land requires the approval of the local government.</li> <li>7. The local government will not support subdivision unless it is for the purposes of Crown Land Management or for the release of land into the Crown estate.</li> <li>8. In the flood fringe, the local government will require a Section 70A notification be placed upon the title of subdivided properties indicating that the subject land is subject to inundation.</li> </ol>
<p><b>SCA5</b> Water Treatment Plant Buffer</p>	<p>To identify the buffer area surrounding the waste water treatment plant.</p>	<ul style="list-style-type: none"> <li>• To prevent the introduction and intensification of land development which would be incompatible with the ongoing operation of the wastewater treatment plant or future expansion of the capacity of treatment plant.</li> <li>• To facilitate the use and development of land for uses which are beneficial to the operation of the treatment plant.</li> <li>• To prevent adverse impacts on residential and other sensitive land uses.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development wholly or partly within SCA5 including the construction, extension or alteration of any building or structure that contains or supports sensitive land uses.</li> <li>2. In considering any application for development approval, scheme amendment request, structure plan, local development plan or subdivision application, and in addition to the matters listed in clause 67 of the deemed provisions, the local government shall have regard to the following— <ol style="list-style-type: none"> <li>(a) the recommendations of the Water Corporation and DWER; and</li> <li>(b) the potential odour impact of the waste water treatment plant and whether the proposal is compatible with the existing and future use of the plant.</li> <li>(c) A structure plan, activity centre plan, local development plan and/or scheme amendment proposal is to provide a current odour modelling technical report to review and confirm the boundaries of the odour buffer.</li> </ol> </li> <li>3. No residential or other sensitive land uses as defined by EPA Guidance Statement No. 3 (Separation Distances between Industrial and Sensitive Land Uses, June 2005) are to be located in the Treatment Plant odour buffer.</li> </ol>

Name of Area	Purpose	Objectives	Additional Provisions
SCA6 Motorsport Noise Buffer	To identify the extent of noise hazard associated with the operation of the Kalgoorlie Motorsport Complex.	<ul style="list-style-type: none"> <li>• To prevent adverse impacts on residential and other sensitive land uses.</li> <li>• To ensure that new development within the SCA6 is designed and constructed to mitigate any impact from motorsport noise.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all noise sensitive development wholly or partly within SCA6 including the construction, extension or alteration of any building or structure that contains or supports sensitive land uses.</li> <li>2. In considering any application for planning approval, subdivision or scheme amendment, the local government shall have regard to—               <ol style="list-style-type: none"> <li>(a) the operation of the Motorsport complex</li> <li>(b) advice from State and/or Federal regulatory agencies</li> <li>(c) relevant Australian Standards and policies relating to motor sport noise impacts.</li> </ol> </li> <li>3. The local government will require a Section 70A notification be placed upon the title of subdivided properties advising the lot(s) are subject to noise hazard associated with the operation of the Kalgoorlie Motorsport Complex.</li> </ol>
SCA7 State Planning Policy 5.4 Road and Rail Noise	To ensure that development is compatible with noise from road and rail.	<ul style="list-style-type: none"> <li>• To assess properties for the impact of road and rail noise against the policy.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development of noise sensitive land uses wholly or partly within the SCA.</li> <li>2. Assessment and conditions as per the State Planning Policy 5.4: Road and Rail Noise.</li> <li>3. When a development application is received, proposed developments adjacent to a rail corridor will be referred to the Public Transport Authority for comment.</li> </ol>
SCA8 Explosives Reserve Safety Buffer	To limit introduction of development which is not compatible with the explosives operation.	<ul style="list-style-type: none"> <li>• To enable referral to relevant state agencies on development proposals.</li> </ul>	<ol style="list-style-type: none"> <li>1. Planning approval is required for all development within SCA8.</li> <li>2. Development applications shall be referred to the Department of Mines, Industry and Safety (DMIRS) for comment which may recommend conditions.</li> <li>3. Any development which is determined to be incompatible with the explosives reserve will not be permitted.</li> <li>4. Notwithstanding the zoning table, educational establishments, hospitals, residential aged care facilities, corrective institutions, multiple dwellings will not be permitted in SCA8. Habitable structures with more than 40 habitable rooms per hectare will not be permitted unless it is demonstrated to the satisfaction of local government and other responsible agencies that the site location and design is appropriate in the context of the risk level and any mitigation measures are undertaken.</li> </ol>



Name of Area	Purpose	Objectives	Additional Provisions
<b>SCA9</b> Yilkari Industrial Development Buffer	To identify land surrounding Lot 350 and Lot 500 Yilkari to minimise sensitive land uses.	<ul style="list-style-type: none"> <li>To prevent the introduction of sensitive land uses that may compromise the viability and operation of general industry located on Lot 350 and Lot 500 Yilkari.</li> <li>To align with the objective of the EPA Guidance Statement No. 3 (Separation distances between industrial and sensitive land uses) as amended from time to time, by establishing a buffer for the protection of industry.</li> </ul>	<ol style="list-style-type: none"> <li>Planning approval is required for all development wholly or partly within SCA9 including the construction, extension or alteration of any building or structure.</li> <li>The City may refer to the Department of Mines, Industry Regulation and Safety or any relevant State agency in determining an approval.</li> <li>Notwithstanding the zoning table the local government will not permit any type of residential dwelling, caretaker's dwelling, tourist development, workforce accommodation, hotel, motel, within SCA9.</li> <li>The local government will require a Section 70A notification be placed upon a title of subdivided properties advising the lot(s) are not permitted to be developed for the purposes of any type of residential dwelling, caretaker's dwelling, tourist development, workforce accommodation, hotel or motel.</li> </ol>
<b>SCA10</b> Character Protection Areas	To retain and enhance the built-form and streetscape character of the Hannan Street and Burt Street precincts	<ul style="list-style-type: none"> <li>To ensure development is assessed and is compatible and/or enhances building and streetscape character.</li> </ul>	<ol style="list-style-type: none"> <li>Planning approval is required for all development in SCA10.</li> <li>The local government may require a design report to be submitted for any development application.</li> <li>Development is to have due regard for the local government's development guidelines and local planning policies addressing streetscape character, shopfronts, verandahs, materials, finishings and fixtures.</li> <li>The local government may require a visual design report and/or colour palette be submitted for any development application.</li> <li>The local government may not permit development which is of a scale, bulk, height or with features which are in its opinion incompatible with the prevailing built form.</li> </ol>

## PART 06—TERMS REFERRED TO IN SCHEME

### Division 1—General definitions used in Scheme

#### 53. Terms Used

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

<b>Annual exceedance probability</b>	Means the probability of a flood event of a given size being equalled or exceeded in any one year; usually expressed as a percentage.
<b>Commercial vehicle</b>	Means a vehicle, whether licensed or not, that has a gross vehicle mass of greater than 4.5 tonnes including— <ol style="list-style-type: none"> <li>a utility, van, truck, tractor, bus or earthmoving equipment; and</li> <li>vehicle that is or is designed to be an attachment to a vehicle referred to in paragraph (a).</li> </ol>
<b>Designated 1% AEP flood level</b>	Means the peak water level that would potentially occur during a % AEP flood as determined by the latest flood study endorsed by the local government.
<b>Floodway</b>	Means a river, stream or drainage channel and a portion of the floodplain which forms the main flow path for floodwaters once the main channel has overflowed.

<b>Flood fringe</b>	Means the area of the floodplain outside of the floodway that is affected by flooding but where development could be permitted (from a flooding perspective only) provided appropriate building and emergency management measures are taken to ensure adequate flood protection.
<b>Floodplain</b>	Means the extent of the land near a wetland, waterway or major drainage channel that may be flooded.
<b>Floor area</b>	Has the meaning given in the Building Code of Australia.
<b>Gross floor area (GFA)</b>	Means the area of all floors confined within the finished surfaces of walls.
<b>Minerals</b>	Has the meaning given in the <i>Mining Act 1978</i> section 8(1);
<b>Noise-sensitive land uses</b>	Premises occupied or designed for occupation or use for residential purposes (including dwellings, residential buildings or short-stay accommodation), caravan park, camping ground, educational establishment, child care premises, hospital, nursing home or place of worship.
<b>Plot ratio</b>	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.
<b>Precinct</b>	Means a definable area where particular planning policies, guidelines or standards apply.
<b>Predominant use</b>	Means the primary use of premises to which all other uses carried out on the premises are incidental.
<b>Retail</b>	Means the sale or hire of goods or services to the public.
<b>Super Pit</b>	Means the open cut gold mine operated by Kalgoorlie Consolidated Gold Mines Pty Ltd.
<b>Short-term accommodation</b>	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.
<b>Wholesale</b>	Means the sale of goods or materials to be sold by others.

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

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

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

#### ***Division 2—Land use terms used in Scheme***

#### **54. Land use terms used**

(1) If this Scheme refers to a category of land use that is listed in this provision the meaning of that land use is as set out below—

<b>Abattoir</b>	Means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
<b>Airfield</b>	Means any premises used for purposes relating to aircraft landing, take-off and maintenance and does not include a private airstrip incidental to farming operations.
<b>Agriculture—extensive</b>	Means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture—intensive, or animal husbandry—intensive.
<b>Agriculture—intensive</b>	Means premises used for trade or commercial 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); and (d) aquaculture.
<b>Amusement parlour</b>	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 two (2) or more amusement machines.
<b>Animal establishment</b>	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.
<b>Animal husbandry—intensive</b>	Means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), alpacas, beef and dairy cattle, goats and sheep or other livestock in feedlots, sheds or rotational pens.

<b>Art gallery</b>	Means premises— (a) that are open to the public; and (b) where artworks are displayed for viewing or sale.
<b>Bed and breakfast</b>	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 four (4) adult persons or one family; and (b) containing not more than two (2) guest bedrooms.
<b>Betting agency</b>	Means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i> .
<b>Brewery</b>	Means premises the subject of a producer's licence authorising the production of beer, cider or spirits.
<b>Bulky goods showroom</b>	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 goods and accessories 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.
<b>Car park</b>	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.
<b>Caravan park</b>	Means premises that are a caravan park as defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1).
<b>Caretaker's dwelling</b>	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.
<b>Child care premises</b>	Means premises where— (a) an education and care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> 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 <i>Child Care Services Act 2007</i> section 4 is provided.
<b>Cinema/theatre</b>	Means premises where the public may view a motion picture or theatrical production.
<b>Civic use</b>	Means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.
<b>Commercial vehicle parking</b>	Means premises used for parking of one (1) or two (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.
<b>Club premises</b>	Means premises used by a legally constituted club or association or other body of persons united by a common interest.

<b>Community purpose</b>	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.
<b>Consulting rooms</b>	Means premises used by no more than two (2) health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>Convenience store</b>	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 m <sup>2</sup> net lettable area.
<b>Corrective institution</b>	Means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
<b>Educational establishment</b>	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.
<b>Exhibition centre</b>	Means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.
<b>Family day care</b>	Means premises where a family day care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> is provided.
<b>Fast food outlet</b>	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.
<b>Freeway service centre</b>	Means premises that have direct access to a freeway and which provide all the following services or facilities and may provide other associated facilities or services but do not provide bulk fuel services— (a) service station facilities; (b) emergency breakdown repair for vehicles; (c) charging points for electric vehicles; (d) facilities for cyclists; (e) restaurant, cafe or fast food services; (f) take-away food retailing; (g) public ablution facilities, including provision for disabled access and infant changing rooms; (h) parking for passenger and freight vehicles; (i) outdoor rest stop facilities such as picnic tables and shade areas; (j) dump points for the disposal of black and/or grey water from recreational vehicles.
<b>Fuel depot</b>	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.
<b>Funeral parlour</b>	Means premises used— (a) to prepare and store bodies for burial or cremation; (b) to conduct funeral services.
<b>Garden centre</b>	Means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.
<b>Holiday accommodation</b>	Means two (2) or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.
<b>Holiday house</b>	Means a single dwelling on one (1) lot used to provide short-term accommodation but does not include a bed and breakfast.
<b>Home business</b>	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 two (2) people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 50 m <sup>2</sup> ; 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

	<ul style="list-style-type: none"> <li>(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</li> <li>(f) does not involve the presence, use or calling of a vehicle more than 4.5 tonne tare weight; and</li> <li>(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.</li> </ul>
<b>Home occupation</b>	<p>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—</p> <ul style="list-style-type: none"> <li>(a) does not involve employing a person who is not a member of the occupier's household; and</li> <li>(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and</li> <li>(c) does not occupy an area greater than 20 m<sup>2</sup>; and</li> <li>(d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and</li> <li>(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</li> <li>(f) does not— <ul style="list-style-type: none"> <li>(i) require a greater number of parking spaces than normally required for a single house; or</li> <li>(ii) result in an increase in traffic volume in the neighbourhood;</li> </ul> </li> <li>(g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and</li> <li>(h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and</li> <li>(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.</li> </ul>
<b>Home office</b>	<p>Means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation—</p> <ul style="list-style-type: none"> <li>(a) is solely within the dwelling; and</li> <li>(b) does not entail clients or customers travelling to and from the dwelling; and</li> <li>(c) does not involve the display of a sign on the premises; and</li> <li>(d) does not require any change to the external appearance of the property.</li> </ul>
<b>Home store</b>	<p>Means a shop attached to a dwelling that—</p> <ul style="list-style-type: none"> <li>(a) has a net lettable area not exceeding 100 m<sup>2</sup>; and</li> <li>(b) is operated by a person residing in the dwelling.</li> </ul>
<b>Hospital</b>	Means premises used as a hospital as defined in the <i>Health Services Act 2016</i> section 8(4).
<b>Hotel</b>	Means premises the subject of a hotel licence other than a small bar or tavern licence including any betting agency on the premises.
<b>Industry</b>	<p>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—</p> <ul style="list-style-type: none"> <li>(a) the storage of goods;</li> <li>(b) the work of administration or accounting;</li> <li>(c) the selling of goods by wholesale or retail;</li> <li>(d) the provision of amenities for employees; and</li> <li>(e) incidental purposes.</li> </ul>
<b>Industry—extractive</b>	<p>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—</p> <ul style="list-style-type: none"> <li>(a) the processing of raw materials including crushing, screening, washing, blending or grading;</li> <li>(b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.</li> </ul>
<b>Industry—light</b>	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.

<b>Industry—rural</b>	Means premises used for an industry that: a) supports and/or is associated with primary production; or b) services plant or equipment used in primary production.
<b>Laundromat</b>	Means premises used for the commercial cleaning of clothes and laundry either in a self-service or serviced manner.
<b>Liquor store—large</b>	Means premises the subject of a liquor store licence with a net lettable area of more than 300 m <sup>2</sup> .
<b>Liquor store—small</b>	Means premises the subject of a liquor store licence with a net lettable area of not more than 300 m <sup>2</sup> .
<b>Lunch bar</b>	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.
<b>Market</b>	Means premises used for the display and sale of goods from stalls by independent vendors.
<b>Medical centre</b>	Means premises other than a hospital used by three (3) or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>Mining operations</b>	Means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1) is carried out.
<b>Motel</b>	Means premises— (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.
<b>Motor vehicle, boat or caravan sales</b>	Means premises used to sell or hire motor vehicles, boats or caravans.
<b>Motor vehicle repair</b>	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.
<b>Motor vehicle wash</b>	Means premises primarily used to wash motor vehicles.
<b>Nightclub</b>	Means premises the subject of a nightclub licence.
<b>Office</b>	Means premises used for administration, clerical, technical, professional or similar business activities.
<b>Park home park</b>	Means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> Schedule 8.
<b>Place of worship</b>	Means premises used for religious activities such as a chapel, church, mosque, synagogue, or temple.
<b>Reception centre</b>	Means premises used for hosted functions on formal or ceremonial occasions.
<b>Recreation—private</b>	Means premises that are— (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
<b>Renewable energy facility</b>	Means premises used to generate energy from a renewable energy source predominantly for use offsite and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource where the energy is being produced.
<b>Repurposed dwelling</b>	A building or structure not previously used as a single house, which has been repurposed for a dwelling.
<b>Residential aged care facility</b>	A residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons' dwellings and a retirement village, but does not include a hospital, rehabilitation or psychiatric facility.
<b>Residential building</b>	As defined in State Planning Policy 7.3—Residential Design Codes Volume 1, as amended from time to time.
<b>Resource recovery centre</b>	Means premises other than a waste disposal facility used for the recovery of resources from waste.
<b>Restaurant/café</b>	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.

<b>Restricted premises</b>	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 <i>Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth)</i> ; and (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; (c) smoking-related implements.
<b>Roadhouse</b>	Means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services— (a) a full range of automotive repair services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) short-term accommodation for guests; (e) facilities for being a muster point in response to accidents, natural disasters, and other emergencies; (f) dump points for the disposal of black and/or grey water from recreational vehicles.
<b>Rural home business/industry-cottage</b>	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 two (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 200m <sup>2</sup> ; 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 three (3) vehicles at any one time or of a vehicle more than thirty (30) tonnes gross weight.
<b>Rural pursuit/hobby farm</b>	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.
<b>Second hand dwelling</b>	Means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular home or transportable dwelling.
<b>Service station</b>	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; and/or (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.
<b>Serviced apartment</b>	Means a group of units or apartments providing— (a) self-contained short stay accommodation for guests; and (b) any associated reception or recreational facilities.
<b>Shop</b>	Means premises other than a bulky goods showroom, 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.
<b>Small bar</b>	Means premises the subject of a small bar licence.
<b>Tavern</b>	Means premises the subject of a tavern licence.
<b>Telecommunications infrastructure</b>	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.

<b>Tourist development</b>	Means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide— (a) short-term accommodation for guests; and (b) on-site facilities for the use of guests; and (c) facilities for the management of the development.
<b>Trade display</b>	Means premises used for the display of trade goods and equipment for the purpose of advertisement.
<b>Trade supplies</b>	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.
<b>Transport depot</b>	Means premises used primarily for the parking or garaging of three (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.
<b>Tree farm</b>	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 <i>Carbon Rights Act 2003</i> section 5.
<b>Veterinary premises</b>	Means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.
<b>Warehouse/storage</b>	Means premise including indoor and outdoor facilities used for— (a) the storage of goods, equipment, plant or materials; or (b) the display or sale by wholesale of goods.
<b>Waste disposal facility</b>	Means premises used— (a) for the disposal of waste by landfill; or (b) the incineration of hazardous, clinical or biomedical waste.
<b>Waste storage facility</b>	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.
<b>Winery</b>	Means premises used for the production of viticultural produce and associated sale of the produce.
<b>Workforce accommodation</b>	Means premises, which may include modular or relocatable buildings, used— (a) primarily for the temporary 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.

## PART 07—SCHEDULES

## Schedule No 1: Parking Requirements

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
<b>Abattoir</b>	A minimum of (3) bays required;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;	1 space per 5 staff members	N/A
<b>Agriculture (extensive/intensive)</b>	N/A	(1) bay per 1 staff;	N/A	N/A	N/A



Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
<b>Airfield</b>	To be determined by the local government based on similar uses and a detailed car parking submission;			1 space per 5 staff members	1 space for every 30 people the building is designed to accommodate
<b>Amusement parlour</b>	(1) bay per 40 m <sup>2</sup> GFA;	N/A	N/A	N/A	1 space for every 30 people the building is designed to accommodate.
<b>Animal husbandry (intensive)</b>	N/A	(1) bay per 1 staff;	N/A	N/A	N/A
<b>Animal establishment</b>	n/a	1 bay per 1 staff	N/A	N/A	N/A
<b>Art gallery</b>	(1) bay per 30 m <sup>2</sup> GFA;	N/A	(1) delivery bay per service/storage area;	N/A	1 space for every 30 people the building is designed to accommodate.
<b>Bed and breakfast</b>	(1) bay for every unit in addition to R-Codes;			N/A	1 space per 2 rooms
<b>Betting agency</b>	(1) bay per 30 m <sup>2</sup> GFA;	N/A	N/A	1 space per 500 m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
<b>Brewery</b>	(1) bay per 50 m <sup>2</sup> GFA of display and sales area; 1 bay per 4m <sup>2</sup> restaurant	(1) bay per 2 staff;	(1) delivery bay per service/storage area	1 space per 500 m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
<b>Bulky goods showroom</b>	100 m <sup>2</sup> for first 500 m <sup>2</sup> and 1 bay for every 100 m <sup>2</sup> following	(1) bay per 1 staff	N/A	1 bicycle space per 1000 m <sup>2</sup> GFA	N/A
<b>Car park</b>	N/A	(1) bay per 1 staff	N/A	N/A	N/A
<b>Caravan park</b>	(1) bay per park site, and (1) visitor bay per 10 sites	(1) bay per 2 staff;	N/A	1 space per 5 staff members	1 space per 4 allocated sites
<b>Caretaker's dwelling</b>	(1) bay per dwelling	N/A	N/A	N/A	N/A
<b>Child care premises</b>	(1) bay per 10 children	(1) bay per 1 staff;	N/A	1 space per 3 staff members	1 space per 6 staff members
<b>Cinema</b>	(1) bay per 4 seats;	(1) bay per 2 staff;	(1) delivery bay per service/storage area	N/A	1 space for every 30 people the building is designed to accommodate
<b>Civic use</b>	(1) bay in 20m <sup>2</sup> GFA	(1) bay per 2 staff;	N/A	N/A	1 space for every 30 people the building is designed to accommodate

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
<b>Club premises</b>	(1) bay in 40m <sup>2</sup> GFA	(1) bay per 2 staff;	(1) delivery bay per service/storage area	N/A	1 space for every 30 people the building is designed to accommodate
<b>Commercial vehicle parking</b>	N/A	(1) bay per 1 staff	N/A	N/A	N/A
<b>Community purpose</b>	(1) bay in 20m <sup>2</sup> GFA	N/A	(1) delivery bay per service/storage area;	N/A	1 space for every 30 people the building is designed to accommodate
<b>Consulting rooms</b>	(2) bays per consulting room;	(1) bay per 1 staff;	N/A	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
<b>Container deposit recycling centre</b>	Minimum of (5) bays or (1) bay per 50 m <sup>2</sup> GFA, whichever is higher;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;	1 space per 3 staff members	A minimum of 1 space then, 1 space per 150m <sup>2</sup> GFA
<b>Convenience store</b>	(1) bay per 20m <sup>2</sup> GFA;	N/A	(1) delivery bay per service/storage area;	N/A	1 space per 150m <sup>2</sup> GFA
<b>Corrective institution</b>	(1) visitor bay per 20 inmates;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;	1 space per 3 staff members	At least 4 spaces
<b>Educational establishment</b>	(3) bays per classroom;	(1) bay per 2 staff;	(5) queuing bays per car park area; (tertiary institutions exempt)	1 space per 3 staff members	1 space per 4 students
<b>Exhibition centre</b>	(1) bay per 30 m <sup>2</sup> GFA;	N/A	(1) delivery bay per service/storage area	N/A	1 space for every 30 people the building is designed to accommodate
<b>Family day care</b>	As per the Residential Design Codes requirement for a dwelling	N/A	N/A	1 space per 3 staff members	1 space per 6 children
<b>Fast food outlet/lunch bar</b>	(1) bay per 4 m <sup>2</sup> of dining area	(1) bay per 2 staff	(1) bay per service/storage area (3) queuing bays for any drive through facility	1 space per 100 m <sup>2</sup> of public area including lounges, beer gardens and dining areas	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas.

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
<b>Fuel depot</b>	A minimum of (3) bays required	(1) bay per 2 staff;	N/A	1 space per 1,000 m <sup>2</sup> for premises greater than 300 m <sup>2</sup> GFA	N/A
<b>Funeral parlour</b>	(1) bay per 10 m <sup>2</sup> GFA (reception rooms)	N/A	N/A	1 space per 800 m <sup>2</sup> GFA for premises greater than 300m <sup>2</sup> GFA	N/A
<b>Garden centre</b>	(1) bay per 50 m <sup>2</sup> of retail, and (1) bay per 150 m <sup>2</sup> display area	(1) bay per 2 staff;	(1) delivery bay per service/ storage area;	1 space per 750 m <sup>2</sup> GFA for premises greater than 300 m <sup>2</sup>	1 space per 1,000m <sup>2</sup> GFA
<b>Grouped dwelling</b>	As Per R-Codes				
<b>Holiday accommodation</b>	(1) bay per bedroom or (2) bays per unit whichever is greater	(1) bay per 1 staff	N/A	N/A	1 space per 2 units
<b>Holiday house</b>	(2) bays per unit	N/A	N/A	N/A	1 space per 2 units
<b>Home business</b>	(2) bays for the occupants of the dwelling plus (1) bay for customers	(1) bay per 2 staff	N/A	N/A	N/A
<b>Home occupation</b>	(2) bays for the occupants of the dwelling plus (1) bay for customers	N/A	N/A	N/A	N/A
<b>Home office</b>	N/A	N/A	N/A	N/A	N/A
<b>Home store</b>	(1) bay per 40 m <sup>2</sup> GFA for commercial component	N/A	(1) delivery bay per service/ storage area	N/A	1 space per 250m <sup>2</sup> GFA
<b>Hospital</b>	(1) bay per 4 beds	(1) bay per 2 staff	(1) delivery bay per service/ storage area	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
<b>Hotel</b>	(1) bay per 4 room/units	N/A	(1) delivery bay per service/ storage area	1 space per 20 bedrooms	1 space per 10 rooms
<b>Industry</b>	(1) bay per 200 m <sup>2</sup> GFA	N/A	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A
<b>Industry—extractive</b>	(1) bay per employee;	N/A	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
Industry—light	(1) bay per 100m <sup>2</sup> GFA;	N/A	N/A	1 space per 800m <sup>2</sup> GFA for premises greater than 300 m <sup>2</sup> GFA	N/A
Industry—rural	(1) bay per 40m <sup>2</sup> GFA;	N/A	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A
Liquor store (large)	(7) bays per 100 m <sup>2</sup> GFA;	(1) bay per 2 staff;	(1) delivery bay per service/ storage area;	1 space per 500 m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
Liquor store (Small)	(1) bay per 30m <sup>2</sup> GFA;	N/A	(1) delivery bay per service/ storage area;	1 space per 500 m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
Market	(3) bays per stall or 1 bay per 10m <sup>2</sup> whichever is greater	N/A	N/A	1 space per 1000 m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
Medical centre	(3) bays per consulting room	(1) bay per 1 staff	(1) bay suitable sized and located for emergency services;	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
Mining operations	1 per Employee	N/A	N/A	N/A	N/A
Motel	(1) bay per 1 unit	(1) bay per 2 staff	N/A	1 space per 40 bedrooms	1 space per 10 rooms
Motor vehicle Repair	(3) bays per work station	(1) bay per 2 staff	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A
Motor vehicle Wash	(1) bay per 1 wash bay	(1) bay per 2 staff	(1) queuing bay per motor vehicle wash bay	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A
Motor vehicle, boat or caravan Sales	(1) bay per 200m <sup>2</sup> display area;	N/A	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300 m <sup>2</sup> GFA	N/A
Multiple dwelling	As Per R-Codes				
Nightclub	(1) bay per 20m <sup>2</sup> GFA	N/A	N/A	1 space per 100m <sup>2</sup> of public area including lounges, beer gardens and dining areas	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas
Office	(1) bay per 40m <sup>2</sup> GFA	N/A	N/A	1 space per 200m <sup>2</sup> GFA	1 space per 500m <sup>2</sup> GFA
Park home park	(1) bay per park site, and (1) visitor bay per 10 sites	N/A	N/A	N/A	N/A

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
Place of worship	(1) bay per 15m <sup>2</sup> of GFA;	N/A	N/A	N/A	1 space for every 30 people the building is designed to accommodate
Reception centre	(1) bay per 12m <sup>2</sup> GFA;	(1) bay per 2 staff;	(1) delivery bay per service/ storage area;	N/A	1 space for every 30 people the building is designed to accommodate
Recreation (private)	(1) bay per 2 persons accommodate	(1) bay per 1 staff;	(1) delivery bay per service/ storage area	1 space per 400 m <sup>2</sup> GFA available to the public including swimming pools	1 space per 200m <sup>2</sup> GFA available to the public including swimming pools
Renewable energy facility	N/A	(1) bay per Staff;	N/A	N/A	N/A
Repurposed dwelling	As Per R-Codes				
Residential aged care facility	(1) bay per 4 bedrooms	(1) bay per 2 staff	(1) bay suitably sized and located for emergency vehicles	1 space per 5 staff members	1 space per 5 units
Residential building	As per R-Codes				
Resource recovery centre	(1) per employee	(1) bay per 1 staff	N/A	1 space per 4 employees	N/A
Restaurant/café	(1) bay for every 6 m <sup>2</sup> dining area exclusive of alfresco dining areas	(1) bay per 2 staff	(1) delivery bay per service/ storage area	1 space per 100 m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas
Restricted premises	(1) bay per 40 m <sup>2</sup> GFA	N/A	N/A	1 space per 250 m <sup>2</sup> GFA	1 space per 150m <sup>2</sup> GFA
Roadhouse	1.5 bays per service bay plus 1 bay per 2m <sup>2</sup> GFA bar and lounge area	(1) bay per 1 staff;	(1) delivery bay per service/ storage area;	1 space per 100 m <sup>2</sup> of public area including lounges, beer gardens and dining areas	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas.
Rural pursuit/hobby farm	(2) bays for the occupants of the dwelling plus 1 bay for customers	N/A	N/A	N/A	N/A
Service station	(1) bay per 16m <sup>2</sup> GFA	(1) bay per 1 staff	(1) delivery bay per service/ storage area	N/A	1 space per 150m <sup>2</sup> GFA

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
<b>Serviced apartment</b>	(1) bay per unit	(1) bay per 1 staff	(1) delivery bay per service/storage area	1 space per 4 employees	1 space per 5 units
<b>Shop</b>	(1) bay per 25m <sup>2</sup> GFA (0—10,000 m <sup>2</sup> ); or (1) bay per 20m <sup>2</sup> GFA (10,000m <sup>2</sup> +);	N/A	(1) delivery bay per 1,000 m <sup>2</sup> GFA;	For shop less than 1000m <sup>2</sup> , 1 space per 250m <sup>2</sup> GFA For shop between 1001m <sup>2</sup> and 4999m <sup>2</sup> 1 space per 500m <sup>2</sup> GFA For shop greater than 5000m <sup>2</sup> —1 space per 1500 m <sup>2</sup>	For shop less than 1000m <sup>2</sup> , 1 space per 150m <sup>2</sup> GFA For shop between 1001m <sup>2</sup> and 4999m <sup>2</sup> 1 space per 300m <sup>2</sup> GFA For shop greater than 5000m <sup>2</sup> —1 space per 750m <sup>2</sup>
<b>Single bedroom dwelling</b>	As per R-Codes				
<b>Single house</b>	As per R-Codes				
<b>Small bar</b>	(1) bay per 30m <sup>2</sup> GFA exclusive of alfresco dining areas	N/A	N/A	1 space per 100 m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas.	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas.
<b>Tavern</b>	(1) bay per 10m <sup>2</sup> bar, lounge, beer garden, and other public area, exclusive of alfresco dining areas	N/A	(1) delivery bay per service/storage area	1 space per 100m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas	1 space per 150m <sup>2</sup> of public area including lounges, beer gardens and dining areas exclusive of alfresco dining areas
<b>Telecommunications infrastructure</b>	N/A	N/A	(1) Available Bay for a service vehicle	N/A	N/A
<b>Tourist development</b>	Short Stay Units— (1) bay for every two keyed units. Plus 1 visitor bay for every five keyed units	(1) bay per 1 staff;	(1) delivery bay per service/storage area;	1 space per 1000m <sup>2</sup> GFA	1 space per 300m <sup>2</sup> GFA
	Back Packers (1) bay for every 6 beds.				
	Long stay Units— Provided in accordance with the Residential	N/A	N/A		

Land use	Car parking	Staff parking	Delivery or queuing	Employee Bicycle Parking	Visitor Bicycle Parking
	Design Codes. 1 accessible bay for every disabled keyed unit				
<b>Transport depot</b>	A minimum of (3) bays required	(1) bay per 8 staff	N/A	1 space per 8 staff	N/A
<b>Tree farm</b>	N/A	(1) bay per 1 staff	N/A	N/A	N/A
<b>Veterinary premises</b>	(3) bays per consulting room	(1) bay per 2 staff	N/A	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
<b>Warehouse/storage</b>	(1) bay per 5 storage units or (1) bay per 200m <sup>2</sup> GFA of warehouse storage	N/A	N/A	1 space per 1,000m <sup>2</sup> for premises greater than 300m <sup>2</sup> GFA	N/A
<b>Waste disposal facility</b>	N/A	(1) bay per 1 staff	N/A	1 space per 8 staff	N/A
<b>Waste storage facility</b>	(1) bay per 150m <sup>2</sup> GFA	(1) bay per 1 staff	N/A	1 space per 8 staff	N/A
<b>Winery</b>	(1) bay per 50 m <sup>2</sup> GFA of display and sales area (1) bay per 4m <sup>2</sup> restaurant	(1) bay per 2 staff	(1) delivery bay per service/storage area	1 space per 8 staff	N/A
<b>Workforce accommodation</b>	(1) bay per dwelling/unit, and (1) oversized vehicle parking bay per 10 beds	N/A	N/A	1 space per 4 employees	1 space per 5 units

#### End of Journey Facility Requirements

Lockers shall be provided and maintained for all developments at a rate of 1 locker per bicycle parking space required for employees as per Schedule 2

#### Number of Long-term Bicycle Bays Provided

1 to 2 bicycles  
3 to 10 bicycles  
11 to 20 bicycles  
21 to 30 bicycles  
31 to 40 bicycles  
41 bicycles and over

#### Number of Showers / Change Room Required

No requirement  
1 male/1 female  
2 male/2 female  
3 male/3 female  
4 male/4 female  
5 male/5 female

## Schedule No 2: Advertising device exemptions

Zone, Land Use and/or Type of Development	Exempted Sign Type and Number - includes the change of posters on poster signs - applies to non-illuminated signs (unless otherwise stated) - does not apply to illuminated signs unless otherwise stated or devices fronting or visible from a State controlled road.	Maximum Area of Exempted Advertisement
Dwellings	One professional nameplate as appropriate.	0.2m <sup>2</sup>
Home Occupation and Family Day Care	One advertisement describing the nature of the home occupation.	0.2m <sup>2</sup>
All classes of buildings other than a single house or two group dwellings	One 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 <sup>2</sup>
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	2.0m <sup>2</sup>
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each sign not to exceed 5m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning, or in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	Not Applicable
Industrial and Warehouse Premises	A maximum of four 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 and excluding signs which are connected to a pole, wall, or other building.	Total area of such advertisements is not to exceed 15m <sup>2</sup> or 20% of the elevation of the building whichever is the lesser.
	A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.	Maximum permissible total area is not to exceed 10m <sup>2</sup> and individual advertisement signs are not to exceed 6m <sup>2</sup> .
Racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not designed to be visible from outside the complex or facility concerned either from adjacent private land or from public places and streets.	Not Applicable
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m <sup>2</sup>
Commercial and Industrial Zones	Painted Advertisement Signs	Up to 30% of the total area of wall or window.
Commercial and Industrial Zones	Temporary Banner Signs	For Banners:—1 per street frontage up to 5m <sup>2</sup> in size to be erected no more than 2 weeks prior to the event being held and to be removed within 48 hours of the event being held.



Zone, Land Use and/or Type of Development	Exempted Sign Type and Number - includes the change of posters on poster signs - applies to non-illuminated signs (unless otherwise stated) - does not apply to illuminated signs unless otherwise stated or devices fronting or visible from a State controlled road.	Maximum Area of Exempted Advertisement
Commercial Zones	Verandah Facia Signs	Width of existing facia, or if facia is wider than 2.0m a maximum width of 2.0m. If no facia is existing, a maximum of 1.0m wide. No part of any facia sign is to be closer to the footpath than 2.75m. There shall be no projections from any facia sign.
Commercial Zones	Below Verandah Signs (where there is no verandah, the verandah line is taken to be 3.5m above the footpath)	1 per shop Minimum clearance of 2.75m above the footpath. Minimum setback of 750mm from the kerb.
All uses	Temporary Advertisement Signs (illuminated and non-illuminated) announcing a local event of a religious, educational, cultural, social, or recreational character, except where the sign (illuminated and non-illuminated) fronts or is visible from a State controlled road or within 50m of a traffic light.	1 per street frontage up to 4m <sup>2</sup> to be erected no more than 2 weeks prior to the event being held and to be removed within 48 hours of the end of the event.
Display Home Centre Advertisement signs displayed for the period over which dwellings are on display for public inspection	One sign for each dwelling on display	10m <sup>2</sup>
	One sign for each group of dwellings displayed by a single project builder and giving details of the project building company and details of the range of dwellings on display.	10m <sup>2</sup>
All Zones	Advertisement signs displayed for the duration of the 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 10m <sup>2</sup>
	Advertisement signs displayed at construction sites only for the duration of the construction. One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	10m <sup>2</sup>
	One additional sign showing the name of the project builder.	5m <sup>2</sup>
	Like for like sign replacement.	N/A

**Schedule A: Exemptions from development approval**

Column 1—Works	Column 2—Conditions
22. The erection or extension of a single house on a lot	(a) The R Codes do not apply and the use is a 'P' use in the zone and all development standards set out in the Scheme are met; (b) It is not located in a heritage protected place.

Column 1—Works	Column 2—Conditions
23. The erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage or carport on the same lot as a single house	(a) The R Codes do not apply and a single house is a 'P' use in the zone and all development standards set out in the Scheme are met; (b) It is not located in a heritage protected place.
24. The erection of any farm outbuildings on any lot in the Rural Residential or Rural zone	The works are required as part of the farming operation.
25. Development on a Reserve vested to a local government or a public authority	(a) The use is consistent with the gazetted purpose of that reserve and is consistent with the operation of that public authority or the local government.
26. Excavation and fill and/or erection of a retaining wall	(a) Excavation is not greater than 500mm below natural ground level; (b) Fill is not greater than 500mm above natural ground level; (c) The retaining wall is no greater than 500mm in height and is not located in a flood prone area.
27. Erection of a front boundary fence	(a) The R Codes do not apply and it is constructed of a visually permeable material.
28. Parking of commercial vehicles in residential areas	(a) There is only one (1) commercial vehicle parked on a lot; and (b) The vehicle does not exceed 8 metres in length; and (c) The vehicle is obscured from view from the street.
29. Installation of a satellite dish	(a) If mounted on the ground, the dish diameter is not more than 1.55m, and the height is not more than 3m above natural ground level; (b) The dish is located at the rear of the property and screened from the primary street; (c) The dish is contained wholly within the property boundary; (d) If externally mounted on a building in a non-residential zone, the diameter is not more than 1.55m.
31. Use of a Shipping Container	(a) Does not remain on a lot for more than seven (7) days; or (b) Used for the storage of materials and equipment associated with a construction site where a building permit is current, and construction is taking place, provided that the Shipping Container shall be removed within 14 days of a Notice of Completion being submitted to the local government; or (c) Used within a General or Light industry zone and meets all relevant requirements for the zone.
32. Airconditioning/evaporative cooler	(a) Is designed to meet the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> . (b) For non-residential development and located on a rooftop, the units are screened from the effective frontage and/or adjoining buildings or not in dominant view of the street; (c) All equipment and discharge associated with the unit is contained within the property boundaries and not onto the street; (d) That no part of the unit is within 1.5m of a side boundary or rear boundary of the block; (e) If mounted on the ground, no part of the service is between a front boundary and a building line for the block; (f) It is not in a heritage protected place.
33. Solar hot water system	(a) It is roof mounted and not on a heritage protected place.
34. End of trip facilities	(a) Are contained wholly within the property boundary, and (b) Do not alter the external appearance of the building
35. Pastoral land uses	(a) Land is zoned rural and pastoral lease exists.

The certification pages for local planning schemes have been updated as follows—

**COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME**

Adopted by resolution of the Council of the City of Kalgoorlie-Boulder at the Ordinary Meeting of Council held on the 13 February 2017.

ANDREW BRIEN, Chief Executive Officer.  
JOHN BOWLER, Mayor.

**COUNCIL RESOLUTION TO SUPPORT SCHEME FOR APPROVAL**

Council resolved to support approval of the draft Scheme of the City of Kalgoorlie-Boulder at the Ordinary Meeting of Council held on the 27 June 2022.

The Common Seal of the City of Kalgoorlie-Boulder was hereunto affixed by authority of a resolution of the Council in the presence of—

ANDREW BRIEN, Chief Executive Officer.  
JOHN BOWLER, Mayor.

**WAPC Recommended for Approval**

Dated 29 September 2023.

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

MARK JOHNSTON.

**Approval Granted**

Dated 9 October 2023.

Hon. JOHN CAREY, MLA, Minister for Planning.

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