

SHIRE OF BRIDGETOWN-GREENBUSHES

LOCAL PLANNING SCHEME NO. 6

***DRAFT FOR PUBLIC
COMMENT***

SEPTEMBER – DECEMBER 2024

The Shire of Bridgetown-Greenbushes under the powers conferred by the *Planning and Development Act 2005* makes the following *draft* Local Planning Scheme.

SHIRE OF BRIDGETOWN-GREENBUSHES

**LOCAL PLANNING SCHEME No. 6
AMENDMENTS**

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	

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PART 1 - PRELIMINARY

1. Citation

This local planning scheme is the Shire of Bridgetown-Greenbushes Local Planning Scheme No.6.

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. Schemes revoked

The following town planning schemes are revoked -

- (a) Shire of Bridgetown-Greenbushes Town Planning Scheme No.3 (Bridgetown Town site Area) - Gazettal Date 18 March 1983.
- (b) Shire of Bridgetown-Greenbushes Town Planning Scheme No.4 - Gazettal Date 18 September 1987.

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 Shire of Bridgetown-Greenbushes 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;
 - (b) the supplemental provisions to the deemed provisions contained in Schedule A; and
 - (c) the Scheme Map (sheets 1 - 9).
- (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;

- (b) set aside land as local reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in this Scheme;
- (d) control and guide development including processes for the preparation of structure plans and local development plans;
- (e) set out procedures for the assessment and determination of development applications;
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans;
- (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 this Scheme are to -

- (a) retain and enhance the commercial and cultural functions of existing centres in the Shire;
- (b) provide for the recognition and conservation of areas and places of cultural and heritage significance, including the Bridgetown Special Design Heritage Precinct as a Special Control Area;
- (c) provide for a mix of residential land uses and housing options;
- (d) promote sustainable development that integrates economic, environmental and social factors;
- (e) protect and diversify the Shire's economic base by providing for an overall pattern of land use and development that supports existing businesses and encourages appropriate new businesses and industry;
- (f) protect and sustain rural land for primary production, environmental and cultural values and landscape;
- (g) provide for non-rural uses on rural land where it is compatible with the aims for rural land, and is of benefit to the community and/or economy;
- (h) to assist in the management of natural hazards such as flooding, bushfire and other risks;
- (i) improve the means of access into and around the Scheme area to ensure the safe and convenient movement of people, including pedestrians, cyclists, and motorists;
- (j) implement State and regional strategies, plans and policies; and
- (k) provide a basis for a suite of local planning policies, as may be required, to achieve the stated aims, purposes and objectives of this Scheme.

10. Relationship with local laws

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

11. Relationship with other local planning schemes

There are no other local planning schemes of the Shire of Bridgetown-Greenbushes, which apply to the Scheme area.

12. Relationship with region planning scheme

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

PART 2 - RESERVES

13. Regional reserves

There are no regional reserves in the Scheme area.

14. Local reserves

(1) In this clause -

Main Roads Western Australia 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 objectives of each local reserve are as follows -

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> To set aside areas of public open space, particularly those established under the <i>Planning and Development Act 2005 s.152</i>. To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
State Forest	<ul style="list-style-type: none"> To identify areas of State Forest.
Environmental Conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of diversity conservation significance within National Parks and State and other conservation reserves.
Civic and Community	<ul style="list-style-type: none"> To provide for a range of community facilities which are compatible with surrounding development. To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged and other services by organisations involved in activities for community benefit.
Public Purposes	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Recreational	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of public recreational facilities.
Education	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential education facilities.
Emergency Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of emergency services.

Table 1 - Reserve Objectives

Reserve name	Objectives
Government Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of government services.
Infrastructure Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential infrastructure services.
Medical Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential medical services.
Cemetery	<ul style="list-style-type: none"> To set aside land required for a cemetery.
Drainage / Waterway	<ul style="list-style-type: none"> To set aside land for significant waterways and drainage.
Railways	<ul style="list-style-type: none"> To set aside land required for passenger rail and rail freight services.
Primary Distributor Road	<ul style="list-style-type: none"> 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.
District Distributor Road	<ul style="list-style-type: none"> 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.
Local Distributor Road	<ul style="list-style-type: none"> To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Special Purpose Reserve	<ul style="list-style-type: none"> To set aside land for a special purpose. Purposes that do not comfortably fit in any other reserve classification.

15. Additional uses for local reserves

There are no additional uses for land in local reserves that apply to this Scheme.

PART 3 - ZONES AND USE OF LAND

16. Zones

Zones are shown on the Scheme Map according to the legend on the Scheme Map.

16.1 Residential zone

- (1) The objectives of the Residential zone are -
 - (a) to provide for a range of housing and a choice of residential densities to meet the needs of the community.
 - (b) to facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
 - (c) to provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- (2) Notwithstanding the R-Code prescribed to land in the Residential zone, a permissible density of R60 may apply for the development of land for aged or dependent persons' dwellings, independent living complex or for a residential aged care facility provided:
 - (a) the land is not subject to a Special Control Area; and
 - (b) the development is connected to a reticulated sewerage system provided by a licensed service provider.
- (3) For land zoned Residential with a R2, R2.5 or R5 density coding, fencing is to be a rural style construction comprising an open style such as timber and wire fencing whether it is a boundary fence or an internal fence.
- (4) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Residential zone -

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Residential	As per R-Codes for residential uses, all other uses at the discretion of local government				

16.2 Rural Residential zone

- (1) The objectives of the Rural Residential zone are -
 - (a) To provide for lot sizes in the range of 1ha to 4ha.
 - (b) To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
 - (c) To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
- (2) A structure plan may be required prior to subdivision in the Rural Residential zone where considered necessary to provide for the orderly planning of:
 - (a) drainage and water management;
 - (b) bushfire hazard;
 - (c) access;
 - (d) environmental protection;
 - (e) flooding management; and
 - (f) public river-foreshore access.

- (3) A dwelling on a lot less than 2ha in area in the Rural Residential zone shall be connected to a reticulated potable water supply unless it is demonstrated that a reticulated supply is not available or cannot be reasonably provided to the lot/dwelling.
- (4) Lot sizes in the Rural Residential zone shall comply with the following standards for land as prescribed on the Scheme Map -

Scheme Map Code	Minimum lot size
No code	1 – 4 ha
Rural Residential 2	2ha
Rural Residential 3	3ha

- (5) Where not prescribed on the Scheme Map in accordance with subclause (4), the minimum lot size shall be determined in accordance with the Rural Residential zone objectives, any structure plan, prevailing lot size, and relevant planning policies.
- (6) In considering a subdivision proposal in the Rural Residential zone, the local government will give due regard to ensuring that:
- clearing of native vegetation to enable more intensified development is avoided;
 - native vegetation and watercourse areas are protected by fencing where required; and
 - revegetation or tree planting conditions are applied where there is a demonstrated need and in consideration of potential increases in Bushfire Attack Level (BAL) for surrounding dwelling development.
- (7) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Rural Residential zone –

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Rural Residential (no code), 2 and 3 from:					
• Highway (Primary Distributor)	30m	20m	20m	N/A	N/A
• Major Road (District Distributor)	25m	20m	20m		
• Other Local Roads	20m	20m	20m		

16.3 Rural Smallholdings zone

- (1) The objectives of the Rural Smallholdings zone are -
- to provide for lot sizes in the range of 4ha to 40ha.
 - to provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
 - to set aside areas for the retention of vegetation and landform or other features which distinguish the land.
- (2) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Rural Smallholdings zone -

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Rural Smallholdings	20m	20m	20m	N/A	N/A

16.4 Rural zone

- (1) The objectives of the Rural zone are -
 - (a) To provide for the maintenance or enhancement of specific local rural character.
 - (b) To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.
 - (c) To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
 - (d) 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.
 - (e) To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
- (2) Tourist development is to be incidental to the rural use of the land in the Rural zone.
- (3) The existence of a second dwelling or multiple tenure arrangements on a rural lot is not justification for subdivision in the Rural zone.
- (4) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Rural zone -

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Rural from:					
• Highway (Primary Distributor)	50m	20m	20m	N/A	N/A
• Major Road (District Distributor)	30m	20m	20m		
• Other Local Roads	20m	20m	20m		

16.5 Commercial zone

- (1) The objectives of the Commercial zone are -
 - (a) To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.
 - (b) 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.
 - (c) To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
- (2) Unless otherwise determined by the local government, where a development in the Commercial zone is comprised of both residential and commercial land uses, the residential component shall be confined to an upper story of that development.
- (3) Any residential development in the Commercial zone shall satisfy the R-Codes at a maximum density coding of R10 unless the land is or proposed to be connected to a reticulated sewerage system provided by a licensed service provider.
- (4) Notwithstanding subclause (3), the local government may permit development for residential use which complies with the provisions of the R-Codes, as they apply to areas coded R35, where:
 - (a) the development will be connected to a licenced reticulated sewerage system;
 - (b) in the case of a development located on or adjoining a heritage protected place,

it is satisfied that the development enables that place to be protected.

- (5) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Commercial zone:

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Commercial	Nil	Nil	6.0m	75%	50% of all front setback areas

16.6 Light Industry zone

- (1) The objectives of the Light Industry zone are -
- to provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.
 - to ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.
- (2) Development of land in the Light Industry zone shall comply with the standards and requirements under clause 16.7 sub clauses (2) to (6) for the General Industry zone.
- (3) The table below sets out the setbacks, site coverage and landscaping requirements for development in the Light Industry zone -

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
Light Industry	7.5m	Nil	6.0m	75%	5% of site area - landscaping required along road frontage

16.7 General Industry zone

- (1) The objectives of the General Industry zone are -
- to provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
 - to accommodate industry that would not otherwise comply with the performance standards of light industry.
 - seek to manage impacts such as noise, dust and odour within the zone.
- (2) In the General Industry zone, land between the building setback line and a road reserve shall not, without the approval of the local government, be used for a purpose other than for site fencing, landscaping, services, for the parking of vehicles and/or as a means of access.
- (3) Screening by retention of existing trees and vegetation, and/or by additional tree and vegetation planting is required in the General Industry zone within road reserve frontages.
- (4) In the General Industry zone, access to roads shall be appropriately located and designed for safe and efficient use by vehicular traffic to the satisfaction of the local government.
- (5) Development that is not or cannot be connected to a reticulated sewerage system in the General Industry zone is restricted to 'dry industry' type, being industries predicted to generate waste water for disposal on-site of a daily rate of less than 540 litres per 1000m² of site area.
- (6) All buildings in the General Industry zone shall be located, designed and constructed

so that the external appearance arising from building height, bulk, colour, texture, materials used and method of construction, is appropriate for the land, locality and zone.

- (7) The table below sets out the setbacks, site coverage and landscaping requirements for development in the General Industry zone:

Zone	Minimum Setbacks(m)			Maximum Site Coverage	Minimum Landscaping
	Front	Side	Rear		
General Industry	10m	Nil	6.0m	75%	5% of site area - landscaping required along road frontage

16.8 Private Community Purpose zone

- (1) The objectives of the Private Community Purpose zone are -
- (a) To provide sites for privately owned and operated education, recreation, institutions and places of worship.
 - (b) To integrate private recreation areas with public recreation areas wherever possible.
 - (c) To separate potentially noisy engine sports from incompatible uses.
 - (d) 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.
 - (e) To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the locality.
- (2) The local government shall determine the site and development requirements for the Private Community Purpose zone at the development application stage in conjunction with the applicant.
- (3) The requirements for the Private Community Purpose zone shall be limited to those matters relevant to satisfying the Objectives.

16.9 Special Use zone

- (1) The objectives of the Special Use zone are -
- (a) To facilitate special categories of land uses which do not sit comfortably within any other zone.
 - (b) To enable the local government to impose specific conditions associated with the special use.

Note: see Clause 21 for Special Use zone requirements.

17. Zoning table

The zoning table for this Scheme is as follows -

Table 2 - Zoning Table

USE AND DEVELOPMENT CLASS	ZONES							
	RESIDENTIAL	RURAL RESIDENTIAL	RURAL SMALL HOLDINGS	RURAL	COMMERCIAL	LIGHT INDUSTRY	GENERAL INDUSTRY	PRIVATE COMMUNITY PURPOSE
Abattoir	X	X	X	D	X	X	X	X
Aged or dependent persons' dwelling	A	X	X	X	A	X	X	X
Agriculture - extensive	X	D	P	P	X	X	X	X
Agriculture - intensive	X	A	D	D	X	X	X	X
Ancillary dwelling	P	D	D	D	X	X	X	X
Amusement parlour	X	X	X	X	A	X	X	X
Animal establishment	X	A	D	D	X	D	X	X
Animal husbandry - intensive	X	X	A	D	X	X	X	X
Art gallery	X	D	D	D	D	X	X	D
Bed and breakfast	A	A	D	D	X	X	X	X
Betting agency	X	X	X	X	P	X	X	X
Brewery	X	D	D	D	A	D	D	X
Bulky goods showroom	X	X	X	X	D	D	D	X
Caravan park	X	X	A	A	X	X	X	X
Caretaker's dwelling	X	D	D	D	D	D	D	X
Car park	A	X	X	X	D	D	D	X
Child care premises	A	X	X	X	P	X	X	D
Cinema/theatre	X	X	X	X	D	X	X	X
Civic use	D	D	D	D	D	D	X	P
Club premises	X	A	A	A	D	D	X	P
Commercial vehicle parking	A	A	A	A	P	P	P	X
Community purpose	A	X	X	P	P	X	X	P
Consulting rooms	A	X	X	X	P	X	X	X
Convenience store	X	X	X	X	P	X	X	X
Corrective institution	X	X	X	A	X	X	X	X
Educational establishment	A	A	A	A	D	X	X	P
Exhibition centre	X	A	A	A	P	X	X	P
Family day care	A	A	A	X	A	X	X	X
Fast food outlet	X	X	X	X	P	D	D	X

USE AND DEVELOPMENT CLASS	ZONES							
	RESIDENTIAL	RURAL RESIDENTIAL	RURAL SMALL HOLDINGS	RURAL	COMMERCIAL	LIGHT INDUSTRY	GENERAL INDUSTRY	PRIVATE COMMUNITY PURPOSE
Fuel depot	X	X	X	D	D	D	P	X
Funeral parlour	X	X	X	X	D	D	D	X
Garden centre	X	D	D	D	D	D	D	X
Grouped dwelling	D	X	X	X	D	X	X	X
Holiday accommodation	D	D	D	D	D	X	X	X
Holiday house	P	P	P	P	P	X	X	X
Home business	D	P	P	P	P	X	X	X
Home occupation	P	P	P	P	P	X	X	X
Home office	P	P	P	P	P	X	X	X
Home store	A	A	A	A	D	X	X	X
Hospital	X	X	X	X	A	X	X	X
Hotel	A	X	X	A	P	X	X	X
Independent living complex	A	X	X	X	A	X	X	X
Industry	X	X	X	X	X	D	P	X
Industry - extractive	X	X	X	D	X	X	X	X
Industry - light	X	X	X	D	D	P	P	X
Industry - rural	X	X	D	P	X	D	D	X
Liquor store - large	X	X	X	X	D	D	X	X
Liquor store - small	X	X	X	X	D	D	X	X
Lunch bar	X	X	X	X	D	D	X	X
Market	X	A	A	A	D	X	X	D
Medical centre	A	X	X	X	A	X	X	X
Mining operations	X	X	X	D	X	X	X	X
Motel	X	X	X	A	D	X	X	X
Motor vehicle, boat or caravan sales	X	X	X	X	D	D	X	X
Motor vehicle repair	X	X	X	X	D	P	P	X
Motor vehicle wash	X	X	X	X	D	P	P	X
Multiple dwelling	A	X	X	X	D	X	X	X
Nature based park	X	X	X	D	X	X	X	X
Nightclub	X	X	X	X	D	X	X	X
Office	X	X	X	X	P	X	X	X
Park home park	A	X	X	D	X	X	X	X
Place of worship	A	A	A	A	D	X	X	P

USE AND DEVELOPMENT CLASS	ZONES							
	RESIDENTIAL	RURAL RESIDENTIAL	RURAL SMALL HOLDINGS	RURAL	COMMERCIAL	LIGHT INDUSTRY	GENERAL INDUSTRY	PRIVATE COMMUNITY PURPOSE
Reception centre	X	A	A	A	D	X	X	P
Recreation - private	X	A	A	A	D	X	X	D
Renewable energy facility	X	X	X	A	X	X	X	X
Repurposed dwelling	D	D	D	D	X	X	X	X
Residential aged care facility	A	X	X	X	A	X	X	X
Residential building	D	D	D	D	D	X	X	X
Resource recovery centre	X	X	X	D	X	X	X	X
Restaurant/café	D	A	A	A	P	X	X	X
Restricted premises	X	X	X	X	A	A	A	A
Roadhouse	X	X	X	A	X	X	X	X
Rural home business/Industry cottage	D	D	D	D	D	X	X	X
Rural pursuit/hobby farm	D	P	P	P	X	X	X	X
Second hand dwelling	D	D	D	D	X	X	X	X
Serviced apartment	A	X	X	X	A	X	X	X
Service station	X	X	X	X	D	P	D	X
Shop	X	X	X	X	D	X	X	X
Single house	P	P	P	P	D	X	X	X
Small bar	X	X	X	X	D	X	X	X
Tavern	X	X	X	A	D	X	X	X
Telecommunications infrastructure	D	D	D	D	D	D	D	A
Tourist development	X	A	A	A	A	X	X	X
Trade display	X	X	A	D	D	D	D	X
Trade supplies	X	X	A	D	D	D	D	X
Transport depot	X	X	A	D	X	D	D	X
Tree farm	X	X	A	D	X	X	X	X
Veterinary centre	X	A	A	D	D	D	X	X
Warehouse/storage	X	X	A	D	D	P	P	X
Waste disposal facility	X	X	X	D	X	A	D	X
Waste storage facility	X	X	X	D	X	A	D	X
Winery	X	A	A	A	A	X	X	X
Workforce accommodation	A	X	X	A	A	A	A	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 as it relates to the use of the land.
 - 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 advertising the application in accordance with clause 64 of the deemed provisions.
 - X means that the use is not permitted by this 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 and Schedule A, 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 advertise 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 the objectives of the zone and any of the following plans that apply to the land -
 - (a) a structure plan;
 - (b) a local development plan.

19. Additional uses

- (1) Schedule 1 sets out -
 - (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
 - (b) the requirements that apply to that additional use.
- (2) Despite anything contained in the Zoning table, land that is specified in Schedule 1 at subclause (1) may be used for the additional class of use set out in respect of that land subject to the requirements that apply to that use.

20. Restricted uses

There are no restricted uses which apply to this Scheme.

21. Special use zones

- (1) Schedule 2 sets out -
 - (a) special use zones for specified land that are in addition to the zones in the zoning table;
 - (b) the classes of special use that are permissible in that zone; and
 - (c) the standards, requirements and conditions that apply in respect of the special uses.
- (2) A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the standards, requirements and conditions that apply to that use.

Note for this clause:

- (1) *Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.*

22. Non-conforming uses

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

23. Changes to 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 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 objectives 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; and
 - (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 ensure that an up-to-date copy of the register is published in accordance with clause 87 of the deemed provisions.
- (4) Subclause (3)(b) is an ongoing publishing requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (5) 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 4 - GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

25. Residential Design Codes (R-Codes)

- (1) The R-Codes, and as modified 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 the boundaries of the area 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.
- (6) Where there is a dual-density coding number shown on the Scheme Map, the lower number shall apply to that area unless the land is or will be connected to a reticulated sewerage system, provided by a licensed service provider, in which case that area may be subdivided and developed up to the higher coding number.

26. Modification of R-Codes

- (1) The minimum front and side setbacks for R2.5 coded land, shall be -
 - (a) 7.5 metres from the front boundary; and
 - (b) 4 metres from a side boundary.
- (2) The minimum rear and side setbacks for R5 coded land, shall be -
 - (a) 12 metres from the rear boundary; and
 - (b) 4 metres from a side boundary.
- (3) The Deemed-to-comply requirements in Clause 5.2.4 C4.1 and C4.2 (front fences) of Volume 1 of the R-Codes do not apply to development on R2, R2.5 or R5 coded land.

27. Other planning codes to be read as part of Scheme

- (1) The planning codes set out in the Table, modified as set out in clause 28, are to be read as part of this scheme.

Table – other planning codes to be read as part of scheme

There are no other planning codes that are to be read as part of the scheme.
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- (2) The local government must ensure that each planning code set out in the Table to subclause (1) is published in accordance with clause 87 of the deemed provisions.
- (3) Subclause (2) is an ongoing publication requirement for the purpose of clause 87(5)(a) of the deemed provisions.

28. Modification of planning codes

There are no modifications to a planning code that, under clause 27, is to be read as part of the scheme.

29. Environmental conditions

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

30. General development standards and requirements

- (1) This Scheme sets out standards and requirements relating to land use and development that are additional to those set out in the R-Codes, structure plans, local development plans or State or local planning policies as follows -
 - (a) the zone related site and development requirements in Part 3; and
 - (b) the general site and development requirements the subject of this clause.
- (2) To the extent that a standard or requirement referred to in subclause (1) is inconsistent with a standard or requirement in the R-Codes, a structure plan, a local development plan or a State or local planning policy, the standard or requirement referred to in subclause (1) prevails.

30.1 Ancillary dwelling

- (1) In zones where the R-codes do not apply, an ancillary dwelling shall satisfy the following requirements:
 - (a) comply with the definition in Appendix 1 of Volume 1 of the Residential Design Codes;
 - (b) not exceed a maximum floor area of 120m² measured from the external face of walls; and
 - (c) is sited and designed as guided by any local planning policy;
- (2) The existence of an ancillary dwelling does not constitute justification for the subdivision of the land.
- (3) In zones where the R-codes do not apply, the development of an ancillary dwelling is not permitted unless the local government has exercised its discretion by granting development approval.

30.2 Building envelopes

- (1) Where building envelopes have been identified in a structure plan, subdivision or local development plan, all buildings and structures shall be contained within the approved building envelope unless otherwise determined by the local government.
- (2) The local government may approve a variation to a building envelope provided the environment, landscape character and the amenity of the land and locality are not adversely impacted, as guided by any local planning policy.

30.3 Car parking

- (1) Car parking for land use is to be provided in accordance with the requirements below.

Use type	Minimum car parking spaces to be provided
Commercial zone uses	1 per 15m ² net lettable area (new buildings only).
Industry	1 per 15m ² gross floor area (new buildings only).
Light Industry	1 parking space for each person normally employed per use activity plus 1 visitor parking space per use activity.
Recreation - private	At the discretion of the local government.
Other uses	Per the R-Codes for residential land use, otherwise at the discretion of the local government.

- (2) Where a calculation made under subclause 1 results in a number which is not a whole number, the number of car parking spaces required shall be the next highest whole number.
- (3) On-site car parking shall be constructed and paved to the satisfaction of the local government and in accordance with the following standards unless determined otherwise by the local government.

Parking angle	Width (m)	Length (m)	Separation/ Aisle (m)
45 degrees	3.5	5.2	3.7
60 degrees	2.8	5.6	5
90 degrees	2.5	5.5	6.5

- (4) Landscaping shall be undertaken at a minimum rate of 1 tree per every 10 car parking spaces.
- (5) Where car parking requirements are to be determined by the local government, the number of car parking spaces required is to be determined by giving due regard to the -
 - (a) nature of the proposed development;
 - (b) number of employees or others likely to be employed or engaged in the use(s) on the land;
 - (c) anticipated demand for visitor car parking; and
 - (d) orderly, proper and sustainable planning of the locality.
- (6) If there are multiple land uses on any lot that operate at different times to each other, and the operating times will be permanent, the local government may approve a reduced number of car parking spaces to that specified in subclause (1) or otherwise agreed, on a reciprocal use basis.
- (7) Where the minimum on-site car parking requirements cannot be met on-site or reasonably be provided, and the lower number of car parking spaces would be adequate for the demands of the development, the local government may accept cash payments in lieu of the provision of car parking spaces, subject to the following requirements -
 - (a) the cash-in-lieu payment shall not be less than the estimated cost to the land owner or developer of providing and constructing the car parking spaces, associated accessways and landscaping, required by this Scheme, plus the value, as estimated by the local government of that area of land, which would have been occupied by the car parking spaces, accessways and landscaping; and
 - (b) any cash-in-lieu monies required to be paid to the local government shall be paid into a reserve account established under the *Local Government Act 1995* section 6.11 and are to be used for the provision of public car parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.
- (8) Where a land use or development involves the delivery or dispatch of goods of any kind, a loading and unloading area shall be provided, clear of the road or right-of-way as appropriate and the area shall be designed so that vehicles using this area can enter and leave in a forward direction unless otherwise approved by the local government.

30.4 Dams

- (1) Dams and associated works shall be compatible with zone objectives and the works maintained by the landowner.
- (2) When considering a development application for a dam, the local government shall give due regard to:
 - a. matters relating to dam design and construction;
 - b. potential impacts on landscape and amenity and/or neighbouring properties; and
 - c. any advice received from agencies with responsibility for environmental matters relating to dam construction, operation and potential impacts on water resources.

Note:

1. Permits or licenses may be required from the agency responsible for administering the Rights in Water and Irrigation Act 1914 to take water from a watercourse and/or to interfere with or obstruct the bed or banks of a surface water feature.
2. Development approval is required to carry out dam works on land in addition to any approval granted for the use of land.

30.5 Development of land abutting an unconstructed road reserve

- (1) All development shall be provided with access to a constructed road.
- (2) The local government may waive the requirement of subclause 1 where -
 - (a) the landowner or applicant is prepared to contribute to the full or partial cost of road construction as determined by the local government; or
 - (b) as otherwise agreed with the local government, except where the proposed development requires a higher level of legal and construction access for land uses that attract a higher level of public traffic use.

30.6 Development of land to contain emissions

- (1) For land in the Rural, Rural Residential and Rural Smallholdings zones, in addition to the relevant matters prescribed by clause 67(2) of the deemed provisions, the following development assessment matters shall apply -
 - (a) the relationship and compatibility of the development with existing or proposed land use or development in the locality and any buffer separation required as a result of emission impacts associated with the development; and
 - (b) the ability to contain any emissions associated with the development within the subject lot.

30.7 Development of land affected by natural hazards

- (1) Where a development is proposed on land, that in the opinion of local government may be impacted by flooding and/or inundation, the application for development approval shall include technical advice from an appropriately qualified practitioner to demonstrate that the development will not be adversely impacted by floodwaters and/or inundation, or impact the free flow of floodwaters or inundation.
- (2) Where a development is proposed on land, that is unstable, or has steep slopes, the application for development approval shall include a geo-technical and structural engineer's report to determine building construction requirements, and further assessment will be guided by any local planning policy.

30.8 Keeping of Livestock

- (1) In considering a development application for the keeping of livestock for a rural pursuit/hobby farm purpose, the local government shall give due regard to the stocking rates as recommended by the relevant authority.

- (2) The local government may serve notice on the landowner and/or occupier of land where necessary to reduce or eliminate adverse impacts on the amenity or environment caused by a rural pursuit/hobby farm activity.
- (3) Any costs incurred by the local government in taking action under subclause (2), may be subject to cost recovery from the land owner by the local government.
- (4) To prevent degradation by livestock, the local government may require areas of native vegetation to be suitably fenced to restrict access by rural pursuit/hobby farm livestock.

Note: Clause 61 also sets out exemptions for small scale keeping of livestock in accordance with Council local laws and amenity.

30.9 Repurposed dwellings and second hand dwellings

- (1) A repurposed or second hand dwelling shall satisfy the following requirements -
 - (a) be transported, designed, sited and connected to suitable services as guided by any local planning policy; and
 - (b) any internal or external material containing asbestos containing material (ACM) must be removed prior to the dwelling or building being transported within or into the Scheme area.

30.10 Servicing requirements (reticulated sewerage and on-site effluent disposal)

- (1) Any development that is required to dispose of liquid domestic effluent shall be connected to the reticulated sewerage system, or where not available, is to be provided with a Department of Health (DoH) approved onsite effluent disposal system, in accordance with the Government Sewerage Policy. No dwelling shall be occupied without the prior approval and installation of such a disposal system.
- (2) The Local Government may require the use of secondary treatment systems in the following situations:
 - (a) where soil conditions are not conducive to the retention of nutrients;
 - (b) low lying areas or areas where there is a known high groundwater level; or
 - (c) in accordance with the Government Sewerage Policy.

30.11 Trees and vegetation establishment

- (1) The local government may impose a condition on development approval requiring, the planting of vegetation of a species, extent and in locations determined by the local government on a lot in the following circumstances -
 - (a) to replace trees and vegetation to be removed as a result of approved development works; and
 - (b) in order to screen approved development from surrounding properties.
- (2) The local government may impose a condition on development approval requiring that the applicant maintain revegetation areas for a period of at least 3 years.
- (3) In relation to land for which a revegetation area is identified on a structure plan or development plan identifying tree and vegetation planting and/or preservation, the local government may require implementation and management of planting in accordance with the provisions of the plan or an approved local planning policy.

30.12 Native vegetation preservation

- (1) Unless otherwise required by the Scheme, development approval for clearing of native vegetation is not required except where:
 - (a) the clearing is exempt from the requirement to obtain a clearing permit in accordance with the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; and
 - (b) the clearing is necessary for the construction of a building, or other structure, for which development approval is required under this Scheme.
- (2) In considering a subdivision or development proposal, the local government shall have due regard to:
 - (a) the conservation, protection and management of native vegetation to enhance soil and land quality, water quality, biodiversity, fauna habitat, landscape, amenity values and ecosystem function; and
 - (b) opportunities, where suitable alternatives exist, to locate development outside of areas which would require the removal of vegetation.
- (3) In considering a development application, the local government may liaise with other agencies with responsibility for environmental matters and have due regard to any advice in relation to:
 - (a) the requirement for a flora and fauna study to determine locations on the site where development could occur with the least impact; and
 - (c) any re-vegetation or measures to conserve and manage other comparable native vegetation on the same land.

Note:

Native vegetation clearing must be authorised under the *Environmental Protection Act 1986*. Under section 51C of the *Environmental Protection Act 1986*, clearing of native vegetation is an offence unless it is done under the authority of - a clearing permit; a clearing referral has been submitted and a permit is not required; or it is subject to an exemption under the Act or the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

30.13 Water resource management and protection

- (1) Development proposals that have potential for adverse impacts on water resources may be referred to the relevant agencies for comment. Where relevant, the local government may require the applicant to undertake pre-development and post development monitoring. Based on monitoring results, measures may be required to manage the impacts of the development on the water resource.
- (2) In considering a subdivision or development proposal which may have an adverse impact on water resources such as rivers, creeks, drainage lines, swamps, wetlands, groundwater, or significant water-dependant ecosystems, the local government shall have due regard to –
 - (a) setbacks to riparian areas to avoid nutrient and chemical spray contamination;
 - (b) protection of vegetation corridors and mitigation of erosion;
 - (c) managing water balance, water conservation and water sensitive design; and
 - (d) maintaining and enhancing water related environmental, recreational and cultural values.
- (3) The local government may require the applicant to -
 - (a) prepare and implement a foreshore management plan, drainage and nutrient management plan, strategy or other document to manage impacts of proposed subdivision and development; and
 - (b) incorporate the requirements of bushfire management plans into the above management plans.

30.14 Public drinking water source protection and potable water supply

- (1) Where land use or development is proposed within a prescribed or proposed Public Drinking Water Source Area, the local government shall refer the proposal to the relevant State agencies and/or water service provider for advice, and have due regard to advice received prior to making a determination.
- (2) Any proposal in a Public Drinking Water Source Area shall demonstrate that it appropriately responds to -
 - (a) State Planning Policy 2.9 Planning for Water (and associated guidelines); and
 - (b) Water Quality Protection Note 25: Land Use Compatibility Tables for Public Drinking Water Source Areas (DWER 2016 as amended).
- (3) Where a licenced potable water supply is unavailable, and a sustainable alternative supply is demonstrated, development shall be connected to a fit-for-purpose water supply in accordance with the Rural Planning Guidelines.
- (4) Provision is also to be made for water for firefighting purposes, set out in a Bushfire Management Plan or by the local government in accordance with State policy

30.15 Mining Operations

- (1) Whilst mining operations are exempt from the need for development approval under the *Mining Act 1978*, the local government may 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 and the Local Planning Strategy. In providing advice to the Minister for Mines and Petroleum on the suitability of mining operations, the local government will be guided by the permissibility of this use in the zoning table.

31. Additional site specific development standards and requirements

- (1) The Table in Schedule 3 sets out requirements relating to development that are additional to those set out in the R-Codes, structure plans, local development plans or State or local planning policies.
- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, a structure plan, a local development plan or a State or local planning policy, the requirement referred to in subclause (1) prevails.

32. Variations to general development standards and requirements

- (1) In this clause –

general development standards and requirements refers to any site or development requirement contained in the scheme unless the scheme otherwise provides that a certain development requirement cannot be varied but this clause is not to apply to variations to land use permissibility's contained in the zoning table and does not apply with respect to development which the R-Codes apply or clause 33.
- (2) The local government may approve an application for a development approval that does not comply with the 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 a general development standard and requirement 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(4) 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(2) of the deemed provisions; and
 - (b) the non-compliance with the general development standard and 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.

33. 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 advertises the application for development approval in accordance with clause 64 of the deemed provision.

PART 5 - SPECIAL CONTROL AREAS

34. Special control areas

- (1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in Table 3. The provisions contained in a Special Control Area apply in addition to the provisions that apply to the underlying zone or reserve.

Note for this clause:

1. Identifies areas which are significant and where special provisions apply in addition to the provisions of the underlying zones and reserves.

Table 3 - Special Control Areas in Scheme Area

Name of area	Purpose	Objectives	Additional provisions
Special Control Area 1 - Bridgetown Special Design Heritage Precinct	To provide specific guidance on land use planning matters in the Bridgetown Special Design Heritage Precinct	<ol style="list-style-type: none"> a) To recognise the precinct's historic, aesthetic, cultural and townscape significance and contribution to the tourist importance of the Bridgetown townsite. b) To ensure the retention and conservation of buildings that are of historic and cultural heritage value and significance and/or buildings that form part of or contribute to the Bridgetown townscape character. c) To protect and to reinforce the significance of the place and precinct. d) To ensure that any new buildings are compatible with, and complementary to, the traditional built environment. e) To encourage development that achieves design excellence, is directed towards achieving townscape objectives and contributes positively toward the improvement of the streetscape. 	<ol style="list-style-type: none"> 1) <u>Application requirements</u> Despite any other provision of this Scheme, development approval is required for the use and development of land, including a single house, unless an approved local planning policy provides that development approval is not required for specified development works and/or use and where any conditions are satisfied. 2) <u>Referral of applications</u> The local government shall in considering an application for development approval advertise the development application in accordance with clause 64 of the deemed provisions, and when, in the opinion of the local government, an application for development approval may affect any other relevant statutory, public or planning authority and/or service provider, provide a copy of the application to the authority and/or service provider for objections and recommendations. 3) <u>Relevant considerations</u> In considering an application for development approval the local government shall have due regard to – <ol style="list-style-type: none"> (a) public submissions; (b) the objections and recommendations of consulted authorities and/or service providers; (c) those matters relevant to the land use or development as prescribed by clause 67(2) of the deemed provisions; (d) the objectives for the Special control area; (e) State Planning Policy 3.5 Historic Heritage Conservation or equivalent

Name of area	Purpose	Objectives	Additional provisions
			<p>State planning policy;</p> <p>(f) local planning policies and development guidelines or similar instruments approved by the local government relating to places of cultural heritage significance and/or to assist in the retention of the established character and to guide the future built character of the precinct;</p> <p>(g) the Development requirements;</p> <p>(h) whether the proposed land use or development is suitable and compatible in respect of its location, density, architectural design and style, appearance, scale, form, height, bulk, orientation, building materials, setbacks, car parking and access, signage, landscaping and screening;</p> <p>(i) whether the proposed land use or development provides for appropriate street activation;</p> <p>(j) whether the proposed land use or development provides for appropriate mixed use including tourism uses, offerings and product; and</p> <p>(k) where applicable, any report and/or a Conservation Management Plan that demonstrates that the historic and cultural heritage character and significance of the site, street and locality will not be adversely affected by the proposed land use or development.</p> <p>4) <u>Development requirements</u> (unless determined otherwise by the local government to implement the SCA objectives)</p> <p>(a) All development shall be designed and constructed using materials that complement the existing or desired future character and amenity of the Bridgetown townsite as determined by the local government or in accordance with the provisions of an approved local planning policy.</p> <p>(b) Land use and development shall provide for site, street and locality responsive design; a high quality built form; appropriate setbacks to street boundaries and to adjoining residential development and/or residential lots; suitable landscaping; sufficient effective and efficient access and parking; provide</p>

Name of area	Purpose	Objectives	Additional provisions
			<p>for safe covered pedestrian spaces; and contemporary building facades consistent with the planned future streetscape character.</p> <p>5) <u>Development approval conditions</u> The local government may impose development approval conditions to ensure compliance with the objectives including but not limited to –</p> <ul style="list-style-type: none"> (a) a temporary or time limited basis; (b) constraining or directing the location, density, architectural design, style, appearance, scale, form, height, bulk, orientation, building materials, setbacks, car parking and access, landscaping and screening of the development; and (c) a Conservation Management Plan and its implementation.

PART 6 - TERMS REFERRED TO IN SCHEME

35. General definitions of terms used

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

building envelope	means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.
cabin	means a dwelling forming part of a tourist development or caravan park that is - (a) an individual unit other than a chalet; and (b) designed to provide short-term accommodation for guests.
chalet	means a dwelling forming part of a tourist development or caravan park that is - (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and (b) designed to provide short-term accommodation for guests.
commercial vehicle	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including - (c) a utility, van, truck, tractor, bus or earthmoving equipment; and (d) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).
dam	shall have the same meaning as prescribed in State Planning Policy 2.9 Planning for Water
floor area	has meaning given in the Building Code.
minerals	has the meaning given in the <i>Mining Act 1978</i> section 8(1).
plot ratio	means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.
precinct	means a definable area where particular planning policies, guidelines or standards apply.
predominant use	means the primary use of premises to which all other uses carried out on the premises are incidental.
retail	means the sale or hire of goods or services to the public.
scheme commencement date	means the day on which this Scheme comes into effect under section 87(4) of the Act.
short-term accommodation	means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.
wholesale	means the sale of goods or materials to be sold by others.

- (3) 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.

36. Land use terms used in Scheme

- (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 follows -

abattoir	means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
aged or dependent persons' dwelling	means a special purpose dwelling as defined by the Residential Design Codes Volume 1 (R-Codes Volume 1).
agriculture - extensive	means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture - intensive or animal husbandry - intensive.
agriculture - intensive	means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following - <ul style="list-style-type: none"> (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); (d) aquaculture.
amusement parlour	means premises - <ul style="list-style-type: none"> (a) that are open to the public; and (b) that are used predominantly for amusement by means of amusement machines including computers; and (c) where there are 2 or more amusement machines.
animal establishment	means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.
animal husbandry - intensive	means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep or other livestock in feedlots, sheds or rotational pens but excludes agriculture - extensive.
art gallery	means premises that are open to the public and where artworks are displayed for viewing or sale.
bed and breakfast	means a dwelling - <ul style="list-style-type: none"> (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and (b) containing not more than 2 guest bedrooms.

betting agency	means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i> .
brewery	means premises the subject of a producer's licence authorising the production of beer, cider or spirits under the <i>Liquor Control Act 1988</i> .
bulky goods showroom	means premises (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes - (i) automotive parts and accessories; (ii) camping, outdoor and recreation goods; (iii) electric light fittings; (iv) animal supplies including equestrian and pet goods; (v) floor and window coverings; (vi) furniture, beddings, 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 by retail if (i) a large area is required for the handling, display or storage of the goods; or (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.
caravan park	means premises that are a caravan park as defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1).
caretaker's dwelling	means a dwelling on the same site as a building, operation or plant used for industry and occupied by a supervisor of that building, operation or plant.
car park	means premises used primarily for parking vehicles whether open to the public or not but does not include - (a) any part of a public road used for parking or for a taxi rank; or (b) any premises in which cars are displayed for sale.
child care premises	means premises where - (a) an education and care service as defined in the <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.
cinema/theatre	means premises where the public may view a motion picture or theatrical production.

civic use	means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.
club premises	means premises used by a legally constituted club or association or other body of persons united by a common interest.
commercial vehicle parking	means premises used for parking of one or two commercial vehicles but does not include - (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
community purpose	means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
consulting rooms	means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
convenience store	means premises - (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300m ² net lettable area.
corrective institution	means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
educational establishment	means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
exhibition centre	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.
family day care	means premises where a family day care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> is provided.
fast food outlet	means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten - (a) without further preparation; and (b) primarily off the premises.
fuel depot	means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used - (a) as a service station; or (b) for the sale of fuel by retail into a vehicle for use by the vehicle.

funeral parlour	means premises used to prepare and store bodies for burial or cremation or to conduct funeral services.
garden centre	means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.
holiday accommodation	means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.
holiday house	means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
home business	<p>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 -</p> <ul style="list-style-type: none"> (a) does not involve employing more than 2 people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 50m²; and (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home occupation	<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 that -</p> <ul style="list-style-type: none"> (a) does not involve employing a person who is not a member of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 20m²; and (d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; and (e) does not involve the retail sale, display or hire of any goods; unless the sale, display or hire is done only by means of the Internet; and (f) does not - <ul style="list-style-type: none"> (i) require a greater number of parking spaces than normally required for a single dwelling; or (ii) result in an increase in traffic volume in the neighbourhood; and (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.
home office	<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"> (a) is solely within the dwelling; and (b) does not entail clients or customers travelling to and from the dwelling; and (c) does not involve the display of a sign on the premises; and (d) does not require any change to the external appearance of the dwelling.
home store	<p>means a shop attached to a dwelling that -</p> <ul style="list-style-type: none"> (a) has a net lettable area not exceeding 100m²; and (b) is operated by a person residing in the dwelling.
hospital	<p>means premises used as a hospital as defined in the <i>Health Services Act 2016</i> section 8(4).</p>
hotel	<p>means premises the subject of a hotel licence other than a small bar or tavern licence granted under the <i>Liquor Control Act 1988</i>, including any betting agency on the premises.</p>
independent living complex	<p>means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility.</p>

industry	means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes - (a) the storage of goods; (b) the work of administration or accounting; (c) the selling of goods by wholesale or retail; (d) the provision of amenities for employees; (e) incidental purposes.
industry - extractive	means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes - (a) the processing of raw materials including crushing, screening, washing, blending or grading; (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.
industry - light	means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed.
industry - rural	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.
liquor store-large	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of more than 300m ² .
liquor store - small	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of not more than 300m ² .
lunch bar	means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.
market	means premises used for the display and sale of goods from stalls by independent vendors.
medical centre	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
mining operations	means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1) is carried out.
motel	means premises, which may be licenced under the <i>Liquor Control Act 1988</i> – (a) used to accommodate guests in a manner similar to a hotel; and (b) with specific provision for the accommodation of guests with motor vehicles.

motor vehicle, boat or caravan sales	means premises used to sell or hire motor vehicles, boats or caravans.
motor vehicle repair	means premises used for or in connection with - (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or (b) repairs to tyres other than recapping or re-treading of tyres.
motor vehicle wash	means premises primarily used to wash motor vehicles.
nature based park	means premises used for a nature based park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i>
Night club	means premises the subject of a nightclub licence granted under the <i>Liquor Control Act 1988</i>
office	means premises used for administration, clerical, technical, professional or similar business activities.
park home park	means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> .
place of worship	means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.
reception centre	means premises used for hosted functions on formal or ceremonial occasions.
recreation - private	means premises that are - (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
renewable energy facility	means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.
repurposed dwelling	means a building or structure not previously used as a single house which has been repurposed for use as a dwelling.
residential aged care facility	means a residential facility providing personal and/or nursing care primarily to people who are frail and aged or dependent persons which, as well as accommodation, includes; (a) appropriate staffing to meet the nursing and personal care needs of residents; (b) meals and cleaning services; (c) furnishings, furniture and equipment. This may consist of multiple components that include communal amenities and land uses for residents and staff that are incidental and ancillary to the provision of such accommodation, residential respite (short term) care and an independent living complex, but does not include a hospital, rehabilitation or psychiatric facility.

residential building	means a building as defined by the Residential Design Codes Volume 1 (R-Codes Volume 1).
resource recovery centre	means premises other than a waste disposal facility used for the recovery of resources from waste.
restaurant/cafe	means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the <i>Liquor Control Act 1988</i> .
restricted premises	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of - (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> (Commonwealth); or (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking-related implements.
road house	means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services - (a) a full range of automotive repair services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) short-term accommodation for guests; (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies; and (f) dump points for the disposal of black and/or grey water from recreational vehicles.
rural home business / industry - cottage	means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation - (a) does not involve employing more than 2 people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 200m ² ; and (d) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and (e) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight.

rural pursuit/hobby farm	means any premises, other than premises used for agriculture - extensive or agriculture - intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household - (a) the rearing, agistment, stabling or training of animals; (b) the keeping of bees; (c) the sale of produce grown solely on the premises.
second hand dwelling	means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular home or transportable dwelling.
serviced apartment	means a group of units or apartments providing - (a) self-contained short stay accommodation for guests; and (b) any associated reception or recreational facilities.
service station	means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for - (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.
shop	means premises other than a bulky goods showroom, a liquor store - large or a liquor store - small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.
small bar	means premises the subject of a small bar licence granted under the <i>Liquor Control Act 1988</i>
tavern	means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i>
telecommunications infrastructure	means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.
tourist development	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) onsite facilities for the use of guests; and (c) facilities for the management of the development.
trade display	means premises used for the display of trade goods and equipment for the purpose of advertisement.

trade supplies	means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises - (a) automotive repairs and servicing; (b) building including repair and maintenance; (c) industry; (d) landscape gardening; (e) provision of medical services; (f) primary production; (g) use by government departments or agencies, including local government.
transport depot	means premises used primarily for the parking or garaging of 3 or more commercial vehicles including - (a) any ancillary maintenance or refuelling of those vehicles; and (b) any ancillary storage of goods brought to the premises by those vehicles; and (c) the transfer of goods or persons from one vehicle to another.
tree farm	means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the <i>Carbon Rights Act 2003</i> section 5.
veterinary centre	means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.
warehouse/storage	means premises including indoor or outdoor facilities used for - (a) the storage of goods, equipment, plant or materials; or (b) the display or sale by wholesale of goods.
waste disposal facility	means premises used - (a) for the disposal of waste by landfill; or (b) the incineration of hazardous, clinical or biomedical waste.
waste storage facility	means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale.
winery	means premises used for the production of viticultural produce and associated sale of the produce.
workforce accommodation	means premises, which may include modular and relocated buildings used - (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

37. Deemed provisions for local planning schemes

Please see the Planning and Development (Local Planning Schemes) Regulations 2015, which covers Clauses 1 to 93. Clause 61 of the Deemed Provisions provides a number of standard exemptions for seeking works and/or development approval. These standard exemptions have also been extended by the Shire of Bridgetown-Greenbushes, and are set out in Schedule A of this Scheme.

SCHEDULE A - SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

These provisions are to be read in conjunction with the deemed provisions Schedule 2 clause 61 contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Note: Numbering follows the final clause (61(8)) of this part of the Deemed Provisions.

61 (9) Development for which Development Approval Not Required

- (1) Development approval is not required for works if –
- (a) the works are of a class specified in Column 1 of an item in Table 4; and
 - (b) if conditions are set out in Column 2 of Table 4 opposite that item - all of those conditions are satisfied in relation to the works.

Table 4 - Supplemental provisions relating to works		
	Column 1 Works	Column 2 Conditions
22	The erection, installation, or demolition of a sign or advertisement of a class specified in Schedule 4.	<ul style="list-style-type: none"> (a) The sign or advertisement complies with the applicable provisions of Schedule 4. (b) The sign or advertisement is not erected or installed within 1.5m of any part of a crossover or street truncation. (c) The works are not located in a heritage-protected place.
23	<p>The erection of or installation of, or alterations to or additions to, any of the following on a lot in the Rural, Rural Small Holding or Rural Residential zone -</p> <ul style="list-style-type: none"> (a) a windmill; (b) a bore; (c) a well; (d) a water tank (e) a dam (g) a boundary wall or fence. 	<ul style="list-style-type: none"> (a) In respect of a water tank the conditions of clause 61(1) of the deemed provisions for the installation of a water tank are satisfied, except where, the volume of the water tank may exceed 5,000 litres. (b) The water tank is not visible from the lot road frontage or if visible it is to be treated to be compatible in its setting to the satisfaction of the local government. (c) Where a building envelope applies, the water tank is located entirely within the building envelope. (d) The dam is incidental to a permitted or approved rural land use and the external foot of the dam wall, and any other part of the dam including the stored water is further than 20 metres from boundaries of the subject lot. (e) The works are not located in a heritage-protected place. (f) The works comply with the development provisions of this Scheme. (g) The boundary wall or fence is of rural construction comprising stock proof wire or ring-lock fencing with timber posts to a maximum

Table 4 - Supplemental provisions relating to works		
	Column 1 Works	Column 2 Conditions
		height of 1.2m above the natural ground level.
24	The installation maintenance or repair works for and of any of the following for domestic or rural purposes - (a) service ducts; (b) cables; (c) pipes; (d) conduits.	(a) The works are not located in a heritage-protected place.
25	The erection of, or alterations or additions to, a single house on a lot.	(a) The single house is a permitted P use on the lot in the zone where the R-Codes do not apply. (b) The works comply with the development provisions of this Scheme for that zone (including, where applicable, any site and development requirements specified in Schedule 3). (c) The works are not located in a heritage-protected place. (d) The works do not include the clearing of native vegetation (excluding isolated trees or revegetation for a non-conservation purpose as defined in the <i>Environmental Protection Act 1986 & Environmental Protection (Clearing of native vegetation) Regulations 2004</i>). (e) The works do not require access from an unconstructed road. (f) In the case of erection of a single house in the Rural Residential zone, the house is not constructed of materials that are wholly or predominantly second hand, re-used, damaged or corrugated iron.
26	The erection of, or installation of, or alterations to, or additions to, any of the following, on the same lot as a single house - (a) an outbuilding; (b) an external fixture; (c) a boundary wall or fence; (d) a patio; (e) a pergola; (f) a verandah; (g) a deck; (h) a garage; (i) a carport; (j) a swimming pool; (k) shade sails.	(a) The single house is a permitted 'P' use in the zone where the R-Codes do not apply. (b) The works comply with the development provisions of this Scheme for that zone (including, where applicable, any site and development requirements specified in Schedule 3). (c) The works are not located in a heritage-protected place. (d) The works do not include the clearing of native vegetation (excluding isolated trees or revegetation for a non-conservation purpose as defined in the <i>Environmental Protection Act 1986 & Environmental Protection (Clearing of native vegetation) Regulations 2004</i>). (e) The works are not within 100m of a watercourse.

Table 4 - Supplemental provisions relating to works		
	Column 1 Works	Column 2 Conditions
		(f) The works are not within land prone to flooding. (g) The works do not require access from an unconstructed road or that is not a gazetted road reserve. <i>(cont.)</i> (h) In the case of an outbuilding, the development is of a size that is equal to or less than: <ul style="list-style-type: none"> • 120m² in floor area; • wall height of 3.0m; and • roof apex height of 4.0m.
27	Alterations or additions to approved, existing caravan park accommodation units on a lot.	(a) The works comply with the development provisions of this Scheme for the zone applicable to the caravan park lot. (b) The works are not located in a heritage-protected place. (c) The works do not result in a material change in the nature of the accommodation unit use. (d) There is no increase in the number of available accommodation units.
28	Domestic animal enclosures	(a) The enclosures occupy no more than 5% or 50m ² of the lot area, whichever is the lesser
29	The erection of, or installation of, or alterations to, or additions to, any of the following, on the same lot as a single house in the Residential zone where the density coding is R2, R2.5 or R5 – (a) a boundary fence	(a) The boundary fence is of rural style construction comprising stock proof wire or ring-lock fencing with timber posts to a maximum height of 1.2m above the natural ground level.

- (2) Development approval is not required for the following uses if –
- a. the use is of a class specified in Column 1 of an item in Table 5;
 - b. if conditions are set out in Column 2 of Table 5 opposite that item - all of those conditions are satisfied in relation to the use.

Table 5 - Supplemental provisions relating to use		
	Column 1 - Use	Column 2 - Conditions
10	A use that is wholly located on land identified as a local reserve under this Scheme.	(a) The land is owned or vested in the local government or a public authority. (b) For a purpose for which the land is reserved under this Scheme. (c) For any purpose for which the land may be lawfully used by the local government or public authority.
11	Rural Pursuit / Hobby farm.	(a) The land is in the Residential zone. (b) Where the keeping of livestock is for small scale domestic purposes, such as vegetation maintenance, egg production, aviaries, etc; and (c) The use is consistent with the Shire's Health

Table 5 - Supplemental provisions relating to use	
Column 1 - Use	Column 2 - Conditions
	Local Law 2001.

SCHEDULE 1 – SPECIFIED ADDITIONAL USES FOR ZONED LAND IN SCHEME AREA

No.	Description of land	Additional use	Requirements
A1	Lot 43 Moriarty Street, Bridgetown	Industry-light	<ol style="list-style-type: none"> 1. Development approval is required. 2. The Industry-light land use is restricted to a maximum floor area of 175m². 3. Any emissions from the Industry-light land use shall not adversely impact the amenity of the locality.
A2	Lot 4 of Nelson Locations 746, 747, 17688 and Portion of Locations 1191 and 1246 Maranup Ford Road, Greenbushes	Amusement parlour, Grouped dwelling, Shop (incidental to the predominant approved Tourist development, Recreation-private use of the land)	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use that addresses and provides for the following - <ol style="list-style-type: none"> (a) the preservation of the rural landscape and amenity; (b) the use of the land including building location, size and design, accommodation requirements, type and frequency of function events, hours of operation, maximum number of people on site, car parking on site, bus services, upgrading of roads servicing the land; (c) location and maximum floor space for any shop use (not to exceed 200m² net lettable area); (d) screening and landscaping; and (e) fire protection in accordance with an approved Bushfire Management Plan. 3. If required by State policy a Bushfire Management Plan is to be prepared and approved to address fire protection, water supply and access. 4. A maximum of three dwellings are permitted on the land.
A3	Lot 7 on Plan 19633 of Nelson Location 612 Rokewood Heights, Kangaroo Gully	Recreation – private, as limited to the following activities: amphitheatre (open air venue used for recreation, entertainment, performances and sport events) and associated uses	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use that addresses and provides for the following - <ol style="list-style-type: none"> (a) the use of the land including building location, size and design, accommodation requirements; (b) type and frequency of function events, hours of operation, maximum number of people on site, (c) sufficient car parking on site; (d) screening and landscaping; and (e) fire protection in accordance with an

No.	Description of land	Additional use	Requirements
			<p>approved Bushfire Management Plan.</p> <p>3. If required by State policy a Bushfire Management Plan is to be prepared and approved to address fire protection, water supply and access.</p>
A4	Lot 2 of Nelson Location 9949 South Western Highway	Industry	<p>1. Development approval is required.</p> <p>2. Any emissions from the Industry land use shall not adversely impact the amenity of the locality.</p> <p>3. All vehicles entering and exiting the land are to utilise the existing vehicular access onto South Western Highway which is to be to the satisfaction of local government on the advice of Main Roads WA.</p> <p>4. Other than exempted signage under the deemed provisions and Schedule A, all other signage requires development approval of the local government on the advice of Main Roads WA.</p>

SCHEDULE 2 - SPECIAL USE ZONES IN SCHEME AREA

No.	Description of land	Special use	Requirements
SU1	Lot 4 Brockman Highway, Bridgetown	Camping ground Holiday accommodation Home business Home occupation Rural home business/Industry- cottage Restaurant/café Tourist development	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use.
SU2	Lot 5 Brockman Highway, Bridgetown	Agricultural-extensive Agricultural-intensive Bed and breakfast Caretaker's dwelling Education establishment (limited to a cooking school) Holiday accommodation (maximum of 2 dwellings) Home business Home occupation Rural home business/Industry- cottage Rural pursuit/hobby farm Shop (limited to beauty therapy) Single house Winery	<ol style="list-style-type: none"> 1. Development approval is required. 2. An application for development is to be advertised in accordance with clause 64 of the deemed provisions. 3. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use that addresses and provides for the following: <ol style="list-style-type: none"> a) a Bushfire Management Plan where the land is within a designated bushfire prone area. Construction of dwellings is to be in accordance with AS 3959 (Construction in Bush Fire Prone Areas). b) a Landscape Master Plan. c) a Foreshore Management Plan. d) access to and from Brookman Highway shall be to the requirements of Mains Roads WA. e) education establishment is to have a maximum of eight clients at any one time. f) shop is to be conducted only within the restored dairy or adjacent building.
SU3	Lot 77 South Western Highway, Bridgetown	Club premises	<ol style="list-style-type: none"> 1. Development approval is required.
SU4	Lots 78, 878, 890, South Western Highway, Bridgetown	Camping ground Caravan park	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use.
SU5	Lots 1,2,3 and 4 Gifford Road, Bridgetown	Art gallery Caretaker's dwelling Exhibition centre Rural home business/Industry- cottage Industry-light (limited to the processing of fermented and unfermented beverages) Restaurant/café	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use.
SU6	Lot 201 Kangaroo Gully Road,	Bed and breakfast Rural home business/Industry- cottage	<ol style="list-style-type: none"> 1. Development approval is required. 2. An application for development is to be

No.	Description of land	Special use	Requirements
	Bridgetown	Home business Home occupation Reception centre Recreation-private Restaurant/café Rural pursuit/hobby farm Single house Shop (limited to the sale of locally manufactured goods and food stuffs, convenience goods and the serving of light refreshments)	<p>advertised in accordance with clause 64 of the deemed provisions.</p> <ol style="list-style-type: none"> 3. In considering a development proposal, the local government shall have due regard to requirements 4 to 11 below. 4. Bushfire management planning where the land is within a designated bushfire prone area. Construction of dwellings is to be in accordance with AS 3959 (Construction in Bush Fire Prone Areas). 5. Building envelopes plan. 6. Building design guidelines. 7. A landscape management plan. 8. A management statement for the land. 9. Development applications for Rural pursuit/hobby farm shall include the following information: <ol style="list-style-type: none"> (a) an analysis of potential land use conflict between the proposed use and nearby residential uses and other approved uses for the common land; (b) land capability assessment; (c) water availability; (d) access proposals; (e) transport implications associated with transport of the product off the site; and (f) any other matter considered relevant by the local government. 10. Common property is to be managed as a form of rural pursuit/hobby farm. 11. Minimal use of fertilisers and chemicals with a preference to organic farming methods.
SU7	Portion Lots 71 & 82 Walter Road and portion road reserve	Art gallery Exhibition centre Fast food outlet/lunch bar Rural home business/Industry-cottage Restaurant/café Shop Other permissible land uses for land that is zoned Residential	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use. 3. The shop shall have a maximum 100m² net lettable area.
SU8	Lot 1 Nelson Street, Bridgetown	Bed and breakfast Rural home business/Industry-cottage Holiday accommodation (maximum of 6 dwellings) Home occupation Restaurant/café Reception centre Single house	<ol style="list-style-type: none"> 1. Development approval is required. 2. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use. 3. Access to the service corridor is restricted to State agency vehicles only. 4. Planting of trees and vegetation in and along the service corridor if required by the local government.

No.	Description of land	Special use	Requirements
SU9	Lot 9008 fronting Lakeview Crescent and Gleneagles Drive, Bridgetown	Amusement parlour Art gallery Brewery Car park Caretaker's dwelling Community purpose Rural home business/Industry-cottage Exhibition centre Holiday accommodation Office Reception centre Recreation-private Restaurant/café Shop Single house	<ol style="list-style-type: none"> 1. Development approval is required. 2. An application for development is to be advertised in accordance with clause 64 of the deemed provisions. 3. An LDP may be required by the local government prior to development approval, based on the type and scale of the proposed land use. 4. Approved Bushfire Management Plan. 5. Approved Landscape Master Plan. 6. Development approval shall not be granted if the local government holds the view that the adjoining nature reserve will be adversely impacted by the proposed development and that the impact(s) cannot be appropriately avoided, mitigated or managed. 7. Shop shall be limited to a maximum 100m² net lettable area. 8. A stock proof fence shall be constructed along the common boundary with the adjoining nature reserve. The construction of the fence is to be to a standard that will prevent domestic animals accessing the reserve to the satisfaction of the local government on the advice of the relevant State agency. 9. A trafficable fire break shall be provided along the western boundary of the land from the dam wall connecting to an internal constructed road to the satisfaction of the local government. In addition, gates shall be provided along the required fire break where it passes through lot boundaries and/or fence lines. The fire break shall be maintained by the land owners to the satisfaction of the local government. 10. Subdivision proposals are to have due regard to the history of the site and the planning context of the area.
SU10	Lot 887, South Western Highway, Bridgetown	Rural home business/Industry-cottage Home business Home occupation Restaurant/café Single house	<ol style="list-style-type: none"> 1. Development approval is required. 2. An application for development is to be advertised in accordance with clause 64 of the deemed provisions.
SU11	Lot 600 Hampton Street, Bridgetown	Cinema/theatre.	<ol style="list-style-type: none"> 1. Development approval is required.
SU12	Lot 9371 Williams Street, Bridgetown	Bulky goods showroom Community purpose Rural home business/Industry-cottage Industry-rural Recreation-private	<ol style="list-style-type: none"> 1. Development approval is required. 2. An application for development is to be advertised in accordance with clause 64 of the deemed provisions. 3. An LDP may be required by the local government prior to development approval,

No.	Description of land	Special use	Requirements
		Restaurant/café Shop Warehouse/storage Winery	<p>based on the type and scale of the proposed land.</p> <ol style="list-style-type: none"> 4. Shop is to be incidental to the predominant use of the land. 5. Development shall have a tourism focus. 6. Siting, construction materials and colours of proposed buildings shall be appropriate for the land and locality as determined by the local government. 7. Development shall be connected to a reticulated sewerage system provided by a licensed service provider. 8. All stormwater is to be retained on-site. 9. The existing decommissioned effluent disposal lagoon area is to be drained and filled to the satisfaction of the local government. Prior to the commencement of the above mentioned works a site contamination investigation is to be undertaken. If the area is found to be contaminated, then a Site Remediation Validation Report shall be prepared to the satisfaction of the local government on the advice of the relevant State agency. 10. No development is permitted on the remediated effluent disposal lagoon area unless a geo-technical report demonstrates the capability and suitability of the area for the proposed development to the satisfaction of the local government. 11. Subdivision proposals are to have due regard to the history of the site and the planning context of the area.

SCHEDULE 3 – AREAS SUBJECT TO SITE SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS

No.	Description of Land	Requirement
ASR1	Lots 2 and 71 Poly Dakin Dr, 4 and 5 Stella Lane and 82 Hornby St and portions of road reserves, Bridgetown. (Education endowment land)	<ol style="list-style-type: none"> 1. Subdivision and development is to be generally in accordance with a structure plan approved by the WAPC. 2. If the matters listed in requirement 3 are addressed to the satisfaction of the Shire and WAPC, a structure plan may not be required. 3. Subdivision or development design is to be informed by the following studies: <ol style="list-style-type: none"> (a) fauna and flora surveys of native vegetation areas; (b) native vegetation management plan addressing the protection of native vegetation habitat and foraging values; (c) POS/conservation areas as applicable; (d) bushfire management planning; (e) site and soil evaluation to demonstrate a suitable approach to wastewater disposal; (f) local water management strategy or urban water management planning; (g) access arrangements; (h) buffers to waste disposal site (in relation to ASR2); and (i) electricity and water supply.
ASR2	Lot 7 Taylors Road, and 662 and 2 Coverley Road, Bridgetown.	<ol style="list-style-type: none"> (a) fauna and flora surveys of native vegetation areas; (b) native vegetation management plan addressing the protection of native vegetation habitat and foraging values; (c) POS/conservation areas as applicable; (d) bushfire management planning; (e) site and soil evaluation to demonstrate a suitable approach to wastewater disposal;
ASR3	Lots 1 Smith Street and 2 Old Mill Road, North Greenbushes.	<ol style="list-style-type: none"> (f) local water management strategy or urban water management planning; (g) access arrangements; (h) buffers to waste disposal site (in relation to ASR2); and (i) electricity and water supply. 4. At the time of subdivision, the local government may recommend that the WAPC impose subdivision conditions as applicable, to address these and other matters, to achieve the orderly and proper planning of the site.

SCHEDULE 4 – SIGNS/ADVERTISEMENTS FOR WHICH DEVELOPMENT APPROVAL NOT REQUIRED

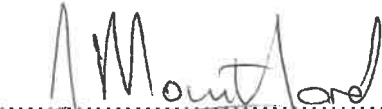
LAND USE AND/OR DEVELOPMENT	SIGNS/ADVERTISEMENTS [subject to Schedule A clause 61(9)(1) item 21.(1)] Applies to non-illuminated signs unless otherwise stated	MAXIMUM SIZE/AREA
dwelling	One professional name-plate.	0.2m ²
home business	One advertisement sign describing the nature of the home business.	1.0m ²
place of worship, club premises, community purpose, civic use	One advertisement sign detailing the function, and/or the activities of the institution concerned.	2.0m ²
cinema, theatre	A maximum of two advertisement signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the advertisement signs are displayed.	Each advertisement sign shall not exceed 5m ²
shop, bulky goods showroom and other uses appropriate to a shopping area	All advertisement signs affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5m from the ground floor level of the building, subject to compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	No maximum size/area
industrial, warehouse/storage	A maximum of four advertisement signs applied to or affixed to the walls of the building but not projecting above the eaves or the ridge of the roof of the building. A maximum of two free-standing advertisement signs not exceeding 5m in height above ground floor level.	Total area of any such advertisement signs, shall not exceed 15m ² Total area of the advertisement signs shall not exceed 10m ² and individual advertisement sign shall not exceed 6m ²
recreation-private	All advertisement signs provided that, in each case, the advertisement sign is not visible from outside the complex or facility either from other private and/or from public places and streets.	No maximum size/area
public places and reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government department, a public authority or local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body. (b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, public walkway or thoroughfare, railway or waterway or other public infrastructure where such advertisement has been constructed or exhibited by or at the direction of a Government department, a public authority or the local government. (c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any act, statute, regulation or similar instrument provided that any such advertisement sign is constructed and/or	(a) No maximum size/area (b) No maximum size/area (c) No maximum size/area

LAND USE AND/OR DEVELOPMENT	SIGNS/ADVERTISEMENTS [subject to Schedule A clause 61(9)(1) item 21.(1)] Applies to non-illuminated signs unless otherwise stated	MAXIMUM SIZE/AREA
	exhibited strictly in accordance with the requirements, if any specified in the applicable act, statute, regulation or instrument.	
railway property and reserves	Advertisement signs exhibited on such land provided that the advertisement sign relates to the railway functions of the property or reserve.	No advertisement sign shall exceed 2m ² in area
advertisements within buildings	All advertisement signs placed or displayed within a building and not visible to a person outside of the building.	No maximum size/area
all classes of buildings other than those specifically referenced in this Schedule	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
<u>building construction sites</u> advertisement signs displayed only for the duration of construction as follows – a) dwellings b) shops, commercial and industrial properties c) large development or redevelopment projects involving shopping centres, offices or other buildings exceeding 3 storey's in height	One advertisement sign per street frontage containing details of the project and the contractors undertaking the construction work. (a) One advertisement sign. (b) One advertisement sign. (c) One additional advertisement sign showing the name of the project builder.	(a) 2m ² (b) 5m ² (c) 10m ²
<u>property transactions</u> advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows - a) dwellings b) shops, commercial and industrial properties c) large development or redevelopment projects involving shopping centres, offices or other buildings exceeding 3 storey's in height and rural properties in excess of 5ha	(a) One advertisement sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the advertisement sign is, or the advertisement signs are displayed. (b) One advertisement sign as for a) above. (c) One advertisement sign as for a) above.	(a) Each advertisement sign shall not exceed an area of 2m ² (b) Each advertisement sign shall not exceed an area of 5m ² (c) Each advertisement sign shall not exceed an area of 10m ²
<u>display homes</u> advertisement signs displayed for the period over which homes are on display for public inspection	(a) One advertisement sign for each dwelling on display. (b) In addition to a) above one advertisement sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	(a) 2m ² (b) 5m ²
sale of goods or livestock	One advertisement sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any and/or within any building upon	2m ²

LAND USE AND/OR DEVELOPMENT	SIGNS/ADVERTISEMENTS [subject to Schedule A clause 61(9)(1) item 21.(1)] Applies to non-illuminated signs unless otherwise stated	MAXIMUM SIZE/AREA
	which the advertisement sign is exhibited provided that the use of the land for that purpose is permitted or approved under the Scheme.	

COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Bridgetown-Greenbushes at the Special Meeting of the Council held on the 9th day of March 2023.


.....
SHIRE PRESIDENT

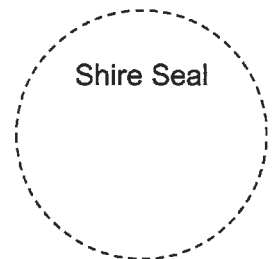
.....
CHIEF EXECUTIVE OFFICER

COUNCIL ADOPTION FOR APPROVAL

Adopted for submission to the Minister for Planning for approval by resolution of the Council of the Shire of Bridgetown-Greenbushes at the Ordinary Meeting of the Council held on the(insert date) and the Common Seal of the Shire of Bridgetown-Greenbushes was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER



WAPC RECOMMENDATION / FINAL APPROVAL

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

DATE.....



APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....