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PLANNING AND DEVELOPMENT ACT 2005

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**SHIRE OF BROOME**

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**LOCAL PLANNING SCHEME  
NO. 7**



**PLANNING AND DEVELOPMENT ACT 2005****SHIRE OF BROOME****LOCAL PLANNING SCHEME NO. 7**

The Shire of Broome under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

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**PLANNING AND DEVELOPMENT ACT 2005****SHIRE OF BROOME****LOCAL PLANNING SCHEME NO. 7****PART 1—PRELIMINARY****1. Citation**

This local planning scheme is the Shire of Broome Local Planning Scheme No 7.

**2. Commencement**

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

**3. Scheme revoked**

The following local planning scheme is revoked—

Shire of Broome Scheme No. 6, gazettal date: 30 January 2015.

**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 Broome 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) including any supplemental deemed provisions outlined in Schedule A of the scheme text;
- (b) the Scheme Map.

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

**8. Purposes of Scheme**

The purposes of this Scheme are to—

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

**9. Aims of Scheme**

The aims of this Scheme are—

- (a) People—
  - (i) Promote a safe, healthy and active community;
  - (ii) Support access to suitable and affordable housing and accommodation to meet all community needs;
  - (iii) Ensure an inclusive community that celebrates culture, equality, and diversity; and
  - (iv) Provide for land uses and development associated with Aboriginal heritage, traditional law and culture.
- (b) Place—
  - (i) Facilitate responsible growth and development with respect for Broome's natural and built heritage;

- (ii) Ensure safe, affordable and well-connected transport networks for all modes;
  - (iii) Provide for well managed and appropriate community infrastructure;
  - (iv) Promote practical and sustainable growth and development and land management practices;
  - (v) Create attractive, well designed and climate responsive built environments, streetscapes and green spaces;
  - (vi) Mitigate climate change and natural disaster risks;
  - (vii) Manage and conserve the Shire's natural environment assets through responsible growth and development; and
  - (viii) Ensure the preservation of Aboriginal and non-aboriginal heritage and Culturally significant areas.
- (c) Prosperity—
- (i) Promote a strong, diverse and inclusive economy where all can benefit;
  - (ii) Ensure timely and appropriate infrastructure to support sustainable, economic growth;
  - (iii) Activate the precincts of the Broome regional centre;
  - (iv) Facilitate the sustainable use and land management of the Dampier Peninsula; and
  - (v) Support strategically led business growth, innovation and entrepreneurship across all identified sectors supporting the Region's economy.
- (d) Performance—
- (i) Facilitate a coherent and efficient local planning framework to enable effective implementation of local and State government strategies, plans and policies; and
  - (ii) Ensure a well informed and engaged community providing relevant, timely information and effective engagement in the planning and development of the Shire.

#### 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 Broome 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.

*Note: The process of reserving land under a regional and local planning scheme is separate from the process of reserving land under the Land Administration Act 1997 section 41.*

#### 14. Local reserves

(1) In this clause—

- (a) Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;
- (b) ***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—

**Table 1: —Reserve objectives**

| Reserve name               | Objectives  |
|----------------------------|---|
| Public Open Space          | <ul style="list-style-type: none"> <li>• To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s.152.</li> <li>• To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.</li> </ul> |
| Environmental Conservation | <ul style="list-style-type: none"> <li>• To identify areas with biodiversity, conservation, and cultural values, and to protect those areas from development and subdivision.</li> <li>• To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.</li> </ul>    |
| Foreshore                  | <ul style="list-style-type: none"> <li>• To set aside areas for foreshore reserve abutting a body of water or water course.</li> </ul>  |

| Reserve name              | Objectives  |
|---------------------------|---|
| Primary Distributor Road  | <ul style="list-style-type: none"> <li>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</li> </ul> |
| District Distributor Road | <ul style="list-style-type: none"> <li>To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.</li> </ul>             |
| Local Distributor Road    | <ul style="list-style-type: none"> <li>To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.</li> </ul>                             |
| Local Road                | <ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>  |
| Strategic Infrastructure  | <ul style="list-style-type: none"> <li>To set aside land required for port or airport facilities.</li> </ul>  |
| Public Purposes           | <ul style="list-style-type: none"> <li>To provide for a range of essential physical and community infrastructure.</li> </ul>  |
| Medical Services          | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential medical services.</li> </ul>   |
| Infrastructure Services   | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential infrastructure services.</li> </ul>  |
| Education                 | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential education facilities.</li> </ul>   |
| Emergency Services        | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of essential emergency services.</li> </ul>   |
| Government Services       | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of government services.</li> </ul>  |
| Recreational              | <ul style="list-style-type: none"> <li>Public Purposes which specifically provide for a range of public recreational facilities.</li> </ul>   |
| Cemetery                  | <ul style="list-style-type: none"> <li>To set aside land required for a cemetery.</li> </ul>  |
| Car Park                  | <ul style="list-style-type: none"> <li>To set aside land required for a car park.</li> </ul>  |

#### 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

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

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

**Table 2 —Zone Objectives**

| Zone name         | Objectives  |
|-------------------|---|
| Residential       | <ul style="list-style-type: none"> <li>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>  |
| Rural Residential | <ul style="list-style-type: none"> <li>To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>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.</li> <li>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>   |
| Regional Centre   | <ul style="list-style-type: none"> <li>Provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment.</li> <li>Ensure that there is provision to transition between the uses in the Regional Centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimised.</li> <li>Provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre.</li> </ul> |

| Zone name          | Objectives   |
|--------------------|--|
|                    | <ul style="list-style-type: none"> <li>• Encourage high quality, pedestrian-friendly, street-orientated development that responds to and enhances the key elements of the Regional Centre, to develop areas for public interaction and support the provision of public transport.</li> <li>• Ensure the provision of residential opportunities within the Regional Centre including high density housing and tourist accommodation that supports the role of the regional centre and meets the needs of the community.</li> </ul>  |
| District Centre    | <ul style="list-style-type: none"> <li>• Provide a community focal point for people, services, employment and leisure that is highly accessible and do not adversely impact on adjoining residential areas.</li> <li>• Provide for district centres to focus on weekly needs and services for a wider district catchment.</li> <li>• Provide a broad range of employment opportunities to encourage diversity within the Centre.</li> <li>• Ensure a mix of commercial and residential development, which provides for activity and accessibility at the street level and supports the provision of public transport and pedestrian links.</li> <li>• Provide for a wide range of different types of residential accommodation, including high density residential, to meet the diverse needs of the community.</li> </ul> |
| Local Centre       | <ul style="list-style-type: none"> <li>• Provide services for the immediate neighborhood, that are easily accessible, which do not adversely impact on adjoining residential areas.</li> <li>• Provide for neighbourhood and local centres to focus on the main daily household shopping and community needs.</li> <li>• Encourage high quality, pedestrian-friendly, street-orientated development.</li> <li>• Provide a focus for medium density housing.</li> <li>• Ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.</li> </ul>   |
| Mixed Use          | <ul style="list-style-type: none"> <li>• To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.</li> <li>• To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> </ul>  |
| Service Commercial | <ul style="list-style-type: none"> <li>• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</li> <li>• To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</li> </ul>   |
| General Industry   | <ul style="list-style-type: none"> <li>• 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.</li> <li>• To accommodate industry that would not otherwise comply with the performance standards of light industry.</li> <li>• Seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>  |
| Light Industry     | <ul style="list-style-type: none"> <li>• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.</li> <li>• 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.</li> </ul>  |



| Zone name                         | Objectives   |
|-----------------------------------|--|
| Rural                             | <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• 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.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses.</li> </ul> |
| Cultural and natural resource use | <ul style="list-style-type: none"> <li>• Provide for development associated with the extraction of mineral and natural resources.</li> <li>• Ensure the preservation of Aboriginal heritage and culturally significant areas.</li> <li>• Provide for the conservation of significant landscape and environmental areas and values.</li> <li>• Allow for low impact tourism development including limited tourist accommodation and camping areas.</li> <li>• Allow land uses associated with Aboriginal heritage, traditional law and culture.</li> </ul>  |
| Rural Smallholdings               | <ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 4 ha to 40 ha.</li> <li>• 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.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>  |
| Tourism                           | <ul style="list-style-type: none"> <li>• To promote and provide for tourism opportunities.</li> <li>• To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.</li> <li>• To allow limited residential uses where appropriate.</li> <li>• To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.</li> </ul>  |
| Settlement                        | <ul style="list-style-type: none"> <li>• To identify existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of those places by— <ul style="list-style-type: none"> <li>(a) requiring preparation and endorsement of a layout plan in accordance with State Planning Policy 3.2; and</li> <li>(b) ensuring that development accords with a layout plan.</li> </ul> </li> </ul>   |
| Urban Development                 | <ul style="list-style-type: none"> <li>• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>• To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>• To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> </ul>   |
| Special Use                       | <ul style="list-style-type: none"> <li>• To facilitate special categories of land uses which do not sit comfortably within any other zone.</li> <li>• To enable the Council to impose specific conditions associated with the special use.</li> </ul>  |

**17. Zoning table**

The zoning table for this Scheme is as follows—

**Table 3—Zoning Table**

| Use and Development Class                | Zones       |                   |                 |                 |              |           |                    |                  |                |       |                                   |                     |         | Settlement  | Urban Development     |
|--|-------------|-------------------|-----------------|-----------------|--------------|-----------|--------------------|------------------|----------------|-------|-----------------------------------|---------------------|---------|---|-----------------------|
|  | Residential | Rural Residential | Regional Centre | District Centre | Local Centre | Mixed Use | Service Commercial | General Industry | Light Industry | Rural | Cultural and natural resource use | Rural Smallholdings | Tourism |   |                       |
| Abattoir                                 | X           | X                 | X               | X               | X            | X         | X                  | D                | X              | D     | X                                 | X                   | X       | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Aerodrome                                | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | X     | X                                 | X                   | X       |   |                       |
| Aged or dependent person's accommodation | D           | X                 | D               | D               | D            | D         | X                  | X                | X              | X     | X                                 | X                   | X       |   |                       |
| Agriculture—extensive                    | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | P     | P                                 | P                   | X       |   |                       |
| Agriculture—intensive                    | X           | D                 | X               | X               | X            | X         | X                  | X                | X              | P     | D                                 | D                   | X       |   |                       |
| Airfield                                 | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | D     | D                                 | X                   | X       |   |                       |
| Amusement parlour                        | X           | X                 | D               | D               | D            | A         | X                  | X                | X              | X     | X                                 | X                   | D       | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Ancillary dwelling                       | P           | D                 | X               | X               | X            | D         | X                  | X                | X              | D     | D                                 | D                   | X       |   |                       |
| Animal establishment                     | X           | A                 | X               | X               | X            | X         | X                  | D                | D              | P     | D                                 | D                   | X       |   |                       |
| Animal husbandry—intensive               | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | D     | A                                 | A                   | X       |   |                       |
| Art gallery                              | X           | A                 | P               | P               | P            | D         | X                  | X                | X              | D     | D                                 | X                   | P       |   |                       |
| Bed and breakfast accommodation          | P           | D                 | D               | X               | X            | D         | X                  | X                | X              | D     | D                                 | D                   | D       |   |                       |
| Betting agency                           | X           | X                 | P               | D               | D            | D         | X                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Brewery                                  | X           | X                 | I               | I               | I            | I         | X                  | P                | D              | I     | I                                 | X                   | I       |   |                       |
| Bulky goods showroom                     | X           | X                 | D               | D               | D            | X         | P                  | X                | D              | X     | X                                 | X                   | X       |   |                       |
| Caravan park                             | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | D     | D                                 | X                   | P       |   |                       |
| Caretaker's dwelling                     | X           | X                 | I               | I               | I            | I         | I                  | X                | I              | I     | I                                 | X                   | I       | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Car park                                 | X           | X                 | P               | D               | D            | D         | D                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Child care premises                      | A           | X                 | P               | P               | P            | D         | X                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Cinema/theatre                           | X           | X                 | P               | D               | X            | D         | X                  | X                | X              | X     | X                                 | X                   | P       |   |                       |
| Civic use                                | D           | D                 | P               | P               | P            | D         | D                  | X                | X              | X     | X                                 | X                   | P       |   |                       |
| Club premises                            | A           | X                 | P               | P               | P            | D         | A                  | X                | X              | X     | X                                 | X                   | P       |   |                       |
| Commercial vehicle parking               | X           | A                 | X               | X               | X            | X         | D                  | P                | P              | P     | D                                 | P                   | A       |   |                       |
| Community purpose                        | D           | X                 | P               | P               | P            | D         | D                  | X                | X              | X     | X                                 | X                   | P       |   |                       |
| Consulting rooms                         | X           | X                 | P               | P               | P            | P         | X                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Convenience store                        | X           | X                 | P               | P               | P            | D         | X                  | X                | X              | X     | X                                 | X                   | P       |   |                       |
| Corrective institution                   | X           | X                 | X               | X               | X            | X         | X                  | X                | X              | A     | A                                 | X                   | X       | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Educational establishment                | A           | A                 | D               | D               | D            | D         | D                  | A                | D              | D     | D                                 | D                   | D       |   |                       |
| Exhibition centre                        | X           | X                 | D               | X               | X            | D         | D                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Family day care                          | A           | A                 | X               | X               | X            | A         | X                  | X                | X              | X     | X                                 | X                   | X       |   |                       |
| Fast food outlet                         | X           | X                 | D               | D               | D            | D         | P                  | X                | X              | X     | X                                 | X                   | D       |   |                       |
| Fuel depot                               | X           | X                 | X               | X               | X            | X         | X                  | P                | D              | X     | X                                 | X                   | X       |   |                       |
| Funeral parlour                          | X           | X                 | X               | X               | X            | X         | D                  | X                | P              | X     | X                                 | X                   | X       |   |                       |

|                                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |                       |
|--------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|-----------------------|
| Garden centre                        | X | A | I | I | I | I | D | D | P | D | D | A | I | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Grouped dwelling                     | P | X | P | P | P | D | X | X | X | X | D | X | D |   |                       |
| Holiday accommodation                | X | X | D | X | X | D | X | X | X | X | A | X | P |   |                       |
| Holiday house                        | D | D | D | D | D | D | X | X | X | D | D | D | D |   |                       |
| Home business                        | A | D | P | P | P | P | X | X | X | D | D | D | D |   |                       |
| Home occupation                      | D | D | P | P | P | P | X | X | X | D | D | D | D |   |                       |
| Home office                          | P | P | P | P | P | P | X | X | X | P | P | P | P |   |                       |
| Home store                           | X | A | P | P | P | D | X | X | X | D | A | D | P |   |                       |
| Hospital                             | X | X | D | X | X | D | X | X | X | X | X | X | D |   |                       |
| Hotel                                | X | X | P | X | X | D | X | X | X | X | X | X | P |   |                       |
| Industry                             | X | X | X | X | X | X | X | P | D | X | X | X | X | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Industry—cottage                     | A | D | D | D | D | P | D | P | P | D | D | D | D |   |                       |
| Industry—extractive                  | X | X | X | X | X | X | X | X | X | D | D | X | X |   |                       |
| Industry—light                       | X | X | A | X | X | X | D | D | P | X | X | X | X |   |                       |
| Industry—primary production          | X | A | X | X | X | X | X | D | D | P | D | D | X |   |                       |
| Liquor store—large                   | X | X | P | D | D | X | P | X | X | X | X | X | X |   |                       |
| Liquor store—small                   | X | X | P | D | D | X | X | X | X | X | X | X | D |   |                       |
| Lunch bar                            | X | X | P | P | P | D | P | D | D | X | X | X | D |   |                       |
| Marina                               | X | X | A | X | X | X | X | X | X | X | X | X | X |   |                       |
| Marine filling station               | X | X | X | X | X | X | A | D | A | X | A | X | X |   |                       |
| Market                               | X | A | P | D | D | A | X | X | X | X | A | X | D | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Medical centre                       | X | X | D | D | D | D | X | X | X | X | X | X | D |   |                       |
| Mining operations                    | X | X | X | X | X | X | X | X | X | D | D | X | X |   |                       |
| Motel                                | X | X | D | X | X | D | X | X | X | X | X | X | P |   |                       |
| Motor vehicle, boat or caravan sales | X | X | X | X | X | X | P | X | D | X | X | X | X |   |                       |
| Motor vehicle repair                 | X | X | X | X | X | X | D | P | P | X | X | X | X |   |                       |
| Motor vehicle wash                   | X | X | X | D | D | X | P | P | P | X | X | X | X |   |                       |
| Multiple dwelling                    | P | X | P | P | P | D | X | X | X | X | X | X | D |   |                       |
| Nightclub                            | X | X | D | X | X | X | X | X | X | X | X | X | A |   |                       |
| Office                               | X | X | P | D | D | D | I | X | I | X | X | X | I |   |                       |
| Park home park                       | X | X | X | X | X | X | X | X | X | X | X | X | X | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Place of worship                     | A | A | D | P | P | A | D | X | D | X | A | X | D |   |                       |
| Reception centre                     | X | A | D | D | D | D | D | X | X | A | D | D | D |   |                       |
| Recreation—private                   | X | A | D | D | D | D | D | X | D | D | D | D | D |   |                       |
| Renewable energy facility            | A | A | A | A | A | A | A | A | A | A | A | A | A |   |                       |
| Residential building                 | A | X | P | X | X | D | X | X | X | X | D | X | D |   |                       |
| Resource recovery centre             | X | X | X | X | X | X | X | A | A | A | A | X | X |   |                       |
| Restaurant/café                      | X | X | P | P | P | D | X | X | X | X | A | X | P |   |                       |
| Restricted premises                  | X | X | A | X | X | X | A | X | A | X | X | X | X |   |                       |
| Road house                           | X | X | X | X | X | X | X | X | X | A | A | X | X |   |                       |
| Rural home business                  | X | X | X | X | X | X | X | X | X | D | D | D | X | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Rural pursuit/hobby farm             | X | P | X | X | X | X | X | X | X | P | P | P | X |   |                       |
| Serviced apartment                   | X | X | P | X | X | D | X | X | X | X | X | X | P |   |                       |
| Service station                      | X | X | A | D | D | X | P | D | D | X | A | X | X |   |                       |
| Shop                                 | X | X | P | P | P | D | A | X | I | X | X | X | D |   |                       |
| Single house                         | P | P | X | X | X | D | X | X | X | P | P | P | D |   |                       |
| Small bar                            | X | X | P | A | A | A | X | X | X | X | X | X | P |   |                       |
| Tavern                               | X | X | P | A | A | A | X | X | X | X | X | X | D |   |                       |
| Telecommunications infrastructure    | A | A | A | A | A | A | A | D | D | A | A | A | A |   |                       |

|                         |   |   |   |   |   |   |   |   |   |   |   |   |   |   |                       |
|-------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|-----------------------|
| Tourist development     | X | X | D | X | X | D | X | X | X | X | D | X | P | Use permissibility to be determined with reference to the endorsed layout plan. | Refer to Clause 18(6) |
| Trade display           | X | X | X | X | X | X | P | D | P | X | X | X | X |   |                       |
| Trade supplies          | X | X | X | X | X | X | P | D | P | X | X | X | X |   |                       |
| Transport depot         | X | X | X | X | X | X | A | P | D | D | A | X | X |   |                       |
| Tree farm               | X | X | X | X | X | X | X | X | X | P | D | A | X |   |                       |
| Veterinary centre       | X | X | D | D | D | A | D | X | P | D | X | D | X |   |                       |
| Warehouse/ storage      | X | X | X | X | X | X | P | P | P | X | X | X | X |   |                       |
| Waste disposal facility | X | X | X | X | X | X | X | A | X | A | A | X | X |   |                       |
| Waste storage facility  | X | X | X | X | X | X | X | D | A | I | I | X | X |   |                       |
| Winery                  | X | A | X | X | X | X | X | X | D | D | D | D | X |   |                       |
| Workforce accommodation | X | X | I | I | I | I | X | X | X | I | I | I | I |   |                       |

### 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 any relevant development standards and requirements of this Scheme;

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

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

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

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

*Notes for this clause—*

- 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 1 application is made for both the carrying out of works on, and the use of, land.*
- Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.*
- 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—

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

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

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

- a structure plan;
- a local development plan; and
- a layout plan.

### 19. Additional uses

(1) Schedule 1 sets out—

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

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

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

*Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.*

## **20. Restricted uses**

(1) Schedule 2 sets out—

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

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

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

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

## **21. Special use zones**

(1) Schedule 3 sets out—

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

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

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

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

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

## **22. Non-conforming uses**

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

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

(b) the carrying out of development on land if—

i. before the commencement of this Scheme, the development was lawfully approved; and

ii. the approval has not expired or been cancelled.

(2) Subclause (1) does not apply if—

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

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

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

(a) purchases the land; or

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

## **23. Changes to 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 purpose of the zone in which the land is situated.

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

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

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

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

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

- (c) a description of the non-conforming use;
- (d) the date on which any discontinuance of the non-conforming use is noted.
- (3) If the local government prepares a register under subclause (1) the local government—
  - (a) must ensure that the register is kept up-to-date; and
  - (b) must ensure that an up-to-date copy of the register is published in accordance with clause 87 of the deemed provisions.
- (3A) Subclause (3)(b) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry unless the contrary is proved.

## PART 4—GENERAL DEVELOPMENT REQUIREMENTS

### 25. R-Codes

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

### 26. Modification of R-Codes

- (1) Residential building height for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40—

- (a) The deemed-to-comply requirements for building height at clause 5.1.6 C6 of Table 3: Maximum Building Height Category B of the R-Codes are modified as follows—

| Building Category | Maximum total building height  |
|-------------------|--------------------------------|
|                   | Top of hipped and pitched roof |
| Category B        | 10.5m                          |

- (2) Residential Car Parking Requirements for all single house(s) and grouped dwellings; and special purpose dwellings in areas coded less than R40—

- (a) The deemed-to-comply requirements for residential car parking at clause 5.3.3 C3. of the R Codes are modified as follows—

| Type of dwelling       | Car parking spaces |            |
|------------------------|--------------------|------------|
|                        | Location A         | Location B |
| 1 bedroom dwelling     | 1                  | 1          |
| 2+bedroom dwelling     | 2                  | 2          |
| Aged persons' dwelling | 2                  | 2          |
| Ancillary dwelling     | 1                  | 1          |

- (b) Where an ancillary dwelling is proposed an additional car parking may not be in a tandem configuration with the other two bays on site.

- (3) Residential car parking requirements for multiple dwellings in areas coded R40 and above, within mixed use development and activity centres.

- (a) The acceptable outcomes for residential car parking at clause A 3.9.2 and Table 3.9 Parking Ratio of the R Codes are modified as follows—

| Parking types            |                      | Location A          | Location B          |
|--------------------------|----------------------|---------------------|---------------------|
| Car Parking <sup>1</sup> | 1 bedroom dwellings  | 1 bay per dwelling  | 1 bay per dwelling  |
|                          | 2+ bedroom dwellings | 2 bays per dwelling | 2 bays per dwelling |

<sup>1</sup> Calculations of parking ratios shall be rounded up to the next whole number.

- (4) Residential building design and visual privacy requirements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40—

- (a) For the purposes of administering the deemed-to-comply requirements set out in clause 5.4.1, C1.1 of the R Codes a floor level of more than 0.65m above natural ground level is to be applied.

- (5) Residential building design and outbuildings for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40—

- (a) The deemed-to-comply requirements for outbuildings at clause 5.4.3 C3 Category B of table B Large and multiple outbuildings of the R-Codes are modified as follows—
- (i) does not exceed a wall height of 3.2m; and
  - (ii) does not exceed a ridge height of 5m.

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

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

**28. Modification of State Planning Policy 3.6**

There are no modifications to State Planning Policy 3.6.

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

There are no other State planning policies that are to be read as part of the Scheme.

**30. Modification of State planning policies**

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

**31. Environmental conditions**

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

**32. Additional site and development requirements**

- (1) Schedule 4 sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.
- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

**33. Additional site and development requirements for areas covered by structure plan or local development plan**

There are no additional requirements that apply to this Scheme.

**34. Variations to site and development requirements**

- (1) In this clause—
- additional site and development requirements*** means requirements set out in clauses 32 and 33.
- (2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (4) If the local government is of the opinion that the non-compliance with an additional site and development 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 additional site and development 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.

**35. Restrictive covenants**

- (1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- (2) If subclause (1) operates to extinguish or vary a restrictive covenant
- (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and

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

## PART 5—SPECIAL CONTROL AREAS

### 36. Special control areas

(1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map with a number as detailed below—

- (a) Existing Broome International Airport Environs (SCA 1)
- (b) Future Broome International Airport Environs (SCA 2)
- (c) Essential Services Buffer Areas (SCA 3)
- (d) Flood Prone Areas (SCA 4)
- (e) Public Drinking Water Source Protection Areas (SCA 5)
- (f) Drainage Aquifer Recharge Areas (SCA 6)
- (g) Landscape Protection Areas (SCA 7)
- (h) Aboriginal Communities (SCA 8)
- (i) Coastal Hazard Risk Area (SCA 9)

(2) The purpose, objectives and additional provisions that apply to each special control area is set out in the Schedule 8.

(3) In respect of a Special Control Area shown on the Scheme Map, the provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

## PART 6—TERMS REFERRED TO IN SCHEME

### *Division 1—General definitions used in Scheme*

### 37. Terms used

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

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

**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.

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

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

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is or is designed to be an attachment to a vehicle referred to in paragraph (a).

**floor area** has meaning given in the Building Code.

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

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

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

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

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

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

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

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

- (a) has the meaning it has in the *Planning and Development Act 2005*; or
- (b) if it is not defined in that Act—has the same meaning as it has in the R-Codes.

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

### 38. Land use terms used



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

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

**aerodrome** means an area of land or water (including any buildings, installations and equipment), the use of which as an aerodrome is certified under the regulations made under the *Civil Aviation Act 1998*, being such an area intended for use wholly or partly for the arrival, departure or movement of aircraft.

**aged or dependent person's accommodation** same meaning as it has in the R-Codes.

**agriculture—extensive** means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture—intensive or animal husbandry—intensive.

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

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

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

**amusement parlour** means premises—

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

**ancillary dwelling** same meaning as it has in the R-Codes.

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

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

**art gallery** means premises—

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

**bed and breakfast** accommodation means a dwelling—

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

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

**brewery** means premises the subject of a producer's licence granted under the *Liquor Control Act 1988*.

**bulky goods** showroom means premises—

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes—
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;
  - (iv) animal supplies including equestrian and pet goods;
  - (v) floor and window coverings;
  - (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
  - (vii) household appliances, electrical goods and home entertainment goods;
  - (viii) party supplies;
  - (ix) office equipment and supplies;
  - (x) babies' and children's goods, including play equipment and accessories;
  - (xi) sporting, cycling, leisure, fitness goods and accessories;
  - (xii) swimming pools; or
- (b) used to sell goods and accessories by retail if—
  - (i) a large area is required for the handling, display or storage of the goods; or

- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

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

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

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

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale.

**child care premises** means premises where—

- (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) Section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

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

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

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

**commercial vehicle parking** means premises used for parking of one or 2 commercial vehicles but does not include—

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

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

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

**convenience store** means premises—

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m<sup>2</sup> net lettable area.

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

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

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

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

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

- (a) without further preparation; and
- (b) primarily off the premises.

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

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle.

**funeral parlour** means premises used—

- (a) to prepare and store bodies for burial or cremation; and
- (b) to conduct funeral services.

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

**grouped dwelling** same meaning as it has in the R-Codes.

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

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

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

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m<sup>2</sup>; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not—
  - (i) require a greater number of parking spaces than normally required for a single dwelling; or
  - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling.

**home store** means a shop attached to a dwelling that—

- (a) has a net lettable area not exceeding 100 m<sup>2</sup>; and
- (b) is operated by a person residing in the dwelling.

**hospital** means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1).

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

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

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes.

**Industry—cottage** means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which—does not cause injury to or adversely affect the amenity of the neighbourhood; where operated in a residential zone, does not employ any person other than a member of the occupier's household; is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put; (d) does not occupy an area in excess of 50 m<sup>2</sup>; and (e) does not display a sign exceeding 0.2 m<sup>2</sup> in area.

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

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

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

**industry—primary production** means premises used—

- (a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses.

**liquor store—large** means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300 m<sup>2</sup>.

**liquor store—small** means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300 m<sup>2</sup>

**lunch bar** means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.

**marina** means—

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.

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

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

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

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

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

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

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

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

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or retreading of tyres.

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

**multiple dwelling** same meaning as it has in the R-Codes.

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

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

**park home park** means premises used as a park home park as defined in the Caravan Parks and Camping Grounds Regulations 1997 Schedule 8.

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

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

**recreation—private** means premises that are—

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge.

**renewable energy facility** means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.

**residential building** same meaning as it has in the R-Codes.

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

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

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

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

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

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200 m<sup>2</sup>; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight.

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

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

**serviced apartment** means a group of units or apartments providing—

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

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

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

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

**single house** same meaning as it has in the R-Codes.

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

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

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

**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 any of the

following purposes including goods which may be assembled or manufactured off the premises—

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government.

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

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another.

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

**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 the sale by wholesale of goods.

**waste disposal facility** means premises used—

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste.

**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 or relocatable buildings, used—

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

## SCHEDULES

|                   |  |
|-------------------|--|
| <b>Schedule A</b> | Supplemental provisions to the deemed provisions                                   |
| <b>Schedule 1</b> | Additional uses  |
| <b>Schedule 2</b> | Restricted uses for land in Scheme area  |
| <b>Schedule 3</b> | Special use zones  |
| <b>Schedule 4</b> | Additional site and development requirements that apply to the scheme area         |
| <b>Schedule 5</b> | Parking standards  |
| <b>Schedule 6</b> | Australian noise exposure forecast contours  |
| <b>Schedule 7</b> | Obstacle limitation surface  |
| <b>Schedule 8</b> | Special control areas in the scheme—purpose, objectives and additional provisions. |

### SCHEDULE A—SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

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

Addition of the following rows into the table identified under clause 61 (1) (b): for which development approval of the local government is not required.

| Cl. | Column 1 Works  | Column 2 Conditions   |
|-----|---|---|
| 6.1 | The erection of, or alterations or additions to, a single house where the R-Codes do not apply. | <ul style="list-style-type: none"> <li>• the R-Codes do not apply but a single house is a permitted (“P”) use in the zone.</li> </ul> |

| Cl. | Column 1 Works   | Column 2 Conditions  |
|-----|--|--|
|     |  | <ul style="list-style-type: none"> <li>the development standards set out in the Scheme for that particular zone are satisfied.</li> <li>The works are not proposed on a heritage-protected place.</li> </ul>   |
| 6.2 | the erection of any building associated with Agricultural—Extensive use of the land on a lot within the Rural zone.  | <ul style="list-style-type: none"> <li>the development standards set out in the Scheme for that particular zone are satisfied.</li> <li>The works are not proposed on a heritage-protected place.</li> </ul>   |
| 7.1 | the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio or pergola, veranda, garage, carport or swimming pool where the R-Codes do not apply. | <ul style="list-style-type: none"> <li>the R-Codes do not apply to the works and a single house is a permitted (“P”) in the zone.</li> <li>the development standards set out in the Scheme for that particular zone are satisfied.</li> <li>The works are not proposed on a heritage-protected place.</li> </ul>   |
| 22  | the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.   |  |
| 23  | the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.                |  |
| 24  | any professional advertisement of 0.2m <sup>2</sup> or less affixed to a building, object, structure or place pertaining to an approved land use.                                  | <ul style="list-style-type: none"> <li>the sign or advertisement is not proposed to be erected or installed on a heritage-protected place unless it— <ul style="list-style-type: none"> <li>Does not obscure existing signage that has an integral relationship to the land</li> <li>Is temporary and does not damage the fabric of a building</li> <li>Is temporarily located behind a shop window but is not internally illuminated or flashing</li> <li>Advertises that a place is for sale or lease but does not remain on the place for more than 10 days after the place is sold or leased.</li> </ul> </li> </ul> |
| 25  | the carrying out of any activities associated with traditional use and law.  | The activities do not include the construction of a permanent structures that would otherwise require development approval.  |

Addition of the following uses to Clause 61(2) for which development approval of the local government is not required.

|   |   |
|---|---|
| 61(2)(i)  | the use of land in a reserve, where such land is held by the local government or vested in a public authority— <ul style="list-style-type: none"> <li>(i) for the purpose for which the land is reserved under the Scheme; or</li> <li>(ii) (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.</li> </ul> |
| 61(2)(j)  | in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.   |
| 61(2)(k)  | the use of land which is a permitted (“P”) use in the zone in which that land is situated provided it does not involve the carrying out of any building or other works.   |
| Addition of the following matters to be considered by local government under clause 67(2) |   |
| 67 (2) (zc)   | Any advice of the Design Review Panel.  |

| No. | Description of land   | Additional Use  | Conditions  |
|-----|---|---|---|
| A1  | Lot 732 Blick Drive as indicated on the scheme maps.  | Restaurant/ café<br>'D' use.  | As determined by the local government.  |
| A2  | Lot 728 Blick Drive as indicated on the scheme maps.  | Shop<br>'D' use.  | As determined by the local government.  |
| A3  | Lot 2094 Clemenston Street as indicated on the scheme maps.                                     | Fish curing<br>'A' use.   | As determined by the local government.  |
| A4  | Lot 2101 Clemenston Street as indicated on the scheme maps.                                     | Lunch bar, Shop<br>'D' use.   | As determined by the local government.  |
| A5  | Lot 417 Lullfitz Drive as indicated on the scheme maps.   | Health Centre, Natural Healing workshops, short term residential accommodation and ancillary uses and residential house<br>'D' use. | As determined by the local government.  |
| A6  | Lot 50 Oryx Road as indicated on the scheme maps.   | A second dwelling<br>'D' use.   | As determined by the local government.  |
| A7  | Lot 202 Frederick Street (Boulevard Shopping Centre) as indicated on the scheme maps.           | Bulky goods showroom<br>'D' use.  | As determined by the local government.  |
| A8  | Lot 3000 Broome Road, Skuthorpe as indicated on the scheme maps.                                | Camping and Caravan Park, Lodging House<br>'D' use.   | (1) The predominant use of the site is to remain agricultural purposes.<br>(2) The additional uses are to be limited to short stay accommodation by any person for no longer than three months in any twelve month period.<br>(3) Appropriate separation buffers must be provided within this lot to address the potential for land use conflict from nearby agricultural land uses.<br>(4) Adequate water supply is to be provided to the additional uses. |
| A9  | Lot 11 Walcott Street as indicated on the scheme maps.  | Service Station<br>'A' Use  | As determined by the local government.  |
| A10 | Lot 300 Lullfitz Drive as indicated on the scheme maps.   | Veterinary Centre, Caretakers Dwelling<br>'D' use.  | As determined by the local government.  |
| A11 | Lot 4 Kanagae Drive as indicated on the scheme maps.  | Restaurant/ Café<br>'A' use.  | As determined by the local government.  |
| A12 | Lot 20 Yamashita Street as indicated on the scheme maps.  | Restaurant/ Café<br>'A' use.  | As determined by the local government.  |
| A13 | Lot 213, 214 and 216 Hamersley Street and Lot 215 Louis Street as indicated on the scheme maps. | Grouped Dwellings and Multiple Dwellings<br>'P' use.  | As determined by the local government.  |
| A14 | Lot 17 Yamashita Street as indicated on the scheme maps.  | Restaurant/ Café<br>'A' use.  | As determined by the local government.  |
| A15 | Lot 413 Yamashita Street on the scheme maps.  | Animal Establishment (Zoological Gardens)<br>'D' use.   | As determined by the local government.  |



| No. | Description of land   | Additional Use  | Conditions  |
|-----|---|---|---|
| A16 | Lot 1 Coghlan Street as indicated on the scheme maps.             | Motor Vehicle, Boat or Caravan Sales<br>'D' use.                        | As determined by the local government.  |
| A17 | Lot 1 Coghlan Street as indicated on the scheme maps.             | Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repairs<br>'D' use. | As determined by the local government.  |
| A18 | Lot 1 Macpherson Street as indicated on the scheme maps.          | Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repairs<br>'D' use. | As determined by the local government.  |
| A19 | Lot 8 Frederick Street as indicated on the scheme maps.           | Motor Vehicle, Boat or Caravan Sales<br>'D' use.                        | As determined by the local government.  |
| A20 | Lot 54 Coghlan Street as indicated on the scheme maps.            | Motor Vehicle, Boat or Caravan Sales<br>'D' use.                        | As determined by the local government.  |
| A21 | Lot 12 Coghlan Street as indicated on the scheme maps.            | Motor Vehicle, Boat or Caravan Sales<br>'D' use.                        | As determined by the local government.  |
| A22 | Lot 238 Willie Creek Road as indicated on the scheme maps.        | Civic Use (Customs)<br>'D' use.   | (1) Uses may include—<br>Residential buildings for Responsible government agencies; and<br>Customs activities.<br>(2) All other conditions as determined by the local government.   |
| A23 | Lot 222 Lullfitz Drive as indicated on the scheme maps.           | Tourist Development<br>'A' Use  | (1) The additional use shall be considered an 'A' use—the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.<br>(2) Total development (including the additional use) on Lot 222 Lullfitz Drive shall not exceed 10% site coverage.   |
| A24 | Lot 302 Fairway Drive, Bilingurr as indicated on the scheme maps. | Animal Establishment (Zoological Gardens)<br>'A' Use                    | (1) The additional use shall be considered an 'A' use—the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions.<br>(2) Total development (including the additional use) on Lot 302 Fairway Drive shall not exceed 10% site coverage.<br>(3) Any land or buildings used for the display of animals is restricted to camels only. |
| A25 | Lot 86 Shingoro Street, as indicated on the scheme maps.          | Child Care  | (1) The additional use shall be considered a 'P' use.   |

**SCHEDULE 2—RESTRICTED USES FOR LAND IN SCHEME AREA**

| <b>No.</b> | <b>Description of Land</b>                                | <b>Restricted Use</b> | <b>Conditions</b>                      |
|------------|---|-----------------------|--|
| <b>R1</b>  | Lot 947 Carnarvon Street as indicated on the scheme maps. | Hotel / Motel         | As determined by the local government. |
| <b>R2</b>  | Lot 2 Louis Street as indicated on the scheme maps.       | Hotel                 | As determined by the local government. |
| <b>R3</b>  | Lot 51 Robinson Street as indicated on the scheme maps.   | Motel                 | As determined by the local government. |

**SCHEDULE 3—SPECIAL USE ZONES IN SCHEME AREA**

| <b>No.</b>  | <b>Description of Land</b>  | <b>Special Use</b>  | <b>Conditions</b>   |
|-------------|---|---|---|
| <b>SU1</b>  | Lot 351 Broome Road as indicated on the scheme maps.  | Crocodile Farm<br>As a 'D' use.   | (1) Development on site may include a wildlife retreat and associated tourist uses.<br>(2) Site and Development Requirements—As determined by the local government.                           |
| <b>SU2</b>  | Lot 100, 102 and 259 Broome Road as indicated on the scheme maps.                                 | Aboriginal use, offices and ancillary uses<br>As a 'D' use.   | As determined by the local government.  |
| <b>SU3</b>  | Lot 400 Crab Creek Road (Reserve 41066) as indicated on the scheme maps.                          | Bird observatory<br>As a 'D' use.   | As determined by the local government.  |
| <b>SU4</b>  | Lot 1225 and Lot 640 Dora Street, Anne Street and Paddy Street as indicated on the scheme maps.   | Aboriginal Use;<br>Offices;<br>Medical Rooms;<br>Residential accommodation and associated uses.<br>As a 'D' use.          | (1) Development onsite may include: Site and Development Requirements—As determined by the local government.  |
| <b>SU5</b>  | Lot 555 Robinson Street (Reserve 31340) as indicated on the scheme maps.                          | Caravan Park<br>As a 'D' use.   | As determined by the local government.  |
| <b>SU6</b>  | Lot 3130 Sanctuary Road as indicated on the scheme maps.  | Caravan Park<br>As a 'D' use.<br>'Aged or dependent persons accommodation' and 'workforce accommodation'<br>As a 'A' use. | As determined by the local government.  |
| <b>SU7</b>  | Lot 500 Wattle Drive as indicated on the scheme maps.   | Caravan Park<br>As a 'D' use.   | As determined by the local government.  |
| <b>SU8</b>  | Lot 154 Willie Creek Road as indicated on the scheme maps.  | Pearl Farm<br>As a 'D' use.   | (1) Uses may include: Pearl Farm and ancillary uses; Tourist Display; Office; Shop and Caretaker's accommodation.<br>(2) Site and development requirements—As determined by local government. |
| <b>SU9</b>  | Lot 224 on Deposited Plan 216717. Dampier Peninsula—Arrow Pearls as indicated on the scheme maps. | Pearl Farm<br>As a 'D' use.   | As determined by the local government   |
| <b>SU10</b> | Lot 87 on Deposited Plan 213349 and Pt Lot 100 on   | Pearl Farm<br>As a 'D' use.   | (1) Uses may include: a Pearl Farm and ancillary  |

| No.  | Description of Land  | Special Use                                      | Conditions  |
|------|--|--|---|
|      | Deposited Plan 415243, Cygnet Bay Road, Dampier Peninsula, as indicated on the scheme maps.                      |  | use; Tourist Development-Low Impact Tourism; Staff Accommodation and Restaurant.<br>(2) Site and Development requirements—As determined by local government and as set out in a local development plan.   |
| SU11 | Lot 136 Broome Road as indicated on the scheme maps.   | Road House<br>As a 'D' use.                      | (1) Uses may include—<br>Caravan and Camping Grounds;<br>Service Station;<br>Convenience retail;<br>Restaurant; Caretakers dwelling;<br>Staff accommodation; Liquor store;<br>Motor vehicle repairs;<br>and Associated Uses.<br>(2) Site and Development Requirements—As determined by the local government.  |
| SU12 | Lot 1128 Sanderling Drive as indicated on the scheme maps.   | Child Care Premises<br>As a 'D' use.             | As determined by the local government.  |
| SU13 | Pt. Lot 297 on Plan No. P093256 and Pt. Reserve 20927 as indicated on the scheme maps.                           | Airfield<br>As a 'D' use.                        | As determined by the local government.  |
| SU14 | Lot 100 Cable Beach Road as indicated on the scheme maps.  | Tourist Development<br>As a 'D' use.             | As determined by the local government.  |
| SU15 | Lot 6 Great Northern Highway as indicated on the scheme maps.  | Road House<br>As a 'D' use.                      | (1) Uses may include:<br>Caravan and Camping Grounds;<br>Service Station;<br>Convenience retail;<br>Restaurant; Caretakers dwelling;<br>Staff accommodation; Liquor store;<br>Motor vehicle repairs;<br>and Associated Uses.<br>(2) Site and Development Requirements—As determined by the local government.  |
| SU16 | Reserve 21709 (Barred Creek) Waterbank as indicated on the scheme maps.  | Camping<br>As a 'D' use.                         | As determined by the local government.  |
| SU17 | Lot 1642 (Strata Lots 1-4, 7-10) Frederick Street and Lot 1343 Frederick Street as indicated on the scheme maps. | Mixed Business<br>As a 'D' use.                  | (1) Development shall provide a range of wholesaling, showrooms, trade and professional services which, by reason of their scale, character and operational land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within Mixed Use or Service Commercial zones.<br>(2) Site and Development Requirements As determined by the local government with due regard to the Scheme and Policy requirements.<br>(3) New developments must be strategically justifiable in the context of the local planning framework. |
| SU18 | (i) Lot 238 (as indicated on scheme map)—  | <b>Low Impact Tourism</b><br>Tourist Development | Low Impact Tourism Special Use Zone Objectives  |

| No. | Description of Land  | Special Use  | Conditions  |
|-----|--|--|---|
|     | <p>Kennedy's Cottage.</p> <p>(ii) Lot 1242 (as indicated on scheme map)—Port Smith Road.</p> <p>(iii) Lot 323 (as indicated on scheme map)—Eco Beach.</p> <p>(iv) Lot 89 (as indicated on scheme map) - Gumbarnun.</p> <p>(v) Lots 19, 21, 100 (as indicated on scheme map)-Kooljaman</p> <p>(vi) Lots 1, 944 and Pt Lot 1539 Great Northern Highway (as indicated on scheme map)—Eighty Mile Beach;</p> <p>(vii) Barn Hill Pt Lot 730 and 358 on Plan 71878, Roebuck as indicated on the scheme maps.</p> | <p>As a 'P' use—<br/>Bed and breakfast accommodation;<br/>Industry—primary production;<br/>Rural home business;<br/>Rural pursuit/ hobby farm;<br/>As a 'D' use—<br/>Airfield<br/>As an 'A' use—<br/>Art gallery;<br/>Caretaker's dwelling;<br/>Community Purpose;<br/>Educational establishment;<br/>Office<br/>Restaurant/Café;<br/>Shop; and<br/>Small bar<br/>As an 'T' use<br/>Any use not listed is to be considered in accordance with the objectives of the special use zone and the associated development standards.</p> | <p>(1) The objectives of the Special Use Zone—Low Impact Tourism are as follows—</p> <ul style="list-style-type: none"> <li>• To establish low impact tourist land uses capable of being combined with other uses having a minimal impact upon the existing amenity and landscape character of the land;</li> <li>• To provide for sustainable low-impact tourist land uses that are of a high standard in terms of design and amenity, which are sympathetic to, and integrated with, the rural and/or natural attributes of the surrounding area; and</li> <li>• To ensure that all land uses and development have a minimal adverse impact upon the ecological and landscape values of the land and the environmental qualities of the locality.</li> </ul> <p>(2) Development standards—</p> <p>(a) Development should not adversely impact on the environmental or landscape qualities of the locality and should maximise the retention of any native vegetation on the site;</p> <p>(b) Buildings and structures should be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features;</p> <p>(c) 20m minimum primary street setback;</p> <p>(d) 10m minimum side and rear boundary setback;</p> <p>(e) Building setback variations at the discretion of the local government having regard to any relevant local planning policies and the likely impact of the proposal on adjoining landholdings; and</p> <p>(f) 10% maximum site coverage;</p> <p>(3) Subdivision—</p> <p>(a) The local government will not support subdivision within the Special Use zone unless the subdivision is in accordance with an</p> |

| No. | Description of Land | Special Use | Conditions   |
|-----|---------------------|-------------|--|
|     |                     |             | <p>endorsed Structure Plan, Local Development Plan or an adopted local planning framework.</p> <p>(b) The local government may support the subdivision of land in the absence of an approved structure plan, local development plan and/or layout plan, where the local government considers the proposed subdivision—</p> <p>(i) is a minor boundary adjustment and/or</p> <p>(ii) does not propose the creation of new lots.</p> |

**SCHEDULE 4—ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS  
THAT APPLY TO THE SCHEME AREA**

| No. | Description of land | Requirement   |
|-----|---------------------|---|
| 1.  | All Zones           | <p><b>Car Parking</b></p> <p>(1) Schedule 5 sets out the requirements for parking for non-residential development, and the non-residential component of mixed-use developments for all zones.</p> <p>(2) Land within the Scheme area shall not be used or developed for any purposes unless car parking bays, bicycle racks and motorcycle bays are provided on site in accordance with Schedule 5.</p> <p>(3) Where land is to be developed or used for a purpose not mentioned in Schedule 5, or where a standard or requirement is not specified in Schedule 5, the local government shall determine in each case the required number of car parking bays, bicycle racks and motorcycle bays to be provided on the land having regard to the—</p> <p>(a) nature of the proposed development;</p> <p>(b) number of employees or others likely to be employed or engaged in the use of the land;</p> <p>(c) anticipated demand for visitor parking;</p> <p>(d) orderly, proper and sustainable planning of the area;</p> <p>(e) the parking requirements under the Scheme for uses of a similar nature (if any).</p> <p>(4) Where on any lot, different land uses have been or are to be established and those uses operate at different times to each other, the local government, upon being satisfied that the operating times will be permanent and will form the subject of conditions under which a development approval will be granted, may reduce the total number of bays required to be provided for those uses as set out under Schedule 6, or as specified by the local government, on a reciprocal use basis having regard to the greatest number of vehicles that may need to be accommodated on the land during periods of peak usage of the site.</p> <p>(5) Except as provided in sub clause (4), for developments involving a number of uses, the car parking requirement shall be the sum of the number required for each use.</p> <p>(6) Except as may otherwise be approved by the local government, all parking areas shall be provided with:—</p> <p>(a) a surface that will render the parking area capable of use at all times;</p> <p>(b) drainage and connection to a legal point of discharge;</p> <p>(c) surface lines or similar edging marked out to show the manner in which the parking area is to be used; and</p> <p>(d) landscaping of external parking areas to reduce the heat retention of paved areas is to include landscaping in the form of shade trees at the rate of every 4 consecutive bays or 12 meters, whichever is the lesser.</p> |

|    |           |   |
|----|-----------|---|
|    |           | <p>(e) In instances where parking areas accommodate 20 vehicles or more, provision shall be made, for safe demarcated pedestrian movement through the parking areas to connect with other pedestrian movement routes in the locality.</p> <p>(7) Pedestrian access shall be separated from car parking areas to provide safe access to and within the car parking areas.</p> <p><u>Cash payments in lieu</u></p> <p>(8) Where the local government so decides, cash payments in lieu of the provision of parking spaces on the site of any proposed development may be accepted but the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the scheme plus the value, as estimated by the local government, of that area of the land which would have been occupied by the parking spaces—</p> <p>(a) Payments under this clause shall be paid into a parking fund to be used for the provision and maintenance of public car parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.</p> <p>(b) The local government may waive or vary requirements for on-site car parking if it is satisfied that adequate constructed car parking has been provided in close proximity to the proposed development.</p> <p>(9) Where a parking area has been provided as part of an approved development and a later application for development approval is lodged with the local government to change a use within the development to one which generates the need for additional parking, the local government may—</p> <p>(a) accept a cash-in-lieu of parking in the event that the additional parking cannot be provided on site; or</p> <p>(b) require the provision of additional parking either on site or in a location nearby acceptable to the local government.</p> <p>(10) Car parking for development comprised of tourism land uses and residential development shall—</p> <p>(a) be located in an area which is separate from any car parking for commercial uses and is to be exclusively used for the residential development and tourist land uses.</p> <p>(b) Provision for buses shall be provided on site, or in close proximity to a tourist land use.</p> |
| 2. | All Zones | <p><b>Obstacle Limitation Surfaces map and Australian Noise Exposure Forecast</b></p> <p>(1) In considering applications for development approval, due regards shall be given to—</p> <p>(a) The Obstacle Limitation Surfaces map and Australian Noise Exposure Forecast (ANEF) contours for the Broome International Airport, as contained Schedules 6 and 7 and within any an adopted local planning policy;</p> <p>(b) Australian Standards 2021-2000: Acoustics—Aircraft Noise Intrusion—Building Siting and Construction; and</p> <p>(c) Advice of the relevant State Government authorities.</p> <p>(2) All development and structures, including flood lights and cranes, shall comply with the height limitations associated with the Obstacle Limitation Surfaces. Any temporary intrusions shall receive written consent from the local government prior to erection.</p>   |
| 3. | All Zones | <p><b>Land use and noise control</b></p> <p>(1) Land uses which have the potential to generate significant adverse noise levels affecting sensitive land uses due to machinery, amplified music or announcements or any other ambient noise may be the subject of conditions which require an acoustic report to be prepared by the applicant and any noise attenuation controls recommended by the report to be implemented.</p>   |
| 4. | All Zones | <p><b>Controlled access</b></p> <p>(1) Roads under the control of Main Roads Western Australia</p> <p>(a) Where development is proposed that requires access from a primary distributor under the control of Main Roads Western Australia, then Main Roads Western Australia are to control the location, number, size and construction standards of access points onto that road. Formal approval is required by Main Roads Western Australia in consultation with the local government prior to construction of the access.</p> <p>(2) Roads under the control of local government</p> <p>(b) Where development is proposed that requires access to district and local distributor roads and local roads under the control of</p>   |

|     |   |   |
|-----|---|---|
|     |   | the local government the local government may control the location, number, size and construction standards of these roads. Controlled access will apply to district and regional distributor roads shown on the Scheme Maps.   |
| 5.  | All Zones   | <p><b>Inappropriate or incongruous development</b></p> <p>(1) Where, in the opinion of the local government, any proposed development, would not be in harmony with existing buildings or the landscape of the locality in which the proposed development is to be located by virtue of the use, design or appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and mass of any building, the local government may—</p> <ul style="list-style-type: none"> <li>(a) refuse its approval for the development notwithstanding that it otherwise complies with the provisions of the Scheme; or</li> <li>(b) impose conditions on any development approval granted for the proposed development to ensure that it will be in harmony with existing buildings and the landscape quality of the locality in which the development is to be located.</li> </ul>               |
| 6.  | All Zones   | <p><b>Landscaping and tree retention</b></p> <p>(1) When considering an application, the local government is to determine whether any tree has landscape significance and should be retained.</p> <p>(2) For the purpose of retaining significant trees the local government may—</p> <ul style="list-style-type: none"> <li>(a) impose a condition on a development approval requiring trees to be retained;</li> <li>(b) request the Commission to impose a subdivision condition for the retention of trees and/or for additional trees to be planted on the site;</li> <li>(c) impose a condition requiring a modification of the development to ensure retention of significant trees.</li> </ul> <p>(3) A landscaping plan which details the retention of existing tree/s and proposed landscaping on site and within the abutting road reserve may be required as a condition of development approval for development.</p> |
| 7.  | All Zones   | <p><b>Management of construction sites</b></p> <p>(1) In addition to any requirements which may be imposed as conditions of development approval, construction sites are to be managed so as to minimise soil erosion or the degradation of any water resource due to the action of wind or water and protect as far as practicable, the natural resource values of the site and of the adjacent area. Native vegetation cleared on sites shall be mulched and redistributed on site.</p>   |
| 8.  | All Zones   | <p><b>Caretaker's dwellings</b></p> <p>(1) A caretaker's dwelling should be incidental ('I' Use) to the predominant use on the site.</p> <p>(2) Unless otherwise approved, only one caretaker's dwelling is permitted on a lot and that dwelling should be on the same lot as the predominant use.</p> <p>(3) A caretaker's dwelling shall be limited to a maximum floor area of 100 square metres;</p> <p>(4) may not be used until such time as the land upon which it is to be established is developed and/or is in use for a purpose requiring oversight by a caretaker; and</p> <p>(5) Where the predominant use ceases, the right to use the caretakers dwelling expires.</p>  |
| 9.  | All Zones   | <p><b>Service Areas</b></p> <p>(1) All commercial, tourist and industrial developments are to make provision onsite for storage areas, bin areas and general service areas for loading and unloading of goods and these areas must be screened from view of any street. The service area and associated service vehicle movement should not conflict with on-site parking and manoeuvring of staff and patron vehicles.</p> <p>(2) On site manoeuvring space for service vehicles is to be provided in association with the service areas.</p>  |
| 10. | Mixed Use Zone,<br>Tourism Zone,<br>Regional Centre Zone,<br>District Centre Zone | <p><b>Height of buildings</b></p> <p>(1) The local government's objective is to ensure development responds to the current and planned character of the Broome townsite, and to ensure the built form and amenity of the locality is maintained or enhanced.</p> <p>(2) The height development may not exceed a wall height of ten (10) metres and a building height of fourteen (14) metres unless—</p> <ul style="list-style-type: none"> <li>(a) the proposed variation is identified in an approved Local Development Plan, Structure Plan or Local Planning Policy; or</li> </ul>  |

|   |   | <p>(b) the local government is satisfied that the variation complies with the objectives of clause (1) and will not have a significant adverse impact upon the current and planned character of the area and nearby development having regard to the design principles set out in State Planning Policy 7.0: Design of the Built Environment and where relevant State Planning Policy 7.2: Precinct Design and State Planning Policy 7.3 Residential Design Codes Volume 2—Apartments.</p> <p>(3) Notwithstanding the provisions of clause (2), the local government may—</p> <p>(a) require the applicant to prepare a local development plan or structure plan prior to consideration of a development application; and/or</p> <p>(b) refer the application to the Design Review Panel for review against the design principles set out in State Planning Policy 7.0: Design of the Built Environment and where relevant State Planning Policy 7.2: Precinct Design and State Planning Policy 7.3 Residential Design Codes Volume 2—Apartments.</p>  |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
|---|---|--|----------------------------|------------------------------|----------------------------|---------------------------------------|--|--|---|--|--|---|--|--|
| 11.   | Rural Residential Zone, Rural Smallholdings Zone, Rural Zone, Cultural and Natural resource use Zone                                      | <p><b>Water Supply</b></p> <p>(1) The Local Government will not support subdivision or, where applicable grant development approval, unless demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission policy, including State Planning Policy 2.5 Rural Planning and its associated guidelines.</p>  |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
| 12.   | Regional Centre Zone, Local Centre Zone, District Centre Zone, Mixed Use Zone, Tourism Zone, Service Commercial Zone and Residential Zone | <p><b>Urban Design</b></p> <p>(1) Built form is to have regard for local climatic conditions and traditional architecture features; and</p> <p>(2) Architectural features should be included in development to reduce solar penetration and increase access to prevailing breezes.</p>   |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
| 13.   | Regional Centre Zone  | <p><b>Structure and/ or Local Development Plan</b></p> <p>(1) In the absence of an approved structure plan, and for the purposes or orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p><b>Site and Development Standards</b></p> <p>(2) All proposals for land use and development shall be generally consistent with the adopted local planning framework and relevant design guidelines.</p> <p>(3) Mixed use and residential development are to be assessed under the R50 density coding of the Residential Design Codes unless otherwise provided for in the adopted local planning framework.</p> <p>(4) In considering applications for development approval, the local government shall have regard to the Obstacle Limitation Surfaces (Schedule 7) and Australian Noise Exposure Forecast (ANEF) contours for the Broome International Airport (Schedule 6).</p> <p>(5) Where a mixed use development is proposed, the residential use shall be confined to an upper storey unless otherwise provided for in the adopted local planning framework and design guidelines.</p> <table border="1"> <thead> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> </thead> <tbody> <tr> <td colspan="3">Mixed Use and Residential Development</td></tr> <tr> <td colspan="3">All setbacks are to be in accordance with R-Codes unless otherwise identified in the adopted local planning framework and relevant design guidelines.</td></tr> <tr> <td colspan="3">Nil front setbacks may be provided where supported by the adopted local planning framework.</td></tr> </tbody> </table> | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | Mixed Use and Residential Development |  |  | All setbacks are to be in accordance with R-Codes unless otherwise identified in the adopted local planning framework and relevant design guidelines. |  |  | Nil front setbacks may be provided where supported by the adopted local planning framework. |  |  |
| Primary Street Setback (m)  | Secondary Street Setback (m)  | Side and Rear Setbacks (m)   |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
| Mixed Use and Residential Development   |   |  |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
| All setbacks are to be in accordance with R-Codes unless otherwise identified in the adopted local planning framework and relevant design guidelines. |   |  |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |
| Nil front setbacks may be provided where supported by the adopted local planning framework.   |   |  |                            |                              |                            |                                       |  |  |   |  |  |   |  |  |



|  |  |  |                           |  |
|--|--|--|---------------------------|--|
|  |  | <b>Subdivision</b>   |                           |  |
|  |  | Non-Residential Development  |                           |  |
|  |  | All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.<br>Nil front setbacks may be provided where supported by the adopted local planning framework.   |                           |  |
|  |  | <b>Maximum Site Coverage</b>   | <b>Maximum Plot Ratio</b> | <b>Building Height</b>                     |
|  |  | 75%  | N/A                       | Schedule 4, Clause 10 (2) and (3) applies. |
|  |  | <b>Landscaping</b>   |                           |  |
|  |  | As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines  |                           |  |
|  |  | (6) The local government will not support subdivision within the Regional Centre zone unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.  |                           |  |
|  |  | (7) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision—<br>(a) Is a minor boundary adjustment;<br>(b) does not propose the creation of new lots; and<br>(c) the new lots are considered to be consistent with the subdivision pattern in the locality. |                           |  |

| 14.   | District Centre Zone, Local Centre Zone | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) In the absence of an approved structure plan, and for the purposes of orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p><b>Site and Development Standards</b></p> <p>(2) All proposals for land use and development shall be generally consistent with the adopted local planning framework and relevant design guidelines.</p> <p>(3) Mixed use and residential development are to be assessed under the R40 density coding of the Residential Design Codes unless otherwise provided for in the adopted local planning framework.</p> <p>(4) Where a mixed use development is proposed, the residential use shall not be permitted unless located above or behind the existing or new non-residential development on the lot(s).</p> <table border="1" data-bbox="497 640 1327 981"> <thead> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> </thead> <tbody> <tr> <td colspan="3">Mixed Use and Residential Development</td></tr> <tr> <td colspan="3">All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework.</td></tr> <tr> <td colspan="3">Non-Residential Development</td></tr> <tr> <td>3</td><td>3</td><td>Nil*</td></tr> <tr> <td><b>Maximum Site Coverage</b></td><td><b>Maximum Plot Ratio</b></td><td></td></tr> <tr> <td>50%</td><td>N/A.</td><td>Schedule 4, Clause 10 (2) and (3) applies.</td></tr> </tbody> </table> <p><b>Landscaping</b></p> <p>Landscaping for all development shall be provided and maintained abutting the boundary of all street frontages to a minimum depth of 3 metres from the boundary. Where a nil setback is proposed landscaping is to be provided in the adjacent road reserve.</p> <p>* Nil side and rear setbacks may be provided at the discretion of local government where supported by the adopted local planning framework.</p> <p><b>Subdivision</b></p> <p>The local government will not support subdivision within the District Centre and Local Centre zone unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p>The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision—</p> <ul style="list-style-type: none"> <li>(a) is a minor boundary adjustment.</li> <li>(b) does not propose the creation of new lots; or</li> <li>(c) the new lots are considered to be consistent with the subdivision pattern in the locality.</li> </ul> | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | Mixed Use and Residential Development |  |  | All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework.  |  |  | Non-Residential Development |  |  | 3 | 3 | Nil* | <b>Maximum Site Coverage</b> | <b>Maximum Plot Ratio</b> |  | 50% | N/A. | Schedule 4, Clause 10 (2) and (3) applies. |
|---|---|--|----------------------------|------------------------------|----------------------------|---------------------------------------|--|--|---|--|--|-----------------------------|--|--|---|---|------|------------------------------|---------------------------|--|-----|------|--|
| Primary Street Setback (m)  | Secondary Street Setback (m)            | Side and Rear Setbacks (m)   |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| Mixed Use and Residential Development   |   |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework.  |   |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| Non-Residential Development   |   |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| 3   | 3                                       | Nil*   |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| <b>Maximum Site Coverage</b>  | <b>Maximum Plot Ratio</b>               |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| 50%   | N/A.                                    | Schedule 4, Clause 10 (2) and (3) applies.   |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| 15.   | Mixed Use Zone                          | <p><b>Site and Development Standards</b></p> <p>(1) All proposals for land use and development shall be generally consistent with the adopted local planning framework and relevant design guidelines.</p> <p>(2) Mixed use and residential development are to be assessed under the R40 density coding of the Residential Design Codes unless otherwise identified on the scheme maps or provided for in the adopted local planning framework.</p> <p>(3) In considering applications for development approval, the local government shall have regard to the Obstacle Limitation Surfaces (Schedule 7) and Australian Noise Exposure Forecast (ANEF) contours for the Broome International Airport (Schedule 6).</p> <table border="1" data-bbox="497 1899 1327 2098"> <thead> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> </thead> <tbody> <tr> <td colspan="3">Mixed Use and Residential Development</td></tr> <tr> <td colspan="3">All setbacks for mixed use and residential development (including residential component within mixed use development) are to be in accordance with R-Codes unless otherwise identified in the local planning framework.</td></tr> </tbody> </table>  | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | Mixed Use and Residential Development |  |  | All setbacks for mixed use and residential development (including residential component within mixed use development) are to be in accordance with R-Codes unless otherwise identified in the local planning framework. |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| Primary Street Setback (m)  | Secondary Street Setback (m)            | Side and Rear Setbacks (m)   |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| Mixed Use and Residential Development   |   |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |
| All setbacks for mixed use and residential development (including residential component within mixed use development) are to be in accordance with R-Codes unless otherwise identified in the local planning framework. |   |  |                            |                              |                            |                                       |  |  |   |  |  |                             |  |  |   |   |      |                              |                           |  |     |      |  |

|                            |   | <p>Non-Residential Development</p> <p>All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework</p> <table><tr><th>Maximum Site Coverage</th><th>Maximum Plot Ratio</th><th>Building Height</th></tr><tr><td>55%</td><td>N/A</td><td>Schedule 4, Clause 10 (2) and (3) applies.</td></tr></table> <p><b>Landscaping</b></p> <p>Landscaping for all development shall be provided and maintained abutting the boundary of all street frontages to a minimum depth of 3 metres from the boundary. Where a nil setback is proposed landscaping is to be provided in the adjacent road reserve.</p>   | Maximum Site Coverage      | Maximum Plot Ratio           | Building Height            | 55% | N/A | Schedule 4, Clause 10 (2) and (3) applies. |                       |                    |     |     |
|----------------------------|---|---|----------------------------|------------------------------|----------------------------|-----|-----|--|-----------------------|--------------------|-----|-----|
| Maximum Site Coverage      | Maximum Plot Ratio  | Building Height   |                            |                              |                            |     |     |  |                       |                    |     |     |
| 55%                        | N/A   | Schedule 4, Clause 10 (2) and (3) applies.  |                            |                              |                            |     |     |  |                       |                    |     |     |
| 16.                        | Service Commercial Zone<br>Light Industry Zone<br>General Industry Zone | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) In the absence of an approved structure plan, and for the purposes or orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p><b>Site and Development Standards</b></p> <table><tr><th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr><tr><td>9</td><td>4.5</td><td>Nil*</td></tr></table> <table><tr><th>Maximum Site Coverage</th><th>Maximum Plot Ratio</th></tr><tr><td>75%</td><td>N/A</td></tr></table> <p><b>Landscaping</b></p> <p>Landscaping shall be provided and maintained abutting the boundary of all primary and secondary street frontages to a minimum depth of 3 metres from the boundary within the site to the satisfaction of the Shire.</p> <p>*subject to appropriate car parking, access and loading arrangements.</p> <p><b>Subdivision</b></p> <p>(2) The local government will not support subdivision within the Service Commercial zone unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p>(3) The local government will not support subdivision within the Light Industry zone where lot areas less than 2,000m<sup>2</sup> are proposed, unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p>(4) The local government will not support subdivision within the General Industry zone where lot areas less than 6,000m<sup>2</sup> are proposed, unless it is in accordance with an approved Structure Plan, Local Development Plan or adopted local planning framework.</p> <p>(5) The local government will not support subdivision within the Broome Road Industrial Area unless the subdivision is in accordance with an endorsed Structure Plan, Local Development Plan or adopted local planning framework.</p> <p>(6) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision—</p> <ul style="list-style-type: none"><li>(a) is a minor boundary adjustment;</li><li>(b) does not propose the creation of new lots;</li><li>(c) the new lots are considered to be consistent with the subdivision pattern in the locality; and</li><li>(d) in relation to proposed General Industry subdivision satisfies the Commission’s D.C Policy 4.1 and does not prejudice the intent of the General Industry zone.</li></ul> | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | 9   | 4.5 | Nil*                                       | Maximum Site Coverage | Maximum Plot Ratio | 75% | N/A |
| Primary Street Setback (m) | Secondary Street Setback (m)  | Side and Rear Setbacks (m)  |                            |                              |                            |     |     |  |                       |                    |     |     |
| 9                          | 4.5   | Nil*  |                            |                              |                            |     |     |  |                       |                    |     |     |
| Maximum Site Coverage      | Maximum Plot Ratio  |   |                            |                              |                            |     |     |  |                       |                    |     |     |
| 75%                        | N/A   |   |                            |                              |                            |     |     |  |                       |                    |     |     |
| 17.                        | Tourism Zone  | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) In the absence of an approved structure plan, and for the purposes or orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p><b>Site and Development Standards</b></p> <p>(2) All proposals for land use and development shall be generally consistent with the adopted local planning framework and relevant design guidelines.</p>   |                            |                              |                            |     |     |  |                       |                    |     |     |

|   |                              | <p>(3) The local government may approve a combination of short-term tourism accommodation uses and permanent residential use on the same site provided that it complies with the following—</p> <ul style="list-style-type: none"> <li>(a) the tourism land use is the predominant use of the site and will occupy not less than 60% of the site area and 60% of the total number of units;</li> <li>(b) the scale, bulk and design of the development responds to the character and enhances the amenity of the area;</li> <li>(c) the residential component is integrated with both the tourism uses and management structure of the proposal;</li> <li>(d) the protection of residential amenity through careful design of both facilities and accommodation on the site to minimise disturbance and conflicts between land uses;</li> <li>(e) where strata titling is proposed, a management statement is registered at the same time the strata or survey-strata plan is registered that restricts the maximum length of stay to three months in any twelve month period applied to the tourism accommodation; and</li> <li>(f) if the development is to be staged, the residential development is not to precede tourist land use.</li> </ul> <table border="1"> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> <tr> <td colspan="3"><b>Mixed Use and Residential Development</b></td></tr> <tr> <td colspan="3">All setbacks for residential development (including residential component within mixed use development) are to be in accordance with R-Codes (R40) unless otherwise identified in the local planning framework and relevant design guidelines.</td></tr> <tr> <td colspan="3"><b>Non-Residential Development</b></td></tr> <tr> <td colspan="3"> <ul style="list-style-type: none"> <li>(a) Nil side and rear setbacks adjoining Tourism Zoned land.</li> <li>(b) Buildings may be built from side boundary to side boundary for ground floor and first floor, except where required to provide access and parking.</li> <li>(c) All other setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</li> </ul> </td></tr> <tr> <th>Maximum Site Coverage</th><th>Maximum Plot Ratio</th><th>Building Height</th></tr> <tr> <td>55%</td><td>N/A</td><td>Schedule 4, Clause 10 (2) and (3) applies.</td></tr> <tr> <td colspan="3"><b>Landscaping</b></td></tr> <tr> <td colspan="3">As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.</td></tr> </table> <p><b>Subdivision</b></p> <p>(4) The local government will not support subdivision within the Tourism zone to create lots less than 1 hectare in area, unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p>(5) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision—</p> <ul style="list-style-type: none"> <li>(a) is a minor boundary adjustment.</li> <li>(b) does not propose the creation of new lots; and</li> <li>(c) the new lots are considered to be consistent with the subdivision pattern in the locality.</li> </ul> | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | <b>Mixed Use and Residential Development</b> |  |  | All setbacks for residential development (including residential component within mixed use development) are to be in accordance with R-Codes (R40) unless otherwise identified in the local planning framework and relevant design guidelines. |  |  | <b>Non-Residential Development</b> |  |  | <ul style="list-style-type: none"> <li>(a) Nil side and rear setbacks adjoining Tourism Zoned land.</li> <li>(b) Buildings may be built from side boundary to side boundary for ground floor and first floor, except where required to provide access and parking.</li> <li>(c) All other setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</li> </ul> |  |  | Maximum Site Coverage | Maximum Plot Ratio | Building Height | 55% | N/A | Schedule 4, Clause 10 (2) and (3) applies. | <b>Landscaping</b> |  |  | As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines. |  |  |
|---|------------------------------|--|----------------------------|------------------------------|----------------------------|--|--|--|--|--|--|------------------------------------|--|--|---|--|--|-----------------------|--------------------|-----------------|-----|-----|--|--------------------|--|--|--|--|--|
| Primary Street Setback (m)  | Secondary Street Setback (m) | Side and Rear Setbacks (m)   |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| <b>Mixed Use and Residential Development</b>  |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| All setbacks for residential development (including residential component within mixed use development) are to be in accordance with R-Codes (R40) unless otherwise identified in the local planning framework and relevant design guidelines.  |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| <b>Non-Residential Development</b>  |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| <ul style="list-style-type: none"> <li>(a) Nil side and rear setbacks adjoining Tourism Zoned land.</li> <li>(b) Buildings may be built from side boundary to side boundary for ground floor and first floor, except where required to provide access and parking.</li> <li>(c) All other setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</li> </ul> |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| Maximum Site Coverage   | Maximum Plot Ratio           | Building Height  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| 55%   | N/A                          | Schedule 4, Clause 10 (2) and (3) applies.   |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| <b>Landscaping</b>  |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.  |                              |  |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |
| 18.   | Rural Residential Zone       | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) In the absence of an approved structure plan, and for the purposes of orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p><b>Site and Development Standards</b></p> <p>(2) The maximum aggregate floor area of outbuilding(s) on a lot should not exceed 200m<sup>2</sup> and an outbuilding shall not exceed a wall height of 4.5 metres and a building height of 6 metres.</p>   |                            |                              |                            |  |  |  |  |  |  |                                    |  |  |   |  |  |                       |                    |                 |     |     |  |                    |  |  |  |  |  |

|   |  | <p>(3) An increase in the floor area or wall height and building height may be approved at the local government's discretion. When considering such an application, the local government shall have regard for; the approved land use on site and the demand for the outbuilding, and the use of the proposed outbuilding/s and any existing outbuildings, and the impact of increased floor area and an increase in the number of outbuildings on the amenity of the site and locality, and the objective and policies of the Rural Residential zone.</p> <p>(4) Existing natural vegetation shall be retained within all setback areas.</p> <p>(5) Natural vegetation may only be removed where clearing is required to provide for approved development or land use, firebreak or drainage requirements or where vegetation is dead, dangerous or diseased. All other removal of natural vegetation requires local government approval.</p> <p>(6) Reticulated water supply is required to be connected for subdivision within the Broome Townsite Rural Residential Zone area.</p> <table border="1"> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> <tr> <td>20*</td><td>10*</td><td>10*</td></tr> <tr> <td colspan="3">*All setbacks are to be in accordance with any relevant local planning policy and/or structure plan</td></tr> <tr> <th colspan="2">Maximum Site Coverage</th><th>Maximum Plot Ratio</th></tr> <tr> <td colspan="2">10%</td><td>N/A</td></tr> </table> <p><b>Subdivision</b></p> <p>(7) The local government will not support subdivision within the Rural Residential zone unless the subdivision is in accordance with an endorsed Structure Plan, Local Development Plan or and adopted local planning framework. In regard to the following areas, the local government will only support subdivision and accompanying structure planning based on the following minimum lot sizes—</p> <ul style="list-style-type: none"> <li>(a) Twelve Mile Precinct -2 ha;</li> <li>(b) Coconut Wells—4ha;</li> <li>(c) Lots 404 and 407 Lullfitz Drive (Bilingurr Precinct) -2ha; and</li> <li>(d) Wattle Drive Precinct and (balance portion of Bilingurr Precinct) -1ha</li> </ul> <p>(8) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision—</p> <ul style="list-style-type: none"> <li>(a) is a minor boundary adjustment.</li> <li>(b) does not propose the creation of new lots;</li> <li>(c) the new lots are considered to be consistent with the subdivision pattern in the locality; and</li> <li>(d) does not prejudice the orderly and proper planning of the area.</li> </ul> | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | 20* | 10* | 10* | *All setbacks are to be in accordance with any relevant local planning policy and/or structure plan   |  |  | Maximum Site Coverage |  | Maximum Plot Ratio | 10% |  | N/A |
|---|--|--|----------------------------|------------------------------|----------------------------|-----|-----|-----|---|--|--|-----------------------|--|--------------------|-----|--|-----|
| Primary Street Setback (m)  | Secondary Street Setback (m)   | Side and Rear Setbacks (m)   |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| 20*   | 10*  | 10*  |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| *All setbacks are to be in accordance with any relevant local planning policy and/or structure plan   |  |  |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| Maximum Site Coverage   |  | Maximum Plot Ratio   |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| 10%   |  | N/A  |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| 19.   | Rural Zone<br>Rural Smallholdings Zone<br>Cultural and Natural resource use Zone | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) For the purposes of orderly and proper planning of a particular site in Rural zone, Rural Smallholdings zone or Cultural and Natural resource use Zone, the local government may require the preparation and approval of a structure plan, local development plan (depending on the scale of the development) and/or layout plan in accordance with the deemed provisions.</p> <p><b>Site and Development Standards</b></p> <p>(2) Where rural agricultural activities or other approved land uses propose the sale of produce and goods from the site to the public and/or provide an associated education centre or educational tours, then car parking shall be provided on site with the number of required car parking bays being at the local government's discretion or as set out in Schedule 5.</p> <table border="1"> <tr> <th>Primary Street Setback (m)</th><th>Secondary Street Setback (m)</th><th>Side and Rear Setbacks (m)</th></tr> <tr> <td>30</td><td>N/A</td><td>20</td></tr> <tr> <td colspan="3">*Development standards to be at the discretion of the local government having regard to any relevant local planning policy and the likely impact of the proposal on adjoining landholdings.</td></tr> <tr> <th colspan="2">Maximum Site Coverage</th><th>Maximum Plot Ratio</th></tr> <tr> <td colspan="2">N/A</td><td>N/A</td></tr> </table>   | Primary Street Setback (m) | Secondary Street Setback (m) | Side and Rear Setbacks (m) | 30  | N/A | 20  | *Development standards to be at the discretion of the local government having regard to any relevant local planning policy and the likely impact of the proposal on adjoining landholdings. |  |  | Maximum Site Coverage |  | Maximum Plot Ratio | N/A |  | N/A |
| Primary Street Setback (m)  | Secondary Street Setback (m)   | Side and Rear Setbacks (m)   |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| 30  | N/A  | 20   |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| *Development standards to be at the discretion of the local government having regard to any relevant local planning policy and the likely impact of the proposal on adjoining landholdings. |  |  |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| Maximum Site Coverage   |  | Maximum Plot Ratio   |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |
| N/A   |  | N/A  |                            |                              |                            |     |     |     |   |  |  |                       |  |                    |     |  |     |

|     |                        |   |
|-----|------------------------|---|
|     |                        | <p><b>Subdivision</b></p> <p>(3) The local government will not support subdivision unless the subdivision is in accordance with an endorsed Structure Plan, Local Development Plan or an adopted local planning framework.</p> <p>(4) The local government may support the subdivision of land in the absence of an approved structure plan, local development plan and/or layout plan, where the local government considers the proposed subdivision—</p> <ul style="list-style-type: none"> <li>(a) is a minor boundary adjustment.</li> <li>(b) does not propose the creation of new lots;</li> <li>(c) the new lots are considered to be consistent with the subdivision pattern in the locality; and</li> <li>(d) satisfies the Commission's D.C Policy 3.4 Subdivision of Rural Land and does not prejudice the intent of the Rural and Small Holdings zones.</li> </ul>  |
| 20. | Urban Development Zone | <p><b>Structure and/or Local Development Plan</b></p> <p>(1) The local government is not to—</p> <ul style="list-style-type: none"> <li>(a) consider recommending subdivision; or</li> <li>(b) approve development of land;</li> </ul> <p>unless a structure plan in respect of the area the subject to the application, has been prepared and endorsed pursuant to Part 4 of the deemed provisions, and the application shall be generally in accordance with the structure plan.</p> <p><i>Note: Also refer to the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 Deemed provisions for local planning schemes, Part 4 Structure plans.</i></p> <p>(2) Notwithstanding subclause (1) the local government may recommend subdivision or approve development without a structure plan, if in the opinion of the local government, such development is of a minor nature and will not prejudice the future structure planning of the site or zone.</p> |
| 21. | Settlement Zone        | <p>(1) Development standards shall be as per the corresponding zone as specified on the relevant Layout Plan prepared in accordance with State Planning Policy 3.2.</p> <p>(2) Where the relevant zone is not specified on the Layout Plan the development standards will be determined by the local government using the most appropriate zone standard as a guide.</p>  |

## SCHEDULE 5—PARKING STANDARDS

### (a) Parking for Regional Centre zone

| Use and Development Class  | Regional Centre Zone   |  |
|--|--|--|
|  | Minimum Parking Bays   | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)                |
| Residential (all types), Residential Building, Motel and the accommodation section of a Hotel. | Residential development which is to be considered in accordance with the R Codes unless varied by clause 26 of this scheme.<br>Development providing short stay accommodation is to comply with the use class requirements set out in Schedule 5(b) below. | in accordance with the R- Codes and/or set out in a local planning policy.                                 |
| All other use and development class.   | 1 bay per 25m <sup>2</sup> of NLA.   | Only employee bicycle bay/ racks and end of trip facilities be provided as set out in Schedule 5(b) below. |

### (b) Parking All Zones—Excluding Regional Centre Zone

| Use and Development Class | All Other Zones—Excluding Regional Centre Zone |   |
|---------------------------|--|---|
|                           | Minimum Parking Bays                           | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers) |
| abattoir                  | As determined by the local government.         | As determined by the local government.  |

| Use and Development Class                       | All Other Zones—Excluding Regional Centre Zone   |   |
|---|--|---|
|   | Minimum Parking Bays   | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)   |
| <b>aerodrome</b>                                | As determined by the local government.   | As determined by the local government.  |
| <b>aged or dependent person's accommodation</b> | In accordance with the R-Codes.  | In accordance with the R-Codes.   |
| <b>agriculture—extensive</b>                    | As determined by the local government.   | Not applicable.   |
| <b>agriculture—intensive</b>                    | As determined by the local government.   | Not applicable.   |
| <b>airfield</b>                                 | As determined by the local government.   | Not applicable.   |
| <b>amusement parlour</b>                        | 1 bay per 25m <sup>2</sup> of NLA.   | 1 bay/rack for every 50m <sup>2</sup> NLA.  |
| <b>ancillary dwelling</b>                       | In accordance with the R Codes.  | In accordance with the R Codes.   |
| <b>animal establishment</b>                     | As determined by the local government.   | As determined by the local government.  |
| <b>animal husbandry—intensive</b>               | As determined by the local government.   | As determined by the local government.  |
| <b>art gallery</b>                              | 1 bay per 40m <sup>2</sup> of NLA.   | 1 bay/rack for every 50m <sup>2</sup> NLA.  |
| <b>bed and breakfast accommodation</b>          | In accordance with the R-Codes. Plus 1 bay for each guest bedroom.   | In accordance with the R-Codes  |
| <b>betting agency</b>                           | 1 bay per 25m <sup>2</sup> of NLA.   | 1 bay/rack for every 50m <sup>2</sup> NLA.  |
| <b>brewery</b>                                  | 1 bay per 50m <sup>2</sup> of NLA of Brewery.<br>1 bay per 6m <sup>2</sup> of drinking and dining area (if provided).  | As determined by the local government.  |
| <b>bulky goods showroom</b>                     | 1 bay per 50m <sup>2</sup> of NLA.   | Visitors: 1 bay/rack per 500m <sup>2</sup> NLA.<br>Employees: If over 1000m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employees.   |
| <b>caravan park</b>                             | A minimum of 1 bay per caravan site and 1 bay for every 2 camp sites which can be provided as part of the caravan or camp site.<br>Plus visitor parking, of 1 bay per 20 sites with a minimum of 2 bays.<br>All visitor bays shall be outside of any security fences/barriers. | 1 bay/rack for every 4 sites.   |
| <b>caretaker's dwelling</b>                     | 2 bays.  | In accordance with the R-Codes.   |
| <b>car park</b>                                 | As determined by the local government.   | Not applicable.   |
| <b>childcare premises</b>                       | <ul style="list-style-type: none"> <li>1 bay per 10 children the premises is designed and approved to accommodate; plus</li> <li>1 bay per employee; with a minimum of 5 bays required.</li> </ul>   | Visitors: 1 bay/rack for every 4 employees.<br>Employees: If more than 8 employees, 2 bays/racks and end of trip facilities to be provided for employee use.          |
| <b>cinema/theatre</b>                           | 1 bay for every 4 seats and 1 bay per employee.  | 1 bay/rack for every 50m <sup>2</sup> NLA.  |
| <b>civic use</b>                                | 1 bay per 40m <sup>2</sup> NLA.<br>Plus 1 bay per staff member.  | Visitors: 1 bay/rack per 300m <sup>2</sup> NLA.<br>Employees: If over 750m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use. |
| <b>club premises</b>                            | 1 bay for every 4 persons being accommodated.  | 1 bay/rack for every 50m <sup>2</sup> NLA.  |

| Use and Development Class          | All Other Zones—Excluding Regional Centre Zone   |  |
|------------------------------------|--|--|
|                                    | Minimum Parking Bays   | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)  |
| <b>commercial vehicle parking*</b> | As determined by the local government.   | Not applicable.  |
| <b>community purpose</b>           | As determined by the local government.   | 1 bay/rack for every 50m <sup>2</sup> NLA.   |
| <b>consulting rooms</b>            | 4 bays for each health consultant room.  | 2 bays per 4 practitioners, if more than 8 practitioners, in addition, 2 bays for employees and end of trip facilities for employees use. Visitors: 1 bay/rack for every 2 practitioners.<br>Employees: If more than 8 practitioners, 2 bays/racks and end of trip facilities to be provided for employee use. |
| <b>convenience store</b>           | As determined by the local government.   | As determined by the local government.   |
| <b>corrective institution</b>      | As determined by the local government.   | As determined by the local government.   |
| <b>educational establishment</b>   | 1 bay per staff member.<br>Plus adequate pickup/set down areas on site;<br>Plus provision of on-site bus standing and turning areas;<br>If students are of driving age, adequate provision for student onsite parking at the discretion of the local government. | As determined by the local government.   |
| <b>exhibition centre</b>           | 1 bay per 40m <sup>2</sup> of NLA.   | 1 bay/rack for every 50m <sup>2</sup> NLA.   |
| <b>family day care</b>             | 2 bays for the dwelling, plus 2 drop off/pick up bays.   | In accordance with the R-Codes.  |
| <b>fast food outlet</b>            | 2 bays per 2m <sup>2</sup> of counter area, plus 1 bay per employee. Where a drive through facility is provided, 4 stacking bays plus 1 waiting bay.   | Visitors: 1 bay/rack per 25m <sup>2</sup> of NLA.<br>Employees: If over 150m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use.  |
| <b>fuel depot</b>                  | 1 bay per 30m <sup>2</sup> of ancillary office floor area, with a minimum of 2 bays,<br>Plus 1 bay per employee.<br>Adequate parking and manoeuvring for heavy vehicles shall also be provided, at the discretion of the local government.                       | As determined by the local government.   |
| <b>funeral parlour</b>             | 1 bay per 30m <sup>2</sup> of administration and customer service area.<br>Plus 1 bay per 4 persons capable of being accommodated for any memorial service areas.<br>Where bodies are stored and/or prepared for service or cremation, an additional 2 bays.     | As determined by the local government.   |
| <b>garden centre</b>               | 1 bay per employee and<br>Where selling occurs 1 bay per 50m <sup>2</sup> of publicly accessible sales area.   | As determined by the local government.   |
| <b>grouped dwelling</b>            | In accordance with the R-Codes unless otherwise varied by clause 26.   | In accordance with the R-Codes.  |



| Use and Development Class  | All Other Zones—Excluding Regional Centre Zone  |   |
|--|---|---|
|  | Minimum Parking Bays  | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)   |
| <b>holiday accommodation</b>   | In accordance with the R Codes for grouped and/or multiple dwelling.  | In accordance with the R-Codes.   |
| <b>home business</b>   | To be in accordance with the provisions of the R Codes, plus 1 bay, plus 1 bay for each employee not resident in the dwelling.<br>Where the R Codes do not apply, as determined by the local government.            | In accordance with the R-Codes.   |
| <b>home occupation</b>   | To be in accordance with the R Codes, or where the R codes do not apply, as determined by the local government.   | In accordance with the R-Codes.   |
| <b>home office</b>   | To be in accordance with the R Codes, or where the R Codes do not apply, as determined by the local government.   | In accordance with the R-Codes.   |
| <b>home store</b>  | 1 bay per 20m <sup>2</sup> of NLA.  | In accordance with the R-Codes.   |
| <b>hospital</b>  | As determined by the local government.  | As determined by the local government.  |
| <b>hotel</b>   | 1 bay for each bedroom/accommodation unit.<br>Plus 1 bay for each 6m <sup>2</sup> of bar, lounge or other areas designated for the public (including function rooms),<br>Plus 1 bay for each employee.              | 1 bay/rack for every 4 bedrooms/accommodation units.  |
| <b>Industry</b><br><b>industry—cottage</b><br><b>industry- extractive</b><br><b>industry—light</b><br><b>industry—primary</b><br><b>production</b> | 1 bay per 50m <sup>2</sup> of NLA in all zones except the “General Industry” zone where 1 car bay per 100m <sup>2</sup> of NLA shall be provided.<br>Plus 1 bay per 30m <sup>2</sup> of ancillary office floor area | As determined by the local government.  |
| <b>liquor store—large</b>  | 1 bay per 25m <sup>2</sup> NLA.   | As determined by the local government.  |
| <b>liquor store—small</b>  | 1 bay per 20m <sup>2</sup> NLA.   | As determined by the local government.  |
| <b>lunch bar</b>   | 2 bays per 2m <sup>2</sup> of counter area, plus 1 bay per employee. Where a drive through facility is provided, 4 stacking bays plus 1 waiting bay.  | Visitors: 1 bay/rack per 25m <sup>2</sup> of NLA.<br>Employees: If over 150m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use. |
| <b>marine filling station</b>  | As determined by the local government.  | Not applicable.   |
| <b>market</b>  | As determined by the local government   | As determined by the local government.  |
| <b>medical centre</b>  | 4 bays for each health consultant room.<br>Plus 1 for each other employee.  | Visitors: 1 bay/rack for every 2 practitioners.<br>Employees: If more than 8 practitioners, 2 bays/racks and end of trip facilities to be provided for employee use.    |
| <b>mining operations</b>   | As determined by the local government.  | Not applicable.   |
| <b>motel</b>   | 1 bay for each bedroom<br>Plus 1 bay per 25 m <sup>2</sup> of NLA of service building.  | 1 bay/rack for every 4 bedrooms/accommodation units.  |

| Use and Development Class                   | <b>All Other Zones—Excluding Regional Centre Zone</b>   |  |
|---|---|--|
|   | <b>Minimum Parking Bays</b>   | <b>Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)</b>   |
| <b>motor vehicle, boat or caravan sales</b> | 1 bay per 150m <sup>2</sup> of site area allocated to vehicle display, 1 bay per 30m <sup>2</sup> of sales/customer service area and office space, plus 2 bays per service bay, plus an additional 4 drop off bays if vehicle hire is provided.   | As determined by the local government.   |
| <b>motor vehicle repair</b>                 | 1 bay per 30m <sup>2</sup> of sales/customer service area and office space, plus 2 bays per service bay.  | As determined by the local government.   |
| <b>motor vehicle wash</b>                   | As determined by the local government.  | Not applicable.  |
| <b>multiple dwelling</b>                    | In accordance with the R Codes or as varied in clause 26 of the Scheme.   | In accordance with the R-Codes.  |
| <b>nightclub</b>                            | 1 bay for each 6m <sup>2</sup> drinking and dining area.  | As determined by the local government.   |
| <b>office</b>                               | 1 bay per 30 m <sup>2</sup> of NLA.   | 2 bays per 750 m <sup>2</sup> of NLA; >750 m <sup>2</sup> of NLA, in addition, 2 bays for employees and end of trip facilities for employees use. Visitors: 1 bay/rack per 300m <sup>2</sup> NLA. Employees: If over 750m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use. |
| <b>park home park</b>                       | A minimum of 1 bay per park home site plus visitor parking, of 1 bay per 20 sites with a minimum of 2 bays.   | 1 space for every 4 park home sites  |
| <b>place of worship</b>                     | 1 bay for every 4 persons being accommodated.   | 1 bay/rack for every 50m <sup>2</sup> NLA.   |
| <b>reception centre</b>                     | 1 bay for every 4 persons being accommodated.   | 1 bay/rack for every 50m <sup>2</sup> NLA.   |
| <b>recreation—private</b>                   | 1 bay per 3 spectator seats in a sporting venue.<br>3 bays per tennis or squash court.<br>15 bays per bowling green.<br>1 bay per 25m <sup>2</sup> of NLA in a gym, health club or basketball court(s), or the like.<br>All other recreation types at the discretion of the local government. | 1 bay/rack for every 50m <sup>2</sup> NLA.   |
| <b>renewable energy facility</b>            | As determined by the local government.  | Not applicable.  |
| <b>residential building</b>                 | 1 bay per bedroom.<br>Plus 1 bay for any caretaker/manager.   | In accordance with the R-Codes.  |
| <b>resource recovery centre</b>             | As determined by the local government.  | Not applicable.  |
| <b>restaurant/café</b>                      | 1 bay per 6m <sup>2</sup> of drinking and dining area.  | Visitors: 1 bay/rack per 50m <sup>2</sup> NLA.<br>Employees: If over 150m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use.   |
| <b>restricted premises</b>                  | As determined by the local government.  | As determined by the local government.   |

| Use and Development Class                | All Other Zones—Excluding Regional Centre Zone   |   |
|--|--|---|
|  | Minimum Parking Bays   | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)   |
| <b>road house</b>                        | As determined by the local government.   | Not applicable.   |
| <b>rural home business</b>               | 1 additional bay, plus 1 bay for each employee not resident in the dwelling.   | Not applicable.   |
| <b>rural pursuit/hobby farm</b>          | 1 bay per employee.<br>Plus 2 additional customer bays where the sale of produce grown solely on the lot is proposed.  | Not applicable.   |
| <b>serviced apartment</b>                | 1 bay for each bedroom.<br>Plus 1 bay per 25m <sup>2</sup> NLA of the service building.  | In accordance with the R-Codes.   |
| <b>service station</b>                   | 2 vehicle standing points per fuel pump, 2 bays for every service bay and 1 bay for every employee, plus 1 bay per 20 m <sup>2</sup> of NLA.   | As determined by the local government.  |
| <b>shop</b>                              | 1 bay per 20 m <sup>2</sup> of NLA.  | Visitors: 1 space per 250m <sup>2</sup> NLA.<br>Employees: If over 500m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employee use.      |
| <b>single house</b>                      | In accordance with the R Codes unless otherwise varied by clause 26 of the Scheme.   | In accordance with the R-Codes.   |
| <b>small bar</b>                         | 1 bay for each 6m <sup>2</sup> of dining and drinking area.  | Visitors: 1 bay/rack for every 50m <sup>2</sup> NLA.<br>Employees: If over 150m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employees. |
| <b>tavern</b>                            | 1 bay per 6m <sup>2</sup> of drinking and dining area.   | Visitors: 1 bay/rack for every 50m <sup>2</sup> NLA.<br>Employees: If over 150m <sup>2</sup> NLA, 2 bays/racks and end of trip facilities to be provided for employees. |
| <b>telecommunications infrastructure</b> | As determined by the local government.   | Not applicable.   |
| <b>tourist development</b>               | Short stay Units—<br>1 bay for every two keyed units.<br>Plus 1 visitor bay for every five keyed units.<br>Back Packers—<br>1 bay for every 6 beds.<br>Long stay Units—<br>To be in accordance with Clause 26.2 of LPS7<br>Restaurant/café—<br>1 bay per 12m <sup>2</sup> of seating area<br>Commercial development—<br>1 car bay per 25m <sup>2</sup> of gross lettable area.<br>Day spas—<br>1.5 bays per spa/massage/treatment room with a minimum of two bays. | 2 bays per 8 accommodation units.<br>1 space for every 4 bedrooms/ accommodation units.   |

| Use and Development Class      | All Other Zones—Excluding Regional Centre Zone  |  |
|--------------------------------|---|--|
|                                | Minimum Parking Bays  | Minimum bicycle bay/ racks and end of trip facilities (lockers, changing rooms and showers)  |
|                                | Employee Parking—<br>1 bay for each restaurant, café, bar or commercial component<br>1 accessible bay for every disabled keyed unit.  |  |
| <b>trade display</b>           | 1 bay per 150m <sup>2</sup> of outside site area allocated to trade display, 1 bay per 30m <sup>2</sup> of indoor sales/customer service area and office space.                           | As determined by the local government.   |
| <b>trade supplies</b>          | 1 bay per 50m <sup>2</sup> of NLA.  | As determined by the local government.   |
| <b>transport depot</b>         | 1 bay per 30m <sup>2</sup> of ancillary office floor area, with a minimum of 4 bays, Plus 1 bay per employee. Adequate parking and manoeuvring for heavy vehicles shall also be provided. | As determined by the local government.   |
| <b>tree farm</b>               | As determined by the local government.  | Not applicable.  |
| <b>veterinary centre</b>       | 4 bays for each treatment/consulting room, Plus 1 for each other employee.  | Visitors: 1 bay/rack for every 2 practitioners.<br>Employees: If more than 8 practitioners, 2 bays/racks and end of trip facilities to be provided for employee use. |
| <b>warehouse/ storage</b>      | 1 bay per 100m <sup>2</sup> of NLA. 1 bay per 30m <sup>2</sup> of ancillary office floor area.  | As determined by the local government.   |
| <b>waste disposal facility</b> | As determined by the local government.  | Not applicable.  |
| <b>waste storage facility</b>  | As determined by the local government.  | Not applicable.  |
| <b>winery</b>                  | As determined by the local government.  | As determined by the local government.   |
| <b>workforce accommodation</b> | 1 bay for every bedroom.  | As determined by the local government.   |

Note: 1. 'NLA' means 'net lettable area' as defined in Planning and Development (Local Planning Schemes) Regulations 2015.

Note: 2. Floorspace areas 'open to the public' include, but are not limited to, reception areas and staff areas having a customer service function (e.g. public counter).

#### (c) Motorcycle Parking—All Zones

|                         |   |
|-------------------------|---|
| <b>Motor Cycle bays</b> | Normally to be provided in groups according to demand and a maximum of 10% of the required number of parking bays may be provided as motorcycle bays.<br>Ref: AS 2890:5 1993 and AS 2890:1 2004 |
|-------------------------|---|

#### (d) Parking Dimensions—Car, Motorcycle, Boat and Bicycle

| Parking Type                                  | Minimum Dimensions   |
|---|--|
| <b>ACROD Car Parking Bays</b>                 | As per Australian Standard AS2890.6 2009.  |
| <b>Bicycle Parking</b><br>Ref: AS 2890.3-1993 | Length—1.7 metres<br>Double sided rails <ul style="list-style-type: none"> <li>Width either side of rail—0.6 metres.</li> <li>Width—if located near fence or wall—0.9 metres.</li> </ul> Single sided rails <ul style="list-style-type: none"> <li>Distance from fence or wall 0.1 metres.</li> </ul> Width of park side of rail—0.6 metres. |

| Parking Type   | Minimum Dimensions   |
|--|--|
| Boat Parking   | Length—10 metres.<br>Width—3.2 metres.   |
| Car Parking—not short term parking*<br>**refer to user class 1 and 1A in AS2890:1  | Width—2.5 metres, can be reduced to 2.4 metres if parallel parking proposed.<br>Length—parallel parking—6 metres.<br>Length—angle parking—5.5 metres.<br>Aisle width/reversing space—minimum 6m.       |
| Car Parking—Public Car Park for short term parking, including parking in the Regional Centre zone or parking bays in association with a hospital, consulting rooms/medical centre, shop and service stations land uses | Width—2.6 metres, can be reduced to 2.4 metres if parallel parking proposed.<br>Length—parallel parking—6 metres.<br>Length angle parking—5.5 metres.<br>Aisle width/reversing space—minimum 6 metres. |
| Car Parking—Public Car Parking within road reserves  | Width 2.7 metres, can be reduced to 2.4 metres if parallel parking proposed.<br>Length—parallel parking—6 metres.<br>Length—angle parking—5.5 metres.<br>Aisle width—minimum 6 metres.                 |
| Car Parking—Residential  | In accordance with the provisions of the R Codes.  |
| Motor Cycle Parking<br>Ref: AS 2809:5, AS 2890:1   | Width—1.2 metres.<br>Length—2.5 metres.  |

\* “ACROD” means the Australian Council of Rehabilitation Organisation of Disability.

## SCHEDULE 6—AUSTRALIAN NOISE EXPOSURE FORECAST CONTOURS

**Table (a) Building Site Acceptability Based on ANEF Zones**

Appendix 1 of *State Planning Policy 5.1—Land Use Planning in the Vicinity of Perth Airport* Adapted from AS 2021—2000, Table 2.1: Acoustics—Aircraft noise intrusion—Building siting and construction.

| Building type                        | Forecast noise exposure level (ANEF) |                          |                                |                                |
|--------------------------------------|--------------------------------------|--------------------------|--------------------------------|--------------------------------|
|                                      | less than 20 ANEF (Note 1)           | 20 to 25 ANEF (Note 2)   | 25 to 30 ANEF                  | 30 to 35 ANEF                  |
| House, home unit, flat, caravan park | Acceptable                           | Conditionally Acceptable | Unacceptable (Note 4) (Note 5) | Unacceptable (Note 4) (Note 5) |
| School, university                   | Acceptable                           | Conditionally Acceptable | Unacceptable (Note 4) (Note 5) | Unacceptable (Note 4) (Note 5) |
| Hospital, nursing home               | Acceptable                           | Conditionally Acceptable | Unacceptable (Note 4) (Note 5) | Unacceptable (Note 4) (Note 5) |
| Hotel, motel, hostel                 | Acceptable                           | Acceptable               | Conditionally Acceptable       | Unacceptable (Note 4) (Note 5) |
| Public building                      | Acceptable                           | Conditionally Acceptable | Conditionally Acceptable       | Unacceptable (Note 4) (Note 5) |
| Commercial building                  | Acceptable                           | Acceptable               | Conditionally Acceptable       | Conditionally Acceptable       |
| Light Industrial                     | Acceptable                           | Acceptable               | Acceptable                     | Conditionally Acceptable       |
| Other industrial                     | Acceptable                           | Acceptable               | Acceptable                     | Acceptable                     |

### Notes—

- The actual location of the 20 ANEF contour is difficult to define accurately, mainly because of variation in aircraft flight paths. Because of this, the procedure of Clause 2.3.2 of AS 2021 may be followed for building sites outside but near to the 20 ANEF contour.
- Within 20 ANEF to 25 ANEF, some people may find that the land is not compatible with residential or educational uses. Land use authorities may consider that the incorporation of noise control features in the construction of residences or schools is appropriate.
- There will be cases where a building of a particular type will contain spaces used for activities which would generally be found in a different type of building (e.g., an office in an industrial building). In these cases, Table(a) should be used to determine site acceptability, but internal design noise levels within the specific spaces should be determined by Table (b).
- This standard does not recommend development in unacceptable areas. However, where the relevant planning authority determines that any development may be necessary within existing built up areas designated as unacceptable, it is recommended that such development

should achieve the required ANR determined according to Clause 3.2 of AS 2021. For residences, schools etc, the effect of aircraft noise on outdoor areas associated with the buildings should be considered.

- 5 No new development shall take place in greenfield sites deemed unacceptable because such development may impact airport operations as it relates to the safe movement of aircraft as determined by CASA.

**Table (b) Indoor Design Sound Levels**

Appendix 2 of *State Planning Policy 5.1—Land Use Planning in the Vicinity of Perth Airport* Excerpt from AS 2021: Table 3.3: *Indoor Design Sound Levels\* for Determination of Aircraft Noise Reduction.*

**Table 3.3 Indoor Design Sound Levels\* for Determination of Aircraft Noise Reduction**

| Building type and activity                        | Indoor design sound level*, dB(A) |
|---|-----------------------------------|
| <b>Houses, home units, flats, caravan parks</b>   |                                   |
| Sleeping areas, dedicated lounges                 | 50                                |
| Other habitable spaces                            | 55                                |
| Bathrooms, toilets, laundries                     | 60                                |
| <b>Hotels, motels, hostels</b>                    |                                   |
| Relaxing, sleeping                                | 55                                |
| Social activities                                 | 70                                |
| Service activities                                | 75                                |
| <b>Schools, universities</b>                      |                                   |
| Libraries, study areas                            | 50                                |
| Teaching areas, assembly areas (see Note 5)       | 55                                |
| Workshops, gymnasias                              | 75                                |
| <b>Hospitals, nursing homes</b>                   |                                   |
| Wards, theatres, treatment and consulting rooms   | 50                                |
| Laboratories                                      | 65                                |
| Service areas                                     | 75                                |
| <b>Public buildings</b>                           |                                   |
| Churches, religious activities                    | 50                                |
| Theatres, cinemas, recording studios (see Note 4) | 40                                |
| Court houses, libraries, galleries                | 50                                |
| <b>Commercial buildings, offices and shops</b>    |                                   |
| Private offices, conference rooms                 | 55                                |
| Drafting, open offices                            | 65                                |
| Typing, data processing                           | 70                                |
| Shops, supermarkets, showrooms                    | 75                                |
| <b>Industrial</b>                                 |                                   |
| Inspection, analysis, precision work              | 75                                |
| Light machinery, assembly, bench work             | 80                                |

\*These indoor design sound levels are not intended to be used for measurement of adequacy of construction. For measurement of the adequacy of construction against noise intrusion see Appendix C of AS 2021.

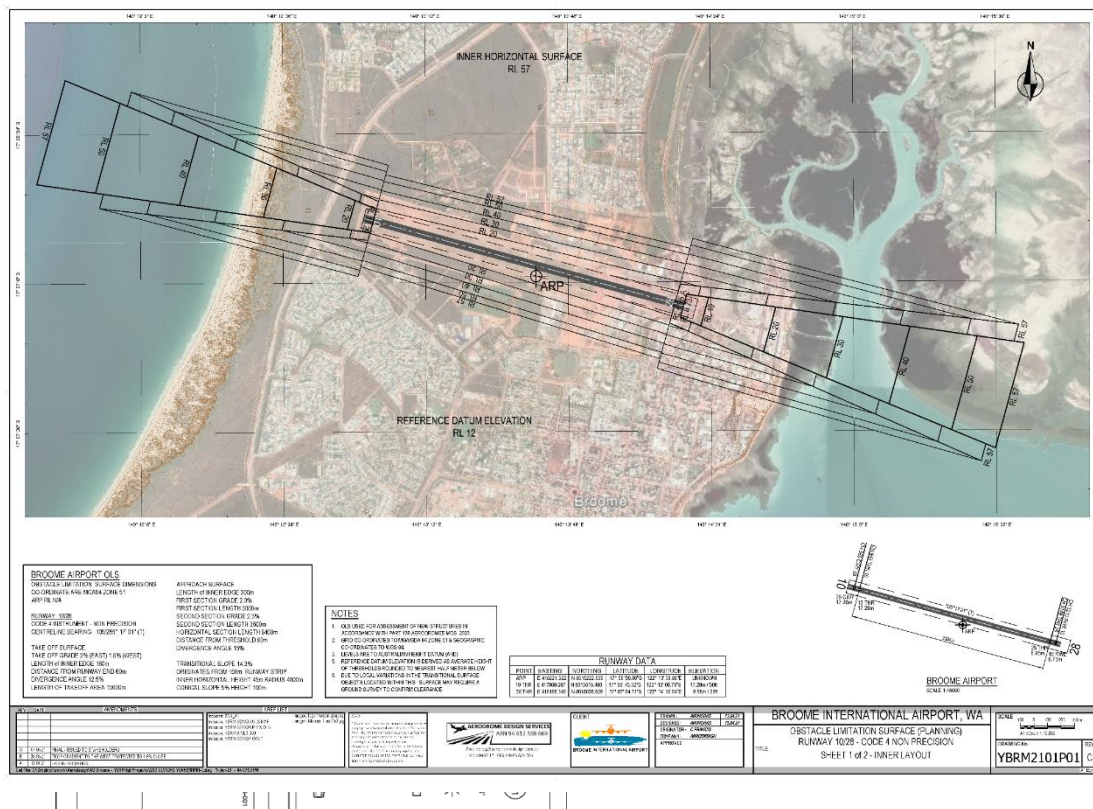
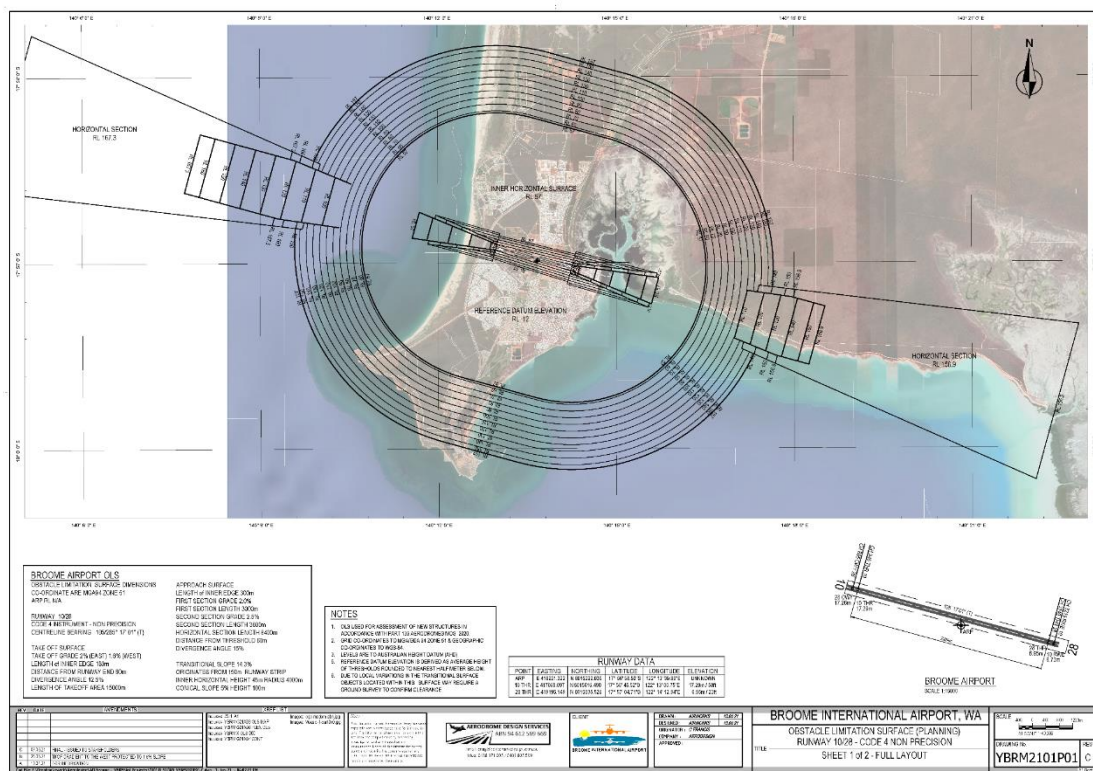
**NOTES—**

1. The indoor design sound levels in Column 2 are hypothesized values based on Australian experience. A design sound level is the maximum level (dB(A)) from an aircraft flyover which, when heard inside a building by the average listener, will be judged as not intrusive or annoying by that listener while carrying out the specified activity. Owing to the variability of subjective responses to aircraft noise, these figures will not provide sufficiently low interior noise levels for occupants who have a particular sensitivity to aircraft noise.
2. Some of these levels, because of the short duration of individual aircraft flyovers, exceed some other criteria published by Standards Australia for indoor background noise levels (see AS 2107).
3. The indoor design sound levels are intended for the sole purpose of designing adequate construction against aircraft noise intrusion and are not intended to be used for assessing the effects of noise. Land use planning authorities may have their own internal noise level requirements which may be used in place of the levels above.





- (b) Take-off/Approach surface. An inclined plane beyond the end of a runway and preceding the threshold of a runway; and
- (c) Transitional surface. A complex surface along the side of the strip and part of the side of the approach surface, that slopes upwards and outwards to the outer surface, when provide.





**SCHEDULE 8—SPECIAL CONTROL AREAS IN SCHEME AREA**

| <b>SCA NO.</b> | <b>Name of area</b>                                  | <b>Purpose</b>   | <b>Objectives</b>   | <b>Additional provisions</b>  |
|----------------|--|--|---|---|
| 1.             | SCA 1—Existing Broome International Airport Environs | To control use and development within proximity to the existing airport. | <ul style="list-style-type: none"> <li>to ensure the ongoing safe operation of the airport with compatible use and development within its operational area.</li> </ul>                                  | <p>(1) In determining applications for approval of all new land uses and development, the local government shall have regard to the Australian Noise Exposure Forecast Contours in Schedule 6.</p> <p>(2) All new development including towers, antennae, and any alterations to roof lines and any increase to building heights on land must not exceed the height restrictions in the Broome Airport Obstacle Limitation Surface Plan contained in Schedule 7.</p> <p>(3) In determining applications for approval, the local government may consult the Civil Aviation Safety Authority and the operator of the airport.</p> <p>(4) In relation to advertisements above a roof line, flashing lights on buildings or land within the approach areas to the airport which are situated within SCA1, the local government may consult the Civil Aviation Safety Authority and the operator of the airport.</p> |
| 2.             | SCA 2—Future Broome International Airport Environs   | To control development within proximity to the future airport site.      | <ul style="list-style-type: none"> <li>to ensure the future airport will be able to operate at its full potential with compatible use and development within its potential operational area.</li> </ul> | <p>(1) In determining applications for approval of all land use and development, the local government shall have regard to Australian Noise Exposure Forecast Contours in Schedule 6 and Broome Airport Obstacle Limitation Surface Plan contained in Schedule 7.</p> <p>(2) Despite any other provisions of this Scheme, the local government must not grant development approval for any development unless it is satisfied that such development will not constitute an obstruction, hazard or potential hazard to the future operation of the airport and may consult with and consider the advice of the Civil Aviation Safety Authority in making such determination.</p>   |

|    |  |   |  |  |
|----|--|---|--|--|
| 3. | SCA 3—<br>Essential Services<br>Buffer Areas | <p>To ensure compatibility of land use and development with the following essential services/ infrastructure sites—</p> <ul style="list-style-type: none"> <li>• Buckley's Road Waste Management Facility;</li> <li>• Crab Creek Wastewater Treatment Plant and Refuse Recycling;</li> <li>• McDaniel Road Powerhouse;</li> <li>• Regional Resource Recovery Park.</li> </ul> | <ul style="list-style-type: none"> <li>• To avoid incompatible and/or sensitive land use or development within the operational buffer.</li> <li>• To protect the ongoing operation of the essential services/ infrastructure sites.</li> </ul> | <p>(1) <u>Buckley's Road Waste Management Facility</u></p> <p>(a) The local government may impose on any development approval, conditions for the use or development of land which is within the identified buffer boundaries and may recommend to the Commission conditions in respect of the subdivision of any such land.</p> <p>(2) <u>Crab Creek Wastewater Treatment Plant</u></p> <p>(a) Despite the provisions of the Zoning Table no residential development or caretaker's dwelling or tourist land use is permitted within the identified buffer boundaries.</p> <p>(b) In considering an application for development approval the local government is to have regard to—</p> <p>(i) whether the proposed development is compatible with odour emissions; and</p> <p>(ii) any other relevant planning or environmental considerations or policies or advice, including those of the Commission and the Water Corporation and the Department of Water and Environmental Regulation.</p> <p>(c) In consideration of (b)above, the local government may at its discretion refer any development application to the operator of the wastewater treatment plant requesting their advice.</p> <p>(3) <u>McDaniel Road Power House</u></p> <p>(a) The power house generates noise which may create a nuisance to surrounding sensitive land uses. Consequently, the local government may—</p> <p>(i) impose conditions on any development approval with regard to noise attenuation for development on land which is situated within the</p> |
|----|--|---|--|--|

| SCA NO. | Name of area | Purpose | Objectives | Additional provisions  |
|---------|--------------|---------|------------|--|
|         |              |         |            | <p>nearby industrial area and/or the Environmental Conservation reserve; and</p> <p>(ii) limit the development within the Environmental Conservation reserve in order to minimise noise disturbance.</p> <p><u>(4) Regional Resource Recovery Park</u></p> <p>(a) The local government may impose on any development approval, conditions for the use or development of land which is within the identified buffer boundaries and may recommend to the Commission, conditions in respect of the subdivision of any such land.</p> <p>(b) Despite the provisions of the Zoning Table no residential development or caretaker's dwelling or tourist land use is permitted within the identified buffer boundaries.</p> <p>(c) In considering an application for development approval the local government is to have regard to—</p> <p>(i) whether the proposed development is compatible with odour emissions; and</p> <p>(ii) any other relevant planning or environmental considerations or policies or advice including those of the Commission and Department of Water and Environment Regulation.</p> <p>(d) In consideration of (b) (c) above, the local government may at its discretion refer any development application to the operator of the Regional Resource Recovery Park requesting their advice.</p> |

| SCA NO. | Name of area  | Purpose   | Objectives  | Additional provisions   |
|---------|---|---|---|---|
| 4.      | SCA 4—<br>Flood Prone Areas                         | <p>To provide guidance for land use and development within Flood prone areas and manage adequate drainage.</p> <p>Potential for flooding exists within the SCA 4 areas including the following areas—</p> <ol style="list-style-type: none"> <li>Bilingurr—<br/>Lots north of Pearl Coast Road on Lullfitz Drive and Sands St.</li> <li>Port Drive—<br/>lots in the southern portion of the Industry Zone; and</li> <li>any land below 6.0m A.H.D.</li> </ol> | <ul style="list-style-type: none"> <li>To minimise flood damage, ensure off-site impacts on adjoining land and receiving water bodies is limited, and</li> <li>to manage drainage for development.</li> </ul>   | <p>(1) The local government may impose conditions in granting development approval for development and land use on land within the flood prone land (SCA) relating to any of the following matters-</p> <ol style="list-style-type: none"> <li>building floor and fill levels (absolute minimum fill level to be 5.3m AHD and minimum floor level of 5.7m A;</li> <li>fill or drainage requirements and financial contribution to drainage works;</li> <li>limitations/restrictions on filling in areas required to hold stormwater;</li> <li>location, construction style and/or orientation of buildings on site;</li> <li>density and site cover; landscaping and open space;</li> <li>location and style of fencing;</li> <li>lot access requirements; and</li> <li>the type and location of on-site effluent disposal systems.</li> </ol>  |
| 5.      | SCA 5—Public Drinking Water Source Protection Areas | <p>To control land use and development which has the potential to adversely impact or prejudice the quality or quantity of water supplies for public use.</p>   | <ul style="list-style-type: none"> <li>To ensure the quality of public drinking water is protected from contamination from inappropriate land use or development; and</li> <li>to ensure off-site impacts from stormwater are appropriately managed.</li> </ul> | <p>(1) In considering an application for development approval, the local government is to have regard to-</p> <ol style="list-style-type: none"> <li>the potential impact of the proposed development or use on the quality of the water resource;</li> <li>the practicability and cost of any ameliorative measures proposed for the protection of the water resource;</li> <li>the existing level of protection provided for the water resource, with reference to management of land and location of the proposed development;</li> <li>the nature, location and performance of any existing or proposed effluent disposal system;</li> <li>the drainage characteristics of the land, including surface and groundwater flow and the adequacy of proposed measures to manage run-off and drainage; and</li> <li>the requirements of the WAPC and any advice received from the Department of Water and Environment Regulation.</li> </ol> |

| SCA NO. | Name of area                              | Purpose  | Objectives  | Additional provisions   |
|---------|---|--|---|---|
|         |   |  |   | <p>(2) The local government may—</p> <p>(a) refuse any application for development approval or impose conditions on any development approval so as to protect the resource; or</p> <p>(b) when it grants development approval, impose a condition requiring the registration of a notification under section 70A of the <i>Transfer of Land Act 1893</i> on the title of the land giving notice of any limitations or constraints associated with the protection of water resources, at the applicant's cost.</p> <p><i>Note:</i><br/> <i>There will be a general presumption against development or use of land, which is not compatible with Public Drinking Water Source Areas or which involves a significant risk to the water resource. The onus will be on the proponent of development to demonstrate that the proposed activity will not prejudice the water resource.</i></p> |
| 6.      | SCA 6—<br>Drainage Aquifer Recharge Areas | To control land use and development which has the potential to adversely impact the quality or quantity of water within the recharge area. | <ul style="list-style-type: none"> <li>To control the extent of development to ensure that drainage provisions are adequately accommodated, and</li> <li>any off-site impacts of development do not adversely affect the recharge area</li> </ul>   | <p>(1) Land situated within the Drainage Aquifer Exchange Area is required principally for the purpose of a drainage compensation area and aquifer recharge area.</p> <p>(a) The intensity of development within this area is to be limited at the discretion of the local government on the advice of the Department for Water and Environmental Regulation, to an extent which does not detrimentally affect the drainage and recharge purpose of the area.</p>   |
| 7.      | SCA 7—<br>Landscape Protection Areas      | To provide guidance for land use and development within and in proximity to Landscape Protection Areas.                                    | <ul style="list-style-type: none"> <li>To ensure that landscape protection areas are preserved and conserved in recognition of their environmental and ecological importance.</li> <li>Landscape protection areas include the following— <ul style="list-style-type: none"> <li>(a) Monsoon Vine Thickets; and</li> </ul> </li> </ul> | <p>(1) A person must not fill, clear, drain or carry out earthworks, construct any building or levee, damage a tree, shrub, or indigenous vegetation, on land within a Landscape Protection Area except with the prior approval of the local government.</p> <p>(2) A person must not fill, clear, drain or carry out earthworks, construct any building or levee on land which has the potential for the off-site impacts to affect the Landscape Protection Area except with the prior approval of the local government.</p>  |

| SCA<br>NO. | Name of area | Purpose | Objectives       | Additional provisions  |
|------------|--------------|---------|------------------|--|
|            |              |         | (b) RAMSAR Sites | <p>(3) If land the subject of a development application includes land in a Landscape Protection Area and other land outside that area the development be carried out on that part of the land which is not within the area shall, wherever possible, be carried on that part of the land which is not within the area.</p> <p>(4) The local government shall not support a subdivision application unless each allotment to be created for the purpose of the erection of a building is outside the Landscape Protection Area.</p> <p>(5) The local government may grant development approval for development on land within (wholly or partly) the Landscape Protection Area where it is satisfied that—</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the land, where the development is proposed, are different from the general characteristics on which the delineation of the special control area was based; and</li> <li>(b) there are no other reasonable or practical alternatives in the circumstances.</li> </ul> <p>(6) The local government shall not grant development approval for development on land within a Landscape Protection Area unless it is satisfied that—</p> <ul style="list-style-type: none"> <li>(a) the development is essential for the reasonable economic use of the land, the provision of utility services or to reduce the risk of bushfires; and</li> <li>(b) the development is proposed to be carried out in a manner which minimises— <ul style="list-style-type: none"> <li>(i) visual and scenic impact; and</li> <li>(ii) the risk of soil erosion (including erosion by wind); and</li> <li>(iii) the risk of water pollution, through increased siltation or otherwise; and</li> <li>(iv) the destruction of rare or locally important vegetation systems.</li> </ul> </li> <li>(c) appropriate measures are proposed to retain parts of existing vegetation or to create offsets at the rate of two to one.</li> </ul> |

| SCA<br>NO. | Name of area | Purpose | Objectives | Additional provisions   |
|------------|--------------|---------|------------|---|
|            |              |         |            | <p>(7) The local government may require that a statement of environmental effects be prepared to accompany a development application for development within a Landscape Protection Area or development within proximity to a Landscape Protection Area that has the potential to create off site impacts. To enable the local government to consider fully the environmental effects of the proposed development the statement of environmental effects should include—</p> <ul style="list-style-type: none"> <li>(a) A full description of the proposed development.</li> <li>(b) A statement of the objectives of the proposed development.</li> <li>(c) A full description of the existing environment likely to be affected by the proposed development if carried out.</li> <li>(d) An identification and analysis of the likely interactions between the proposed development and the environment.</li> <li>(e) An analysis of the likely environmental impacts or consequences of carrying out the proposed development, including the effect on— <ul style="list-style-type: none"> <li>(i) the growth of native plant communities;</li> <li>(ii) the survival of native wildlife populations;</li> <li>(iii) the provision and quality of habitats for both indigenous and migratory species; and</li> <li>(iv) the surface and groundwater characteristics of the site on which the development is proposed to be carried out and of the surrounding area, including acidity, salinity and water quality.</li> </ul> </li> <li>(f) Whether adequate safeguards and rehabilitation measures have been, or will be, taken to protect the landscape protection area.</li> <li>(g) Any feasible alternatives to the carrying out of the proposed development and the reasons for choosing the latter.</li> </ul> |

| SCA NO. | Name of area   | Purpose  | Objectives  | Additional provisions  |
|---------|--|--|---|--|
|         |  |  |   | <p>(h) The consequences of not carrying out the proposed development.</p> <p>(i) Details of any landscape protection areas surrounding the land to which the development application relates and the appropriateness of imposing conditions requiring the carrying out of works to preserve or enhance the value of those surrounding areas.</p> <p>(6) The local government may consult with the Department of Water and Environmental Regulation and the Water Corporation in regard to any proposal that may have environmental impact.</p>   |
| 8.      | SCA 8—<br>Aboriginal Communities                           | To identify existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of these places. | <ul style="list-style-type: none"> <li>To ensure the orderly and proper development of areas within or in proximity to existing and proposed Aboriginal settlements which may be located outside of the extents of the 'Settlement' zone.</li> </ul>  | <p>(1) Proposed development within the Aboriginal Communities SCA is to comply with a Layout Plan prepared in accordance with State Planning Policy 3.2.</p> <p>(2) In the instance that development is proposed for a place within the Aboriginal Communities SCA that does not have a Layout Plan prepared in accordance with State Planning Policy 3.2, the local government is to consider the proposal having regard to the aims of this scheme.</p>  |
| 9.      | SCA 9—<br>Coastal Hazard and Risk Management Adaption Area | To provide guidance for land use and development within areas subject to coastal erosion and inundation.                                     | <ul style="list-style-type: none"> <li>To ensure land in the coastal zone is continuously provided for coastal foreshore management, public access, recreation and conservation;</li> <li>To ensure public safety and reduce risk associated with coastal erosion and inundation;</li> <li>To avoid inappropriate land use and development of land at risk from coastal erosion and inundation;</li> <li>To ensure land use and development does not accelerate coastal erosion or inundation risks; or have a detrimental impact on the functions of public reserves;</li> </ul> | <p>(1) In considering proposed structure plans, subdivision or development applications due regard shall be given to—</p> <ul style="list-style-type: none"> <li>(a) Broome Townsite Coastal Hazard Risk Management and Adaptation Plan;</li> <li>(b) State Planning Policy 2.6—State Coastal Planning Policy; and</li> <li>(c) Relevant local planning policies.</li> </ul> <p>(2) Where subdivision or development applications are received within SCA9, the local government may require a notification pursuant to section 70A of the <i>Transfer of Land Act 1983</i> to be placed on the Certificate(s) of Title of the subject land, at the cost of the landowner and to the satisfaction of the local government.</p> <p>The notification is to read as follows—</p> <p><i>“Vulnerable Coastal Area—<br/>This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years”.</i></p> |



| SCA NO. | Name of area | Purpose | Objectives   | Additional provisions   |
|---------|--------------|---------|--|---|
|         |              |         | <ul style="list-style-type: none"> <li>To ensure that development addresses the Broome Townsite Coastal Hazard Risk Management and Adaptation Plan prepared in accordance with State Planning Policy No. 2.6 State Coastal Planning Policy (as amended) and any relevant local planning policy.</li> </ul> | <p>(3) Notwithstanding the provisions of above (1) and (2) development approval is not required within SC A9 for the following development if such development is otherwise exempt from requiring development approval under the Scheme—</p> <ul style="list-style-type: none"> <li>(a) temporary or non-permanent structures not used for human habitation.</li> <li>(b) extensions to an existing single, grouped or multiple dwelling where the net floor area of the proposed extensions is no more than 50m<sup>2</sup>; and</li> <li>(c) a change of use where no new structures are proposed.</li> </ul> |

## APPROVAL

### COUNCIL EXECUTION OF LOCAL PLANNING SCHEME DOCUMENTS

Pursuant to Regulation 31(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Shire of Broome submits the duly executed local planning scheme documents for endorsement

The Common Seal of the Shire of Broome was hereunto affixed in the presence of—

S. MASTROLEMBO, Chief Executive Officer.  
D. MALE, President.

Dated 25 July 2023.

WAPC Endorsement (Regulation 32 (1))

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

Dated 18 August 2023.

Minister Endorsement (Regulation 32 (2))

JOHN CAREY, Minister for Planning.

Dated 28 August 2023.