

SHIRE OF IRWIN

LOCAL PLANNING SCHEME No. 6

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

DRAFT

6 February 2026

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Part 1 – Preliminary

1. Citation

This local planning scheme is the Shire of Irwin Scheme No. 6.

2. Commencement

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

3. Scheme revoked

The following local planning scheme is revoked –

Shire of Irwin Local Planning Scheme No. 5, Gazettal date 7 May 2008.

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 Irwin 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 that covers the entire Shire of Irwin as 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); and
- (b) the Scheme Map (sheets 1 – 17).

(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; and
- (i) implement the local planning strategy for the scheme area.

9. Aims of Scheme

The aims of this Scheme are to –

- (a) facilitate a friendly, safe and inclusive community enjoying a high quality lifestyle; and
- (b) foster a prosperous and diverse economy; and
- (c) promote the custodianship of our natural and built environment; and
- (d) lead the community with engaged and progressive governance.

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 Irwin which apply to the Scheme area.

12. Relationship with region planning scheme

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

Part 2 – Reserves

13. Regional Reserves

There are no regional reserves in the Scheme area.

14. Local reserves

(1) In this clause –

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

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

(2) Local reserves are shown on the Scheme 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"> To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152. To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Environmental Conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
Foreshore	<ul style="list-style-type: none"> To set aside areas for foreshore reserved abutting a body of water or water course. To provide for the protection of natural values and processes, a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment and/or uses that are compatible with and / or support the amenity of the reservation.
Drainage / Waterway	<ul style="list-style-type: none"> To set aside land required for significant waterways and drainage.
Public Purposes	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Railways	<ul style="list-style-type: none"> To set aside land required for passenger rail and rail freight services.
Strategic Infrastructure	<ul style="list-style-type: none"> To set aside land required for port or airport facilities.
Primary Distributor Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
Local Distributor Road	<ul style="list-style-type: none"> To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.

15. Additional uses for local reserves

- (1) Schedule 1 sets out –
- (a) classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and
 - (b) the conditions that apply to that additional use.
- (2) Despite anything contained in clause 14, land that is specified in the Schedule 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.

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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"> • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Rural Residential	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 1 ha to 4 ha. • To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural Smallholdings	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 4 ha to 40 ha. • To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural	<ul style="list-style-type: none"> • To provide for the maintenance or enhancement of specific local rural character. • To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage. • To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone. • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
Town Centre	<ul style="list-style-type: none"> • To designate land for future development as a town centre or activity centre. • To provide a basis for future detailed planning in accordance with any relevant State Planning Policy.
Neighbourhood Centre	<ul style="list-style-type: none"> • To provide services for the immediate neighbourhoods that are easily accessible, which do not adversely impact adjoining residential areas. • To provide for neighbourhood and / or local centres to focus on the main daily household shopping and community needs.

	<ul style="list-style-type: none"> • To encourage high quality, pedestrian friendly, street orientated development. • To provide for a focus for medium density housing. • To 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.
Light Industry	<ul style="list-style-type: none"> • To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones. • To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.
General Industry	<ul style="list-style-type: none"> • To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses. • To accommodate industry that would not otherwise comply with the performance standards of light industry. • Seek to manage impacts such as noise, dust and odour within the zone.
Tourism	<ul style="list-style-type: none"> • To promote and provide for tourism opportunities. • To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. • To allow limited residential uses where appropriate. • To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Urban Development	<ul style="list-style-type: none"> • To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. • To provide for a range of residential densities to encourage a variety of residential accommodation. • To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development. • To provide an intermediate transitional zone following the lifting of an urban deferred zoning within a Region Scheme.
Special Use	<ul style="list-style-type: none"> • To facilitate special categories of land uses which do not sit comfortably within any other zone. • To enable the local government to impose specific conditions associated with the special use.

17. Zoning table

The zoning table for this Scheme is as follows –

Table 3 – Zoning table

USE AND DEVELOPMENT CLASS	ZONES									
	Residential	Rural Residential	Rural Smallholdings	Rural	Town Centre	Neighbourhood Centre	Light Industry	General Industry	Tourism	Urban Development

Abattoir	X	X	X	A	X	X	X	A	X	Refer to clause 27 of the deemed provisions	Refer to clause 21 and Schedule 4
Agriculture – extensive	X	D	D	P	X	X	X	X	X		
Agriculture – intensive	X	X	A	D	X	X	X	X	X		
Animal establishment	X	X	A	D	X	X	X	X	X		
Animal husbandry – intensive	X	X	A	D	X	X	X	X	X		
Betting agency	X	X	X	X	D	A	X	X	I		
Brewery	X	X	A	A	D	X	X	X	D		
Bulky goods showroom	X	X	X	X	D	D	X	X	X		
Camping ground	X	X	A	D	X	X	X	X	D		
Caravan park	X	X	A	D	X	X	X	X	P		
Caretaker's dwelling	X	X	X	I	X	X	I	X	X		
Car park	X	X	X	X	P	P	D	D	I		
Child care premises	A	X	X	X	P	D	X	X	X		
Cinema / theatre	X	X	X	X	D	X	X	X	D		
Civic use	D	D	D	D	P	P	D	D	D		
Club premises	A	X	X	X	D	D	D	X	D		
Commercial vehicle parking	D	D	D	D	D	X	X	X	X		
Community purpose	A	X	X	A	P	P	D	X	D		
Consulting rooms	A	X	X	X	P	P	X	X	X		
Convenience store	A	X	X	X	P	P	X	X	I		
Corrective institution	X	X	X	X	X	X	X	X	X		
Educational establishment	A	X	X	D	D	X	X	X	X		
Exhibition centre	X	D	D	D	P	D	X	X	D		
Fast food outlet	X	X	X	X	D	P	X	X	I		
Fuel depot	X	X	X	A	X	X	P	P	X		
Funeral parlour	X	X	X	X	D	X	P	P	X		

USE AND DEVELOPMENT CLASS	ZONES									
	Residential	Rural Residential	Rural Smallholdings	Rural	Town Centre	Neighbourhood Centre	Light Industry	General Industry	Tourism	Urban Development

Garden centre	X	A	D	D	D	D	D	D	X	Refer to clause 27 of the deemed provisions	Refer to clause 21 and Schedule 4
Grouped dwelling	P	X	X	X	D	X	X	X	D		
Home business	D	D	D	D	D	X	X	X	D		
* Home occupation	P	P	P	P	P	X	X	X	D		
* Home office	P	P	P	P	P	X	X	X	D		
Home store	A	D	D	D	P	X	X	X	D		
* Hosted short-term rental accommodation	P	P	P	P	P	X	X	X	P		
Hotel	X	X	X	X	D	X	X	X	D		
Independent living complex	D	X	X	X	D	X	X	X	X		
Industry	X	X	X	X	X	X	D	P	X		
Industry – extractive	X	X	A	D	X	X	X	D	X		
Industry – light	X	X	X	X	X	X	P	P	X		
Industry – rural	X	D	P	P	X	X	D	D	X		
Liquor store – large	X	X	X	X	D	X	X	X	X		
Liquor store – small	X	X	X	X	D	D	X	X	I		
Lunch bar	X	X	X	X	P	P	D	D	I		
Market	X	X	D	D	P	P	X	X	D		
Medical centre	A	X	X	X	P	D	X	X	X		
Mining operations	X	X	X	D	X	X	X	D	X		
Motor vehicle, boat or caravan sales	X	X	X	X	D	D	D	D	X		
Motor vehicle repair	X	X	X	X	D	D	D	P	X		
Motor vehicle wash	X	X	X	X	D	D	P	P	X		
Multiple dwelling	D	X	X	X	P	X	X	X	D		
Nature based park	X	X	D	D	X	X	X	X	D		
Nightclub	X	X	X	X	A	X	X	X	A		
Office	X	X	X	X	P	P	I	I	I		

USE AND DEVELOPMENT CLASS	ZONES									
	Residential	Rural Residential	Rural Smallholdings	Rural	Town Centre	Neighbourhood Centre	Light Industry	General Industry	Tourism	Urban Development

Park home park	D	X	X	X	X	X	X	X	D	Refer to clause 27 of the deemed provisions	Refer to clause 21 and Schedule 4
Place of worship	A	A	A	D	P	D	X	X	D		
Reception centre	X	X	A	A	P	D	X	X	D		
Recreation – private	X	X	A	A	P	D	D	D	D		
Renewable energy facility	X	X	X	A	X	X	X	A	X		
Repurposed dwelling	D	D	D	D	D	X	X	X	D		
Residential aged care facility	D	X	X	X	D	X	X	X	X		
Resource recovery centre	X	X	X	A	X	X	X	D	X		
Restaurant / café	X	X	D	D	P	P	X	X	P		
Restricted premises	X	X	X	X	D	X	X	X	X		
Road house	X	X	X	A	X	X	A	A	X		
Rural home business	X	D	P	P	X	X	X	X	D		
Rural pursuit / hobby farm	X	P	P	P	X	X	X	X	X		
Second-hand dwelling	D	D	D	D	D	X	X	X	D		
Service station	X	X	X	A	D	X	D	D	I		
Shop	X	X	X	X	P	P	X	X	I		
Single house	P	P	P	P	P	X	X	X	D		
Small bar	X	X	X	X	P	D	X	X	D		
Tavern	X	X	X	X	D	X	X	X	A		
Telecommunications infrastructure	A	A	D	D	D	A	D	D	A		
Tourist and visitor accommodation	X	X	A	A	D	X	X	X	P		
Trade display	X	X	X	X	X	X	D	D	X		
Trade supplies	X	X	X	X	D	X	D	D	X		
Transport depot	X	X	X	A	X	X	D	P	X		
Tree farm	X	X	A	D	X	X	X	X	X		
Unhosted short-term rental accommodation	A	A	X	X	D	X	X	X	P		

USE AND DEVELOPMENT CLASS	ZONES										
	Residential	Rural Residential	Rural Smallholdings	Rural	Town Centre	Neighbourhood Centre	Light Industry	General Industry	Tourism	Urban Development	Special Use

Veterinary centre	X	A	A	D	D	A	D	D	X	Refer to clause 27 of the deemed provisions	Refer to clause 21 and Schedule 4
Warehouse / storage	X	X	X	D	D	X	P	P	X		
Waste disposal facility	X	X	X	X	X	X	X	X	X		
Waste storage facility	X	X	X	X	X	X	D	D	X		
Winery	X	X	A	D	X	X	X	X	X		
Workforce accommodation	A	A	A	D	D	X	X	X	D		

NOTE: * Under clause 61 of the deemed provisions, the use class is exempt from the requirement for development approval.

18. Interpreting zoning table

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

(2) The symbols used in the zoning table have the following meanings –

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

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

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

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

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

Notes for this clause:

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances 1 application is made for both the carrying out of works on, and the use of, land.*
2. *Under clause 61 of the deemed provisions and Schedules, certain works and uses are exempt from the requirement for development approval.*
3. *Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where the land is being used for a non-conforming use.*

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

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

- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- (b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

(5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require

works that are to be undertaken in connection with that use to have development approval.

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

19. Additional uses

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

20. Restricted uses

- (1) Schedule 3 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 Schedule to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

21. Special use zones

- (1) Schedule 4 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 uses

- (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) The provisions of the R2 code apply to residential development in the Rural Residential, Rural Smallholdings and Rural zones unless varied by this Scheme or a local planning policy.
- (2) In the case of areas coded R5 or lower, ancillary dwellings with a maximum internal floor area of 80 m² meet the deemed-to-comply requirements.
- (3) For land with a dual coding the local government may permit a variation to the higher coding subject to the planning proposal being connected to reticulated sewerage.
- (4) Notwithstanding the provisions of the R-Codes, the local government may refuse to grant development approval for a development involving grouped or multiple dwellings where the local government considers –
 - (a) the proposed development would prejudice the potential road pattern for the area to serve the surrounding properties;
 - (b) the proposed development would circumvent the provision of normal subdivisional requirements such as road access, drainage, public open space and / or the provision of other infrastructure.

27. & 28. Deleted

Note: Clauses 27 and 28 were deleted by Regulation 50 of the Planning and Development (Local Planning Schemes) Amendment Regulations 2024.

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

- (1) The planning codes set out in Schedule 5, modified as set out in clause 30, are to be read as part of this Scheme.

- (2) The local government must ensure that each planning code referred to in subclause (1) is published in accordance with clause 87 of the deemed provisions.
- (3) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

30. Modification of planning codes

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

31. Environmental conditions

- (1) The conditions set out in Schedule 6 are environmental conditions that apply to this Scheme as a result of an assessment carried out under the *Environmental Protection Act 1986* Part IV Division 3.
- (2) The environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
- (3) The local government must ensure that all statements relating to this Scheme published under the *Environmental Protection Act 1986* Part IV Division 3 are published in accordance with clause 87 of the deemed provisions.
- (4) Subclause (3) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

32. Additional site and development requirements

- (1) Schedules 7 and 8 and clauses 32.1 to 32.26 set out the requirements relating to development that are additional to those set out in the R-Codes or other planning codes listed under clause 29, 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 or other planning code listed under clause 29, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

32.1 Parking

- (1) Schedule 8 sets out the requirements relating to the minimum number of parking spaces required as part of any development.
- (2) Parking spaces, vehicle manoeuvring areas, access ways and crossovers shall be designed and constructed in accordance with the relevant Australian Standards and shall be maintained to the approval of the local government.
- (3) If a parking requirement is not specified in Schedule 8 it is to be determined by the local government having due regard to the –
 - (a) the R-Codes;

- (b) nature of the proposed development;
 - (c) number of employees or others likely to be employed or engaged in the use of the land;
 - (d) anticipated demand for visitor parking;
 - (e) availability of on-street parking; and
 - (f) method of transport that will be used to gain access to the development.
- (4) All parking requirements shall be calculated by rounding up to the nearest whole number.
- (5) Where a development is adjacent to on-street parking, the local government may approve a maximum reduction in the number of parking spaces equivalent to the number of on-street parking spaces directly adjacent to the development having due regard to those matters under subclause (3)(a) to (e).
- (6) The local government may approve parking spaces within the road reserve adjacent to the development, and in considering an application for development approval the local government shall have due regard to the following –
- (a) the width and function of the road;
 - (b) the ability of the road to accommodate the parking; and
 - (c) the ability of the development to accommodate on-site parking.
- (7) Where a development results in the likely demand for parking of trailers, caravans, buses and / or coaches, the local government may impose conditions requiring additional parking spaces for such vehicles.

32.2 Shared parking

- (1) The local government may approve a proportion of the total number of the parking bays required to be shared jointly with another land use, and may only approve an application for development approval under this clause if the local government is satisfied that –
- (a) the car parking arrangement will be adequate to service the proposed development;
 - (b) the car parking in the locality accommodates any deficit in the required car parking bays; and
 - (c) the peak demands for car parking from the land uses sharing the car parking are different and do not substantially overlap.
- (2) Where the local government permits the shared use of parking, it shall require the landowners involved to prepare at their own cost, a legally binding agreement registered on the certificate of title of the land advising landowners of the reciprocal parking and the access and maintenance arrangements.

32.3 Cash-in-lieu of parking

- (1) The local government may agree to a cash payment in lieu of all, or part, of the car parking bays as required in Schedule 8.
- (2) A cash payment in lieu of providing car parking bays shall only be considered if the local government is satisfied that –

- (a) there is sufficient car parking in the locality; and
 - (b) a public car park exists or is planned in the immediate locality that adequately services the car parking requirements of both the general public and the proposed development.
- (3) The cash-in-lieu payment shall not be less than the estimated cost of the following –
- (a) constructing the car parking bays and associated manoeuvring areas (including sealing, kerbing and draining); and
 - (b) the value of the land on which the car parking bays and associated manoeuvring areas are to be located with the value to be determined by an appropriately qualified land valuer to the approval of the local government.
- (4) Cash-in-lieu payments shall be paid into a parking fund for improvements in the locality towards car parking or pedestrian access connecting car parking infrastructure by the local government.

32.4 Commercial vehicle parking

Where commercial vehicle parking is proposed in the Residential zone the following requirements shall apply –

- (a) a dwelling must be located on the lot;
- (b) only 1 commercial vehicle is to be parked on the lot;
- (c) the commercial vehicle is to be parked behind the front building line of the dwelling and effectively screened from view from the street;
- (d) no servicing of the commercial vehicle, other than minor mechanical repairs shall be undertaken on the lot;
- (e) no part of the commercial vehicle is to be parked on any portion of a right-of-way or public road contiguous with the lot; and
- (f) the commercial vehicle must be an essential part of the resident's occupation.

32.5 Service access

Where a development involves the delivery or dispatch of goods of any kind, a loading and unloading area will be required to be provided and the following requirements shall apply –

- (a) delivery vehicles using the area must be able to enter the road in a forward gear;
- (b) areas are to be located either inside buildings or to the side and / or rear of the premises and separate from any public access areas; and
- (c) delivery vehicles shall not obstruct the public access areas.

32.6 Service courts

Where a service court(s) is required to be provided for the storage and concealment of refuse disposal bins, crates and other materials of trade, the following requirements shall apply –

- (a) accessible from any loading / unloading area required by subclause 32.5;
- (b) of an area and dimension to the approval of the local government but, in any event shall not be less than 10 m²; and
- (c) screened from public view to the approval of the local government.

32.7 Development adjoining Primary and Local Distributor roads

- (1) In considering an application for development approval abutting a Primary Distributor road the local government shall refer the application to Main Roads Western Australia and shall have due regard to any comments received.
- (2) Where an application for development approval proposes a new or modified vehicular access to a Primary or Local Distributor road the local government may require the access to be such that vehicles are able to enter the road in a forward direction.

32.8 Development of lots abutting unconstructed roads or with no gazetted road access

- (1) Notwithstanding any other provisions of this Scheme, development approval is required for all development abutting an unconstructed road reserve or on a lot which does not have direct frontage to a gazetted road reserve.
- (2) In considering an application for development approval under this clause the local government is to either –
 - (a) refuse to grant development approval until the road has been constructed or direct access to a constructed road is provided; or
 - (b) grant development approval subject to a condition requiring the applicant to contribute to the full or partial cost of constructing the road as determined by the local government; or
 - (c) where gazetted road access is not available, grant development approval subject to the requirement for legal arrangements to be made for permanent access and on-going maintenance.

32.9 Road widening

- (1) On a lot affected by a Primary or Local Distributor road local reserve, building setbacks will be determined from the local reserve boundary.
- (2) The local government may vary the requirement of subclause (1) if it considers that such building setbacks would be unduly prejudicial to the development of the lot.
- (3) In granting development approval under this clause the local government may require the land area identified for road widening be set aside for future ceding free of cost as part of any subsequent subdivision application or retained for future acquisition by the local government should subdivision not occur.
- (4) The land area identified as a local reserve shall be maintained free of permanent structures or any other development (including advertisements and car parking) unless otherwise approved by the local government.

32.10 Landscaping

In considering the landscaping requirement of any application for development approval the following requirements shall apply –

- (a) landscaping should be designed and located to improve the visual amenity of the development and should be generally located to the front of the development to enhance the streetscape;
- (b) landscaping should consist of native or locally acceptable species to the approval of the local government;
- (c) car parking areas comprising 10 or more spaces are to be provided with landscaping between each 10 consecutive car parking spaces and include shade trees.
- (d) small strips of landscaping less than 1.5 m in width are discouraged and may not be supported; and
- (e) significant trees of 8 m or higher and / or an average canopy diameter of at least 6 m, should be retained unless it is demonstrated to the approval of the local government that retention would render the development unfeasible.

32.11 Vegetation protection

In the Rural Residential and Rural Smallholdings zones, no clearing or destruction of any native vegetation shall be permitted except for –

- (a) clearing to comply with the requirements of the *Bush Fires Act 1954*, the local government's Bush Fire Notice and / or any bushfire management plan approved by the local government;
- (b) clearing as may reasonably be required to accommodate an approved building and curtilage, or vehicular access to an approved building or other land use approved by the local government;
- (c) clearing that is exempt under part V of the Environmental Protection Act 1986; and / or
- (d) trees that are assessed to be dead, diseased or dangerous.

32.12 Dams and watercourses

- (1) An application for development approval under this clause for private water supply dams which seek to –
 - (a) reduce or are likely to reduce the natural flow of any creek or watercourse; or
 - (b) direct any stormwater, other water or liquid from any source to any creek, watercourse or wetland,

will only be approved where the local government is satisfied that there will be no adverse impacts on the creek, watercourse or wetland and / or environment of the area within which the development is proposed.

- (2) No development shall impede in any way the natural water flow along any creek line or water / drainage course.

32.13 Stocking rates

- (1) Stocking rates shall not exceed Department of Primary Industries and Regional Development stocking rate guidelines.
- (2) For land in the Rural Residential or Rural Smallholdings zone, where in the opinion of the local government the continued presence of animals on any portion of land is likely to contribute, or is contributing to unsatisfactory environmental impacts, the local government may require

the removal of the animals for a specified period and the undertaking of remedial works.

32.14 Building height

- (1) For development, other than development where the R-Codes apply, the maximum building height as measured from natural ground level shall be as follows –

Table 4 – Building height

Zone	Building height (measured from natural ground level)
Residential Rural Residential Rural Smallholdings Rural Neighbourhood Centre Light Industry General Industry Special Use	As per R-Codes – Volume 1, Part C, Table 3.2a R-Coding R30 – 40 (2 storeys, 8 – 10 m)
Tourism	As per R-Codes – Volume 1, Part C, Table 3.2a R-Coding R50 – 60 (3 storeys, 11 – 13 m)
Town Centre	As per R-Codes – Volume 1, Part C, Table 3.2a R-Coding R80 (4 storeys, 14 – 16 m)
Urban Development	In accordance with a structure plan

- (2) The local government in determining an application for development approval in excess of the height limits specified under subclause (1) may advertise the application in accordance with clause 64 of the deemed provisions.
- (3) The local government may only approve an application for development approval under this clause if the local government is satisfied that –
- the site constraints are such as to prevent the construction of a reasonable building on the site without exceeding the relevant height limit; or
 - the nature of the proposed development is such that, to be functional, it must be built to a higher level; or
 - other extraordinary circumstances exist as reasonably determined by the local government.
- (4) For the purposes of this clause, the building height limit does not apply to a chimney, mast, telecommunications infrastructure, satellite dish (not exceeding a diameter of 4 m), pole, wind turbine or signal receiving or transmitting tower. Notwithstanding, the development is to be designed, sited and / or treated to ensure that it does not adversely impact the visual amenity of the locality, as determined by the local government.

32.15 Building envelopes / building exclusion areas

- (1) All dwellings, outbuildings, on-site effluent disposal systems and other incidental development in the Rural Residential and Rural Smallholdings zones must be located within an approved building envelope or outside of an approved building exclusion area except for –

- (a) the provision of a suitable access way to the development;
 - (b) the provision of suitable boundary fencing as approved by the local government; and
 - (c) development specifically required to implement an approved bushfire management plan or any other bushfire management requirements.
- (2) Where a building envelope or building exclusion area has not been approved a local development plan may be required as part of an application for development approval and the following requirements shall apply –
- (a) a building envelope shall not exceed 4,000 m² and the area outside of a building exclusion area must contain at least 1 area of at least 2,000 m²;
 - (b) a building envelope can be in no more than 2 separate areas which in total do not exceed 4,000 m²;
 - (c) complies with the minimum setbacks of the Scheme;
 - (d) the removal of remnant vegetation is to be minimised; and
 - (e) complies with approved bushfire management plan or any other bushfire management requirements.
- (3) The local government in determining an application for development approval to relocate or vary a building envelope or building exclusion area may advertise the application in accordance with clause 64 of the deemed provisions.
- (4) The local government may only approve an application for development approval under subclause (3) if the local government is satisfied that –
- (a) the visual amenity and rural character of the locality will not be affected to any greater extent; and
 - (b) development within the proposed new building envelope will not render the protection of the property from the risk of bushfire any more difficult to achieve.

32.16 Repurposed / second-hand dwellings

In determining an application for development approval under this clause the local government may impose conditions to ensure the external appearance and materials used in the construction of the dwelling is of an acceptable standard.

32.17 Caretaker's dwelling

- (1) In determining an application for development approval under this clause the following requirements shall apply –
- (a) only 1 caretaker's dwelling is permitted per lot, excluding lots within a strata scheme;
 - (b) a bona fide building or operation has been approved and is in use on the site;
 - (c) the internal floor area is limited to a maximum of 100 m²; and
 - (d) must be located so as to minimise any amenity impacts in terms of noise, dust, odour and light spill from the predominant use of the land.
- (2) The local government will not recommend approval of a subdivision application that will result in a caretaker's dwelling being located solely on its own lot, separate from the predominant use of the land.

32.18 Effluent disposal

Sewage is to be discharged via a reticulated sewerage scheme, or where deemed appropriate by the relevant decision-maker, via an on-site effluent disposal system which meets the requirements of the Government Sewerage Policy.

32.19 Water supply

- (1) All development requiring potable water is to connect to a reticulated water supply network where available.
- (2) For development where a reticulated water supply is unavailable –
 - (a) residential development should have an appropriate roof catchment area and water storage tank size in addition to any water supply requirements for bushfire firefighting purposes or requirements of an approved bushfire management plan; and
 - (b) for all other development, a sufficient quantity of potable water shall be provided to the satisfaction of the local government.
- (3) All water storage tanks for the purposes of bushfire firefighting are to be fitted with couplings to the specifications of the Department of Fire and Emergency Services.

32.20 Rural tourism

In determining an application for development approval under this clause the following requirements shall apply –

- (a) the maximum scale of development for short-term accommodation is restricted to, or the equivalent of, 3 chalets / cabins with a total occupancy not exceeding 12 people; and
- (b) prior to any development approval being granted for the development referred to in subclause (a), the applicant will be required to demonstrate that the proposed development –
 - (i) will be incidental to a primary agricultural or natural landscape use of the land;
 - (ii) will not have any adverse effect on rural production activities on the land or nearby land; and
 - (iii) will result in the retention and enhancement of existing vegetation on the land and that the visual and rural character of the land will not be adversely affected.

32.21 Nature based parks

An application for development approval under this clause shall be accompanied by information that addresses the following –

- (a) the suitability of the site with the prime consideration being whether it is in a primarily undisturbed natural setting;
- (b) the scale of the proposal, including but not limited to, the number of camps, maximum number of camps, access arrangements and any proposed structures;
- (c) any environmental values and measures for protection and rehabilitation;

- (d) waste disposal in accordance with the Government Sewerage Policy; and
- (e) the compatibility of the development with its setting and the need to avoid land use conflicts.

32.22 Caravan parks

The local government may require a local development plan to be approved in accordance with Part 6 of the deemed provisions prior to determining an application for development approval for, or within, a caravan park. The local development plan shall set out detailed guidance for the overall development of the caravan park.

32.23 Residential development in the Tourism zone

- (1) The local government may approve a combination of short-term tourism accommodation and permanent residential accommodation on the same site, and may only approve an application for development approval under this clause if the local government is satisfied that –
 - (a) the predominant use of the site remains for short-term tourism / holiday accommodation and other tourism uses, with any residential development remaining secondary to the tourism use;
 - (b) the permanent residential accommodation does not exceed 25 % of the total number of accommodation units;
 - (c) the scale and design of the development complements the surrounding landscape and character of the area, with the tourism component given priority in those areas of highest tourism amenity;
 - (d) adequate separation distances and / or buffers are in place from incompatible land uses; and
 - (e) the residential component is integrated with both the tourism uses and management structure of the development.
- (2) Where strata titling is proposed, appropriate management arrangements should be in place (e.g. via a management statement) that restricts the maximum length of stay for a period or periods not exceeding a total of 3 months in any 12 month period applied to the tourism accommodation component.

32.24 Mixed use development

Where mixed use development incorporating a residential component is proposed in a building, the residential component should be restricted to above the ground floor level.

32.25 Workforce accommodation

An application for development approval under this clause shall be accompanied by information that addresses the following –

- (a) the demonstrated need for the proposed workforce accommodation;
- (b) the suitability of the site to be developed for the proposed use;

- (c) the siting of the development in the context of surrounding existing and proposed land uses;
- (d) access and egress to the site by vehicles and pedestrians; and
- (e) facility design and use including provision and/or access to recreation, entertainment and community services.

32.26 Renewable energy and resource industry projects

An application for development approval under this clause shall be accompanied by information that addresses the following –

- (a) community consultation;
- (b) environmental impacts;
- (c) visual and landscape impacts;
- (d) noise impacts;
- (e) public and aviation safety;
- (f) heritage;
- (g) construction impacts; and
- (h) community benefits arrangements.

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

Schedule 9 sets out requirements relating to development that are included in precinct structure plans, structure plans approved before 19 October 2015 and local development plans that apply in the Scheme area.

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 a general development standard or requirement.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (4) If the local government is of the opinion that the non-compliance with a general development standard or requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must –
 - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64(4) of the deemed provisions; and
 - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The local government may only approve an application for development approval under this

clause if the local government is satisfied that –

- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and
- (b) the non-compliance with the general development standard or requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

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.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in Schedule 10.

DRAFT

Part 6 – Terms referred to in Scheme

Division 1 – General definitions used in Scheme

37. Terms used

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

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

building exclusion area means the area of land within which all buildings and effluent disposal facilities on a lot must not be located.

cabin means a building that –

- (a) is an individual unit other than a chalet; and
 - (b) forms part of –
 - (i) tourist and visitor accommodation; or
 - (ii) a caravan park;
- and
- (c) if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

chalet means a building that –

- (a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) forms part of –
 - (i) tourist and visitor accommodation; or
 - (ii) a caravan park;
- (c) and if the unit forms part of a caravan park – is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

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).

dam means any artificial barrier or levee, whether temporary or permanent, which does or could impound divert or control water, silt, debris or liquid borne materials, together with its appurtenant works.

floor area has the meaning given in the Building Code.

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

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

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

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

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

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

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 of animals for the purposes of consumption as food products.

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

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

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

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.

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

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

bulky goods showroom means premises –

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

or

- (b) used to sell 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.

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

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 or operation 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 1 or 2 commercial vehicles, but does not include –

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

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

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

convenience store means premises –

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m² net lettable area.

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

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

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

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

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

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

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

funeral parlour means premises used –

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

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

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

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

- (a) does not involve employing a person who is 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 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (g) 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
- (h) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; 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 nett lettable area not exceeding 100 m²; and
- (b) is operated by a person residing in the dwelling.

hosted short-term rental accommodation means any of the following –

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

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

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

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

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

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

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

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

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

industry – rural means premises used –

- (a) to support and / or is associated with primary production; or
- (b) for servicing plant or equipment used in primary production.

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

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

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

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.

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

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

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

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

nature based park means premises that is used for a nature based park as defined in the *Caravan Parks and Camping Grounds Regulations 1997*.

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*.

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 predominantly for use off-site and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource, where energy is being produced (i.e. solar farms as opposed to solar panels).

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

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

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

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

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

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

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

- (a) publications that are classified as restricted under the Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth); and
- (c) 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
- (d) 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 trade or light industry producing arts and crafts goods which does not fall within the definition of home occupation and which –

- (a) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (b) is conducted in an outbuilding which is compatible with the principal uses to which land in the zone in which it is located may be put; and
- (c) does not involve employing more than 2 people who are not members of the occupier's household; and
- (d) does not occupy an area greater than 200 m²; 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; and
- (g) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and

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

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

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

serviced apartment means a group of units or apartments providing –

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

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

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

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

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 and visitor accommodation –

- (a) means a building, or a group of buildings forming a complex, that –
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building – contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;

and

- (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

- (c) does not include any of the following –
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vii) a road house;
 - (viii) workforce accommodation.

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement.

trade supplies means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the

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

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

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

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

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

unhosted short-term rental accommodation means short-term rental accommodation that –

- (a) is not hosted short-term rental accommodation; and
- (b) accommodates a maximum of 12 people per night.

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

warehouse / storage means premises including indoor 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 centre 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,

- (b) agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

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Schedules

Schedule A – Supplemental provisions to the deemed provisions

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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*.

No.	Issue	Supplemental provisions		Associated deemed provision
1.	Additional works for which development approval is not required.	Column 1 Works	Column 2 Conditions	cl.61(1)
		1.1 The erection of, or alterations or additions to, a single house on a lot.	(a) The single house use is a class P use in the zone where the R-Codes do not apply. (b) The works comply with the development requirements specified in this Scheme. (c) The works are not located in a heritage-protected place.	
		1.2 The erection or installation of, or alterations or additions to, any of the following on the same lot as a single house – (a) an ancillary dwelling; (b) an outbuilding; (c) an external fixture; (d) a boundary wall or fence; (e) a patio; (f) a pergola; (g) a verandah; (h) a deck; (i) a garage; (j) a carport; (k) a swimming pool; (l) shade sails.	(a) The single house is a class P use in the zone where the R-Codes do not apply. (b) The works comply with the development requirements specified in this Scheme. (c) The works are not located in a heritage-protected place.	
		1.4 Works carried out by or on behalf of the local government that are located on a local reserve or on a lot owned by the local government.		

Schedule 1 – Additional uses for local reserves

This schedule is to be read in conjunction with clause 15 of this Scheme.

No.	Description of land	Additional use	Conditions
There are no additional uses for land in local reserves that apply to this Scheme.			

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Schedule 2 – Additional uses

This schedule is to be read in conjunction with clause 19 of this Scheme.

No.	Description of land	Additional use	Conditions
A1	Lot 101 (No. 30373) Brand Highway, Dongara Zone: Town centre Scheme Map 11	<ul style="list-style-type: none"> • Motor vehicle wash (A) • Road house (A) • Service station (A) 	As determined by the local government.
A2	Lots 7, 8 and 9 (No's. 30219, 30215 and 30211) Brand Highway, Dongara Zone: Residential Scheme Map 12	<ul style="list-style-type: none"> • Motor vehicle wash (A) • Road house (A) • Service Station (A) 	As determined by the local government.
A3	Lots 15 (No. 30183) Brand Highway, Dongara Zone: Rural residential Scheme Map 12	<ul style="list-style-type: none"> • Motor vehicle wash (A) • Road house (A) • Service station (A) 	As determined by the local government.

Schedule 3 – Restricted uses

This schedule is to be read in conjunction with clause 20 of this Scheme.

No.	Description of land	Restricted use	Conditions
There are no restricted uses which apply to this Scheme.			

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Schedule 4 – Special use zones

This schedule is to be read in conjunction with clause 21 of this Scheme.

No.	Description of land	Special use	Conditions
SU1	Lot 2 Wakeford Road, Bookara Scheme Map 1	<ul style="list-style-type: none"> • Caravan park (A) • Caretaker’s dwelling (I) • Home occupation (P) • Home office (P) • Home store (D) • Hosted short-term rental accommodation (P) • Nature based park (A) • Reception centre (A) • Recreation – private (A) • Rural home business (P) • Rural pursuit / hobby farm (D) • Shop (I) • Single house (P) • Tourist and visitor accommodation (A) 	Prior to determining an application for development approval, other than for P uses, the local government will require a local development plan to be approved in accordance with Part 6 of the deemed provisions.
SU2	Lot 55 Indian Ocean Drive, Arrowsmith Scheme Map 7	<ul style="list-style-type: none"> • Caravan park (A) • Caretaker’s dwelling (I) • Convenience store (I) • Home occupation (P) • Home office (P) • Home store (D) • Hosted short-term rental accommodation (P) • Nature based park (A) • Restaurant / café (A) • Rural home business (P) • Single house (P) • Tourist and visitor accommodation (A) • Workforce accommodation (A) 	Prior to determining an application for development approval, other than for P uses, the local government will require a local development plan to be approved in accordance with Part 6 of the deemed provisions.

Schedule 5 – Other planning codes to be read as part of Scheme

This schedule is to be read in conjunction with clause 29 of this Scheme.

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

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Schedule 6 – Environmental conditions

This schedule is to be read in conjunction with clause 31 of this Scheme.

Scheme or amendment No.	Gazettal date	Environmental conditions
There are no environmental conditions imposed under the <i>Environmental Protection Act 1986</i> that apply to this Scheme.		

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Schedule 7 – Additional site and development requirements

This schedule is to be read in conjunction with clause 33 of this Scheme.

Zone	Minimum lot size	Minimum building setback			Minimum landscaping (% of site area)
		Primary street	Side and secondary street	Rear	
Residential	As per the R-Codes.				10 % for non-residential development.
Rural Residential	1 – 4 ha in accordance with a structure plan or local development plan.	15 m	5 m	7.5 m	10 % for non-residential development.
Rural Smallholdings	15 ha				
Rural	*				
Town Centre	*	As determined by the local government for non-residential development.			5% for non-residential development.
Neighbourhood Centre	1,000 m ²	Nil, OR as per R-Codes where adjoining Residential zone.			10%
Light Industry	1,000 m ²	12 m	5 m one side or secondary street,	Nil, OR as per R-Codes where adjoining Residential zone.	10%
General Industry	2,000 m ²		Nil other side, OR as per R-Codes where adjoining Residential zone.		
Tourism	*	As determined by the local government for non-residential development.			10%
Urban Development	In accordance with a structure plan.				
Special Use	In accordance with Schedule 4 or where not specified, to be determined by the local government.				

* As per the R-Codes where applicable or as determined by the Western Australian Planning Commission in each particular case.

Schedule 8 – Parking

- (1) Other than for residential development, the minimum number of parking spaces required for all development in the Town Centre zone is 1 car parking space per 35 m² floor area.
- (2) The parking ratio for the Town Centre zone only applies where the development has a works component that proposes an increase in the floor area, and only applies to that increased floor area. It is not applicable where the development is for a use that has no works component or a development where the works component does not increase the floor area.

Table – Parking requirements that apply to land in Scheme area (clause 32.1)

Use class	Car parking spaces (per m ² floor area)
Betting agency	1 per 25 m ²
Brewery	1 per 4 persons accommodated and 1 per 2 staff members
Bulky goods showroom	1 per 50 m ²
Camping ground	1 per site and 1 per 2 staff members
Caravan park	1 per site and 1 per 10 sites for visitors and 1 per 2 staff members
Child care premises	1 per 2 staff members and 1 per 5 children catered for
Cinema / theatre	1 per 4 persons accommodated
Civic use	1 per 50 m ²
Club premises	1 per 4 persons accommodated
Community purpose	1 per 50 m ²
Consulting rooms	4 per practitioner and 1 per 2 staff members
Convenience store	1 per 25 m ²
Educational establishment	25 per 100 students and drive in drop-off and pick-up area
Exhibition centre	1 per 4 persons accommodated
Fast food outlet	1 per 25 m ² and if applicable 10 drive-through spaces
Funeral parlour	1 per 4 persons accommodated
Garden centre	1 per 50 m ²
Hotel	1 per room and 1 per 4 persons accommodated in hospitality areas
Industry	1 per 100 m ²
Industry – light	1 per 50 m ²
Industry – rural	1 per 100 m ²
Liquor store – large	1 per 25 m ²
Liquor store – small	1 per 25 m ²
Lunch bar	1 per 25 m ²
Market	1 per 25 m ²
Medical centre	4 per practitioner and 1 per 2 staff members
Motor vehicle, boat or caravan sales	1 per 50 m ²
Motor vehicle repair	1 per 50 m ² and 1 per 2 staff members
Motor vehicle wash	1 per 50 m ² and 1 per 2 staff members
Night club	1 per 4 persons accommodated
Office	1 per 50 m ²
Park home park	1 per site and 1 per 10 sites for visitors
Place of worship	1 per 4 persons accommodated
Reception centre	1 per 4 persons accommodated
Recreation – private	1 per 4 persons accommodated
Restaurant / café	1 per 4 persons accommodated
Restricted premises	1 per 50 m ²
Road house	1 per fuel bowser plus additional for supplementary land uses
Rural home business	1 per 50 m ² plus 1 per staff member

Service station	1 per fuel bowser plus additional for supplementary land uses
Shop	1 per 25 m ²
Small bar	1 per 4 persons accommodated
Tavern	1 per 4 persons accommodated and 1 per 2 staff members
Tourist and visitor accommodation	1 per unit and 1 per 10 units for visitors and 1 per 2 staff members
Trade display	1 per 100 m ²
Trade supplies	1 per 50 m ²
Transport depot	1 per 100 m ²
Veterinary centre	4 per practitioner and 1 per 2 staff members
Warehouse / storage	1 per 100 m ²
Winery	1 per 4 persons accommodated and 1 per 2 staff members

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Schedule 9 – Additional site and development requirements for areas covered by structure plan or local development plan

This schedule is to be read in conjunction with clause 33 of this Scheme.

No.	Description of land	Requirement
There are no additional requirements that apply to this Scheme.		

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Schedule 10 – Special control areas

This schedule is to be read in conjunction with clause 36 of this Scheme.

Name of area	Purpose and objectives	Additional provisions
<p>SCA1 Visual landscape area</p>	<p>Purpose: To identify areas of significant visual landscape character that are under increased development pressure .</p> <p>Objectives –</p> <p>(a) To protect, conserve and enhance the natural environment, biological diversity and natural landscape values.</p> <p>(b) To ensure development is of an appropriate scale that complements the landscape character.</p> <p>(c) To enable appropriate access to the coast that reduces human impact on the fragile coastal environment.</p>	<p>(1) All development requires the development approval of the local government and shall be subject to the local government’s discretion notwithstanding that the use may be permitted elsewhere in the Scheme.</p> <p>(2) In considering any application the local government shall have due regard to the <i>Dongara to Cape Burney: Visual Landscape Assessment</i> (WAPC 2011).</p>
<p>SCA2 Public drinking water source area</p>	<p>Purpose: To identify and protect public drinking water source areas.</p> <p>Objectives –</p> <p>(a) To provide a basis for the protection of public drinking water resources through the control of land use or development, which has the potential to affect the quality of drinking water supplies for public use.</p> <p>(b) To identify land that has been designated as a public drinking water source area.</p> <p>(c) To implement additional planning provisions that are designed to address water quality and public health risks in a public drinking water source area.</p>	<p>(1) All development requires the development approval of the local government and shall be subject to the local government’s discretion notwithstanding that the use may be permitted elsewhere in the Scheme.</p> <p>(2) In considering an application for development approval the local government may refer the application to the Department of Water and Environmental Regulation and shall have due regard to any comments received.</p> <p>(3) In considering an application for development approval the local government shall have due regard to the following –</p> <p>(a) Department of Water and Environmental Regulation <i>Water quality protection note no. 25 Land use compatibility tables for public drinking water source areas</i>; and</p> <p>(b) Department of Water and Environmental Regulation <i>Allanooka-Dongara Water Reserve drinking water source protection review</i>.</p> <p>(4) The local government may only approve an application for development approval which has the potential to impact detrimentally on the quality and quantity of public drinking water supplies, if the local government is</p>

		satisfied that such impacts can be satisfactorily managed.
SCA3 Wastewater treatment plant buffer area	<p>Purpose: To identify buffer areas for infrastructure facilities and prevent land use conflict.</p> <p>Objectives –</p> <ul style="list-style-type: none"> (a) To protect infrastructure facilities from encroachment by incompatible land uses that would adversely affect efficient operations. (b) To avoid land use conflict between infrastructure facilities and sensitive land uses. (c) To promote compatible and non-sensitive land uses in buffer areas. 	<ul style="list-style-type: none"> (1) All development requires the development approval of the local government and shall be subject to the local government’s discretion notwithstanding that the use may be permitted elsewhere in the Scheme. (2) In considering an application for development approval the local government may refer the application to the Water Corporation, or any other relevant authority, and shall have due regard to any comments received. (3) In considering any application the local government shall have due regard to the <i>Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses</i> (EPA). (4) The local government may only approve an application for development approval which is consistent with the purpose of the buffer and does not constrain the operations of the buffered infrastructure facility.
SCA4 Cement plant buffer area	<p>Purpose: To identify buffer areas for infrastructure facilities and prevent land use conflict.</p> <p>Objectives –</p> <ul style="list-style-type: none"> (a) To protect infrastructure facilities from encroachment by incompatible land uses that would adversely affect efficient operations. (b) To avoid land use conflict between infrastructure facilities and sensitive land uses. (c) To promote compatible and non-sensitive land uses in buffer areas. 	<ul style="list-style-type: none"> (1) All development requires the development approval of the local government and shall be subject to the local government’s discretion notwithstanding that the use may be permitted elsewhere in the Scheme. (2) In considering an application for development approval the local government may refer the application to the Department of Energy, Mines, Industry Regulation and Safety, or any other relevant authority, and shall have due regard to any comments received. (3) In considering any application the local government shall have due regard to the <i>Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses</i> (EPA). (4) The local government may only approve an application for development approval which is consistent with the purpose of the buffer and does not constrain the operations of the buffered infrastructure facility.

Schedule 11 – Development contribution plans

Name of area	Purpose	Special provisions
There are no development contribution plans that apply to this Scheme.		

DRAFT

Adoption

Council Resolution to Advertise Local Planning Scheme

Adopted by resolution of the Council of the **Shire of Irwin** at the Ordinary Meeting of Council held on the **24th February 2026**.

CHIEF EXECUTIVE OFFICER

SHIRE PRESIDENT

Council Resolution to Support/Not Support Scheme for Approval

Council resolved to [support/not support] approval of the draft Scheme of the **Shire of Irwin** at the Ordinary Meeting of Council held on the **[insert date]**.

The Common Seal of the **Shire of Irwin** was hereunto affixed by authority of resolution of the Council in the presence of:

CHIEF EXECUTIVE OFFICER

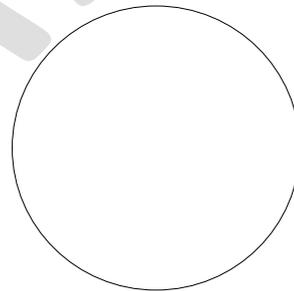
SHIRE PRESIDENT

WAPC Recommended for Approval

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

Approval Granted

MINISTER FOR PLANNING



Date: _____

Date: _____

GREATER GERALDTON,
CITY OF No. 1

GREATER GERALDTON,
CITY OF No. 1
MORAWA
No. 3

1
Bookara
Locality

2
Mount Horner
Locality

3
Dongara and Port
Denison Townsite
Surrounds

9 Dongara Townsite Locality North	10 Bonniefield Locality
11 Dongara and Port Denison Townsite	12 Dongara and Port Denison Locality East
14 Port Denison Townsite	15 Port Denison Locality East
	13 Yardarino Locality North
	16 Yardarino Locality South

17
Irwin
Townsite

4
Irwin Townsite
Surrounds

IRWIN No. 6

5
Arrowsmith Locality
North West

6
Arrowsmith Locality
North East

7
Arrowsmith Locality
South West

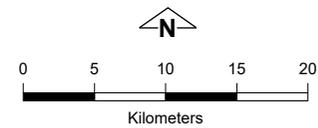
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Arrowsmith Locality
South East

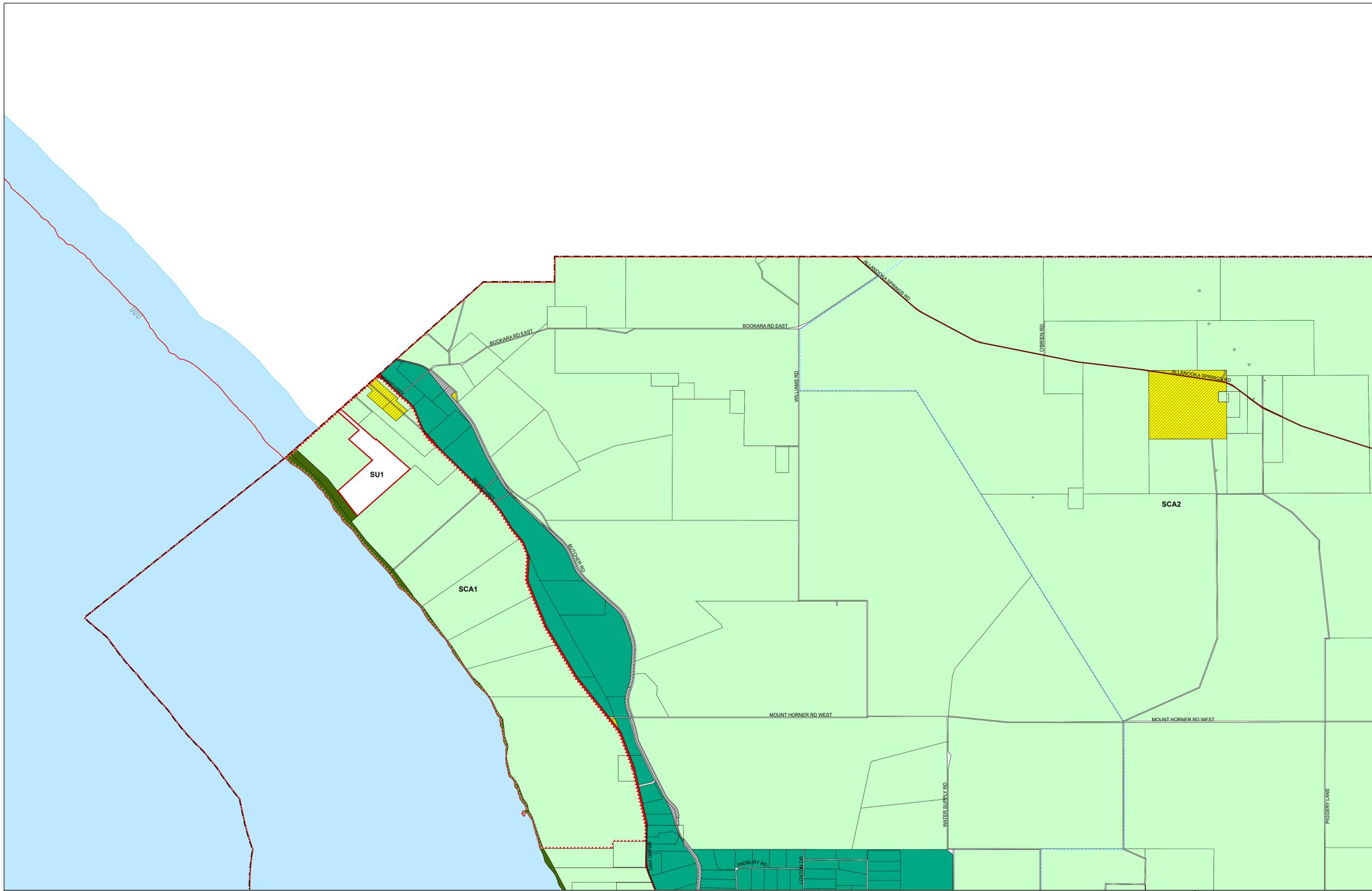
MINGENEW
No. 4

MORAWA No. 3

THREE
SPRINGS
No. 2

CARNAMAH No. 2





LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

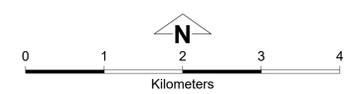
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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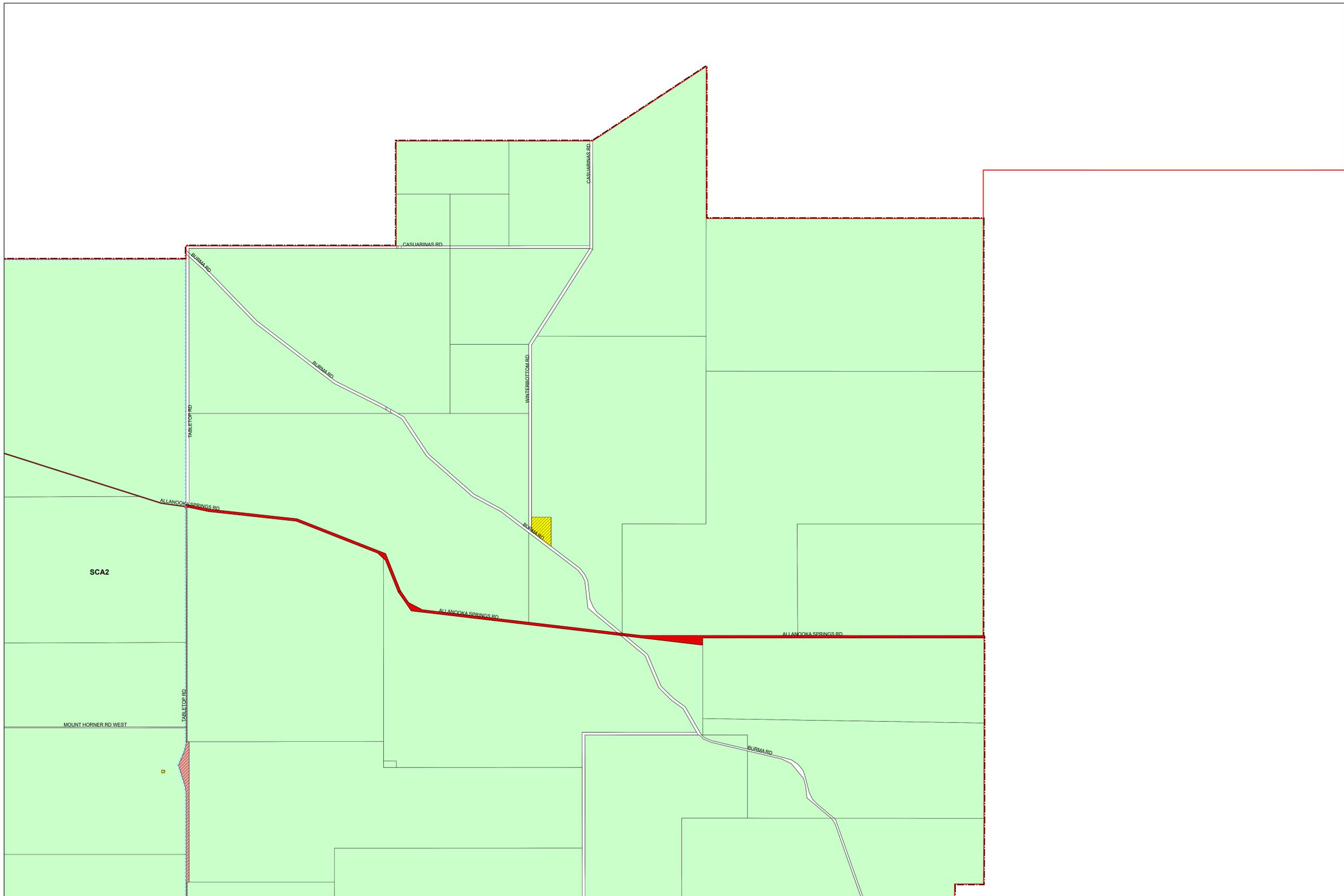
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 27 November 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 1 of 17
 MAP: Bookara Locality

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

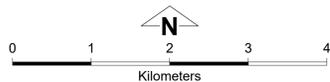
Shire of Irwin

Local Planning Scheme No. 6
(District Scheme)

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Shire of Irwin
Local Planning Scheme No. 6
(District Scheme)

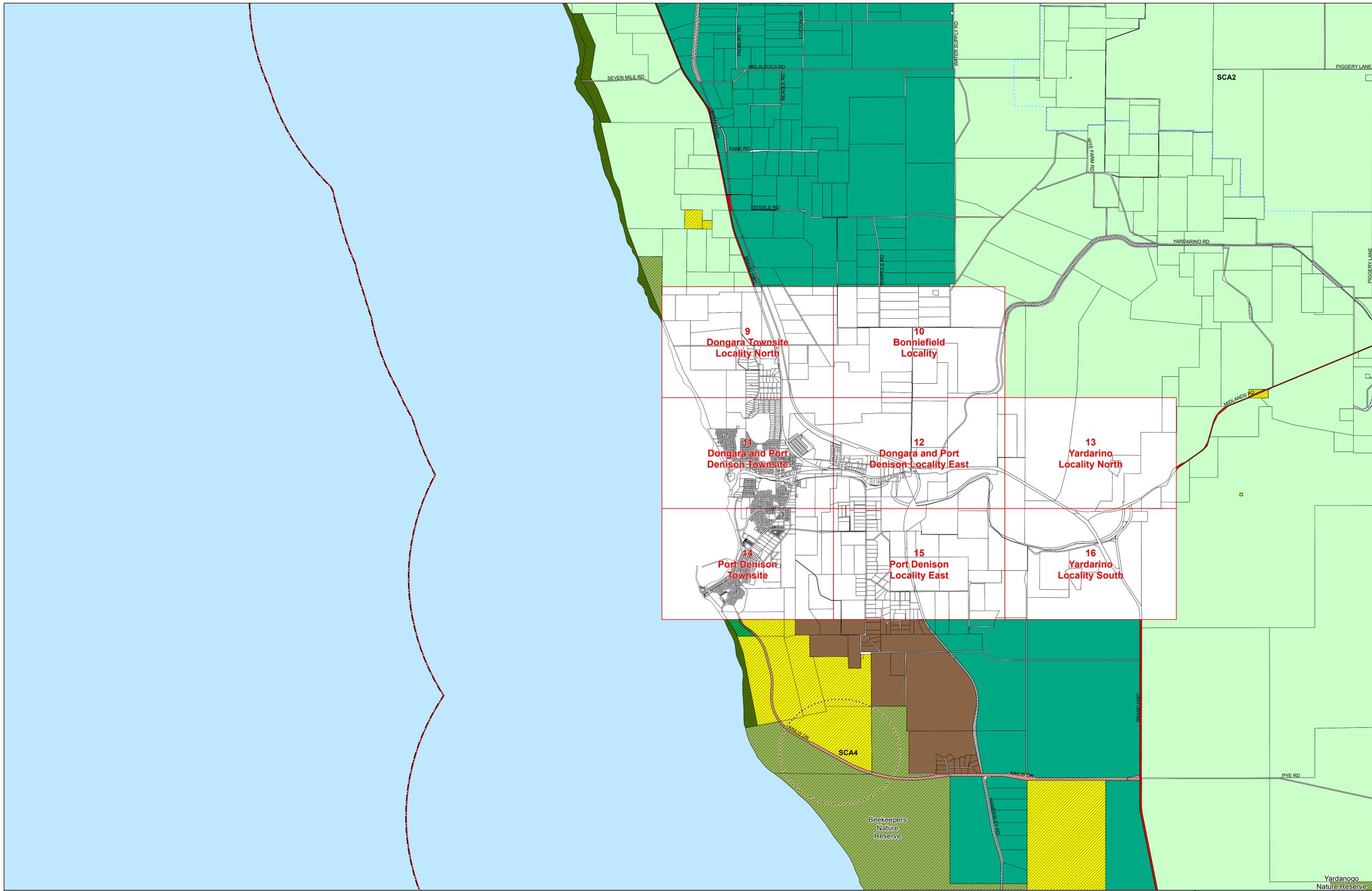


Authorised: T.Servaas
Plot Date: 27 November 2025
G.Gazette: N/A

Local Planning Scheme Map No. 2 of 17
MAP: Mount Horner Locality



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LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

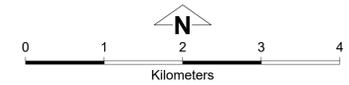
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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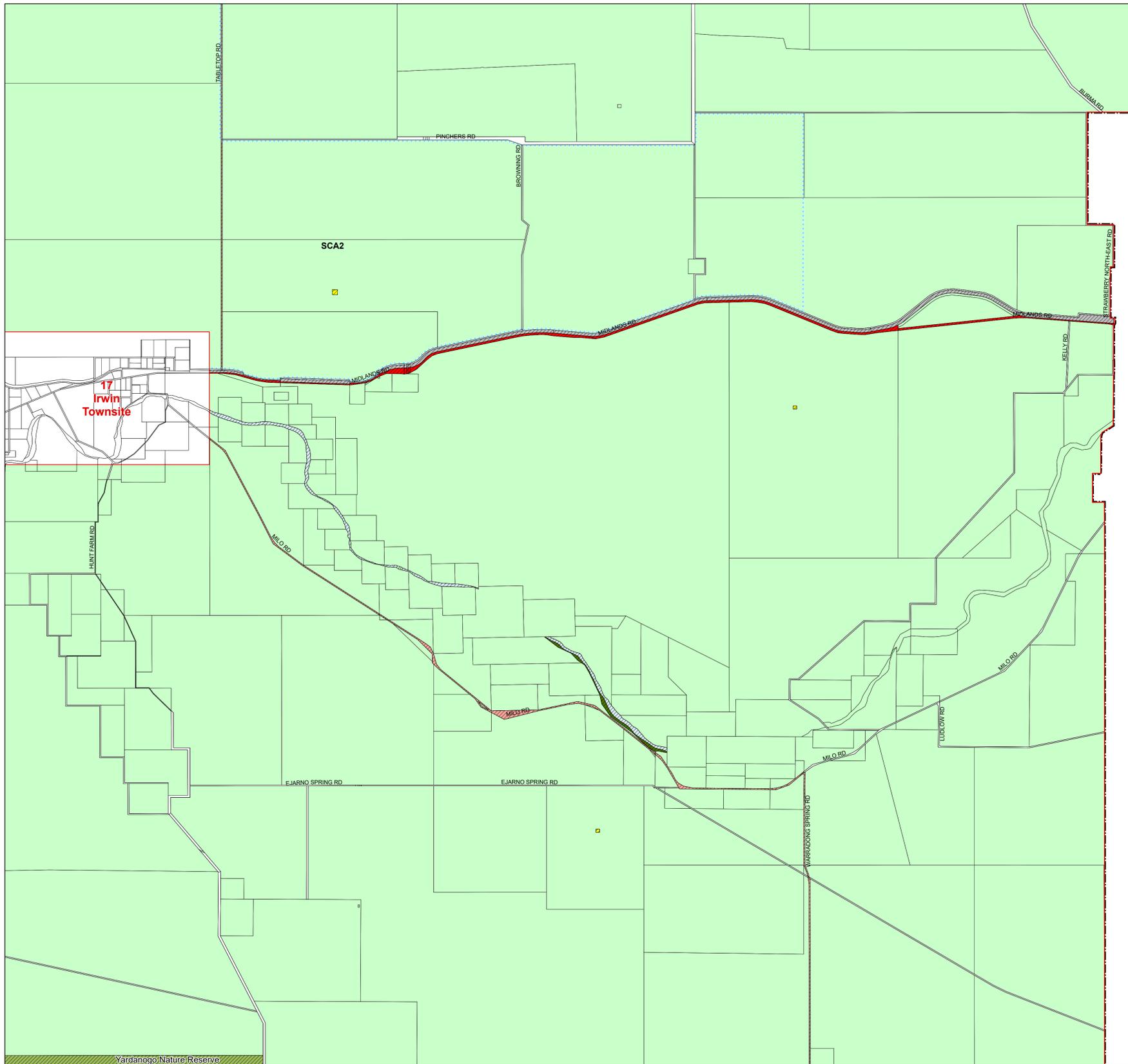
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 27 November 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 3 of 17
 MAP: Dongara and Port Denison Townsite Surrounds

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

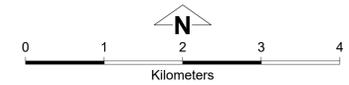
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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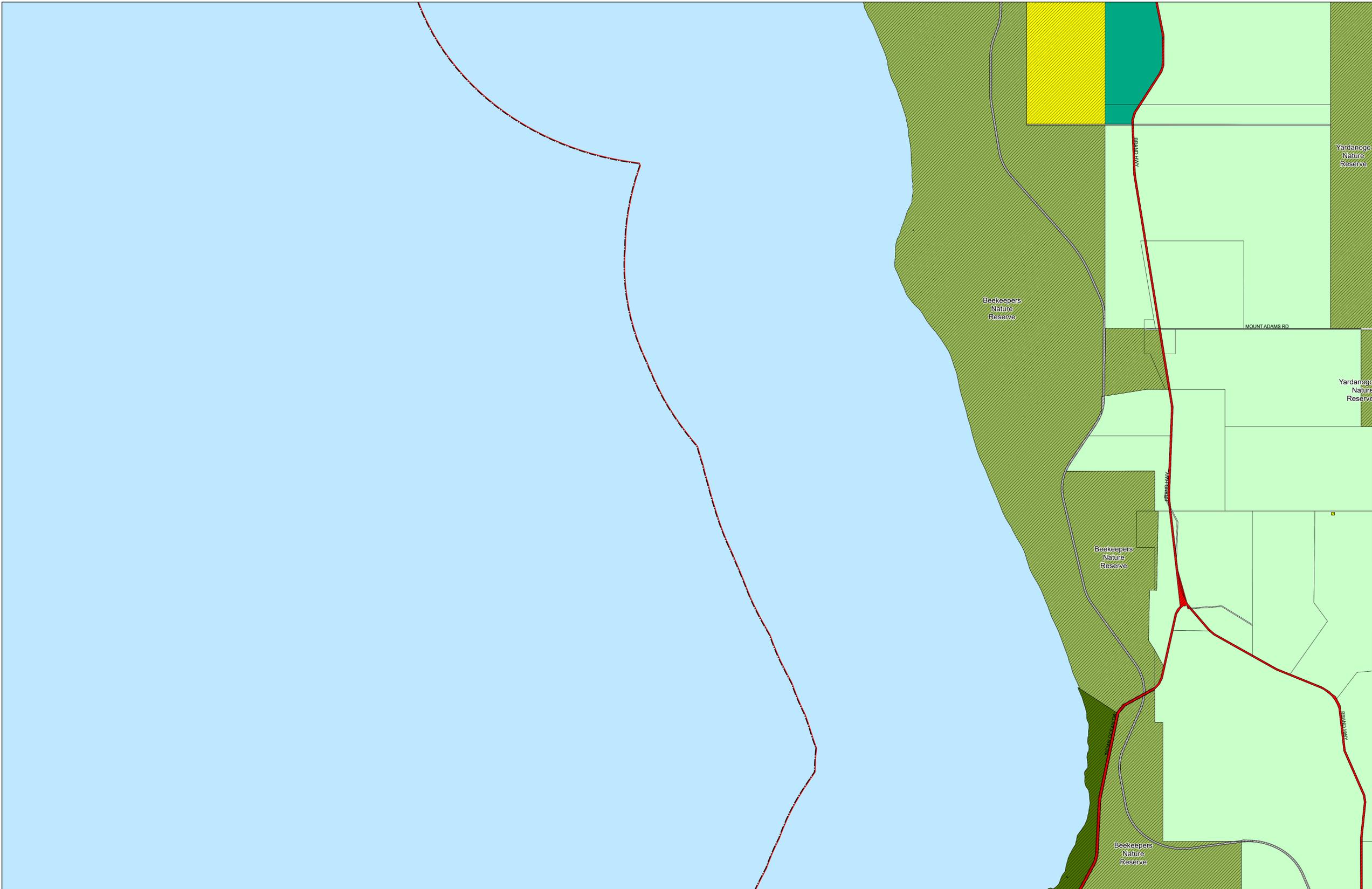
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 27 November 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 4 of 17
 MAP: Irwin Townsite Surrounds

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

-  Drainage/waterway
-  Environmental conservation
-  Foreshore
-  Public open space
-  Primary distributor road
-  Local distributor road
-  Local road
-  Public purposes
-  Railways
-  Strategic infrastructure

LOCAL SCHEME ZONES

-  General industry
-  Light industry
-  Neighbourhood centre
-  Residential
-  Rural
-  Rural residential
-  Rural smallholdings
-  Special use
-  Tourism
-  Town centre
-  Urban development

OTHER CATEGORIES

-  Scheme Boundary
-  Local Government Boundary
-  Additional uses
-  Special use area
-  R Codes
-  Visual landscape area
-  Public drinking water source area
-  Wastewater treatment plant buffer area
-  Cement plant buffer area
-  No Zone
-  Oceans/waterways

VERSION No 1

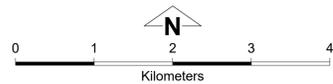
Shire of Irwin

Local Planning Scheme No. 6
(District Scheme)

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Shire of Irwin
Local Planning Scheme No. 6
(District Scheme)

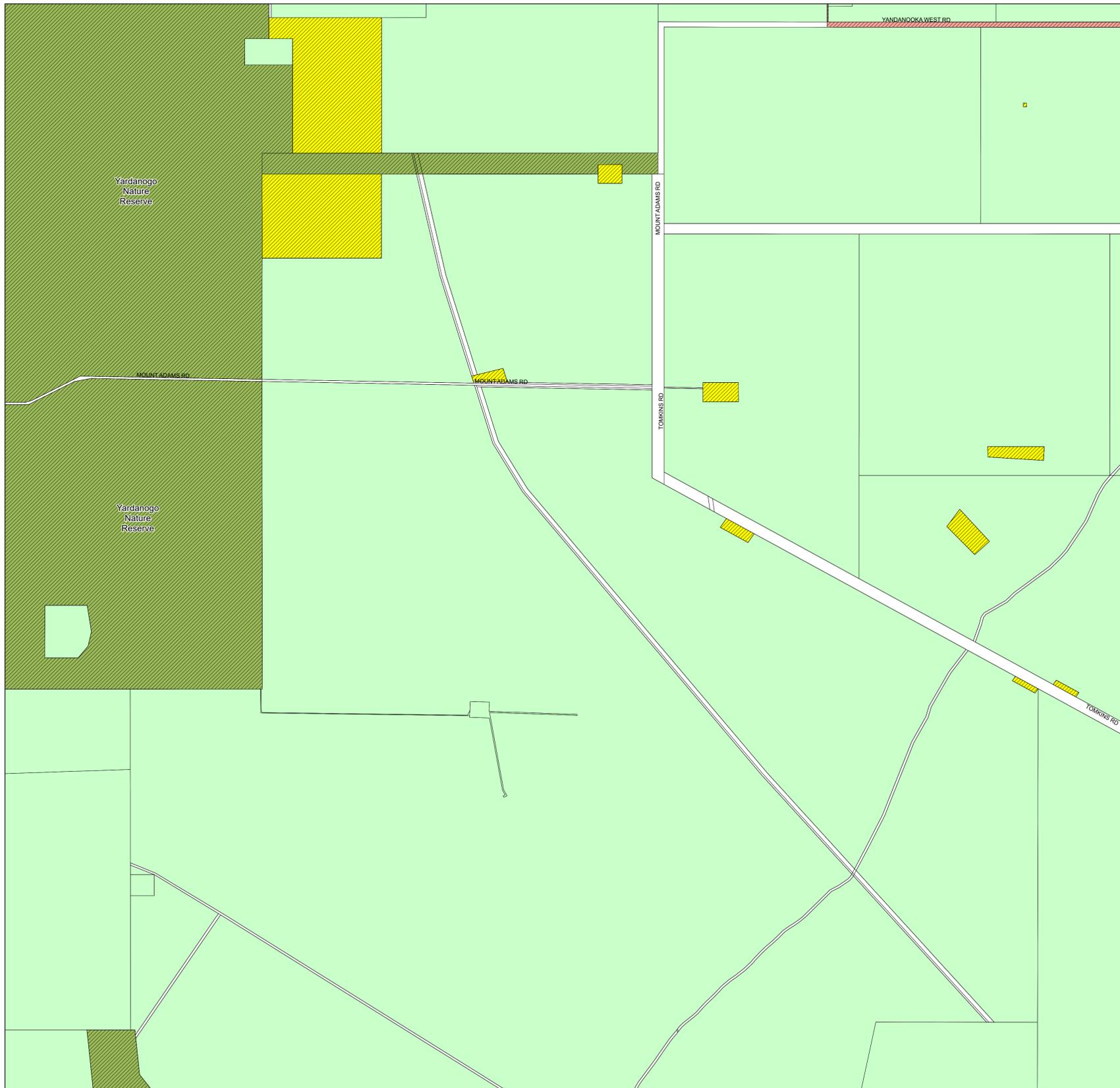


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Plot Date: 27 November 2025
G.Gazette: N/A

Local Planning Scheme Map No. 5 of 17
MAP: Arrowsmith Locality North West



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LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

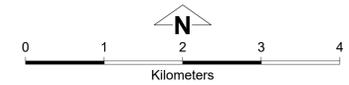
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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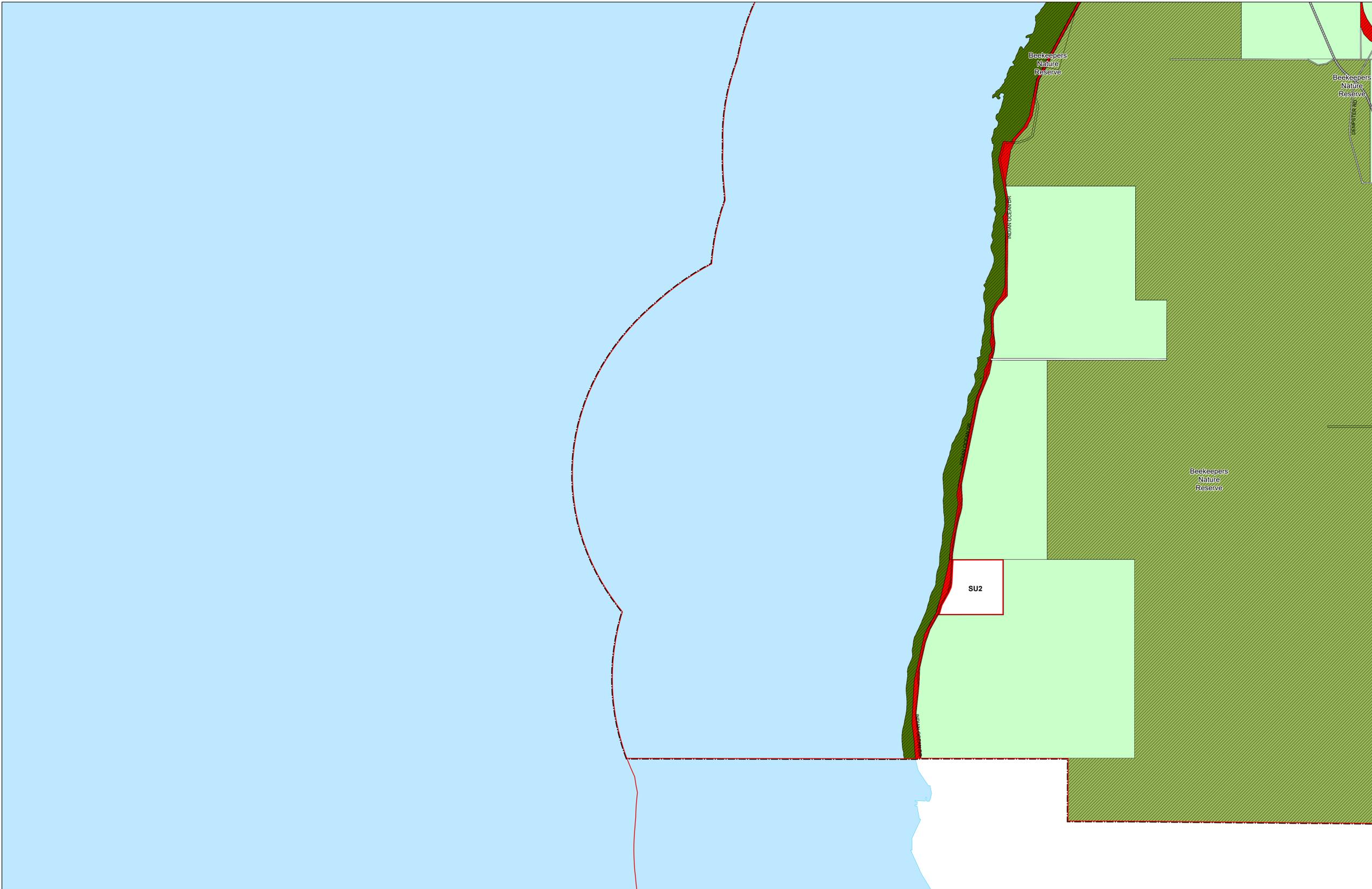
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 27 November 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 6 of 17
 MAP: Arrowsmith Locality North East

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

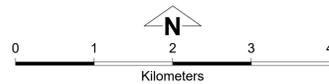
Shire of Irwin

Local Planning Scheme No. 6
(District Scheme)

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Shire of Irwin
Local Planning Scheme No. 6
(District Scheme)

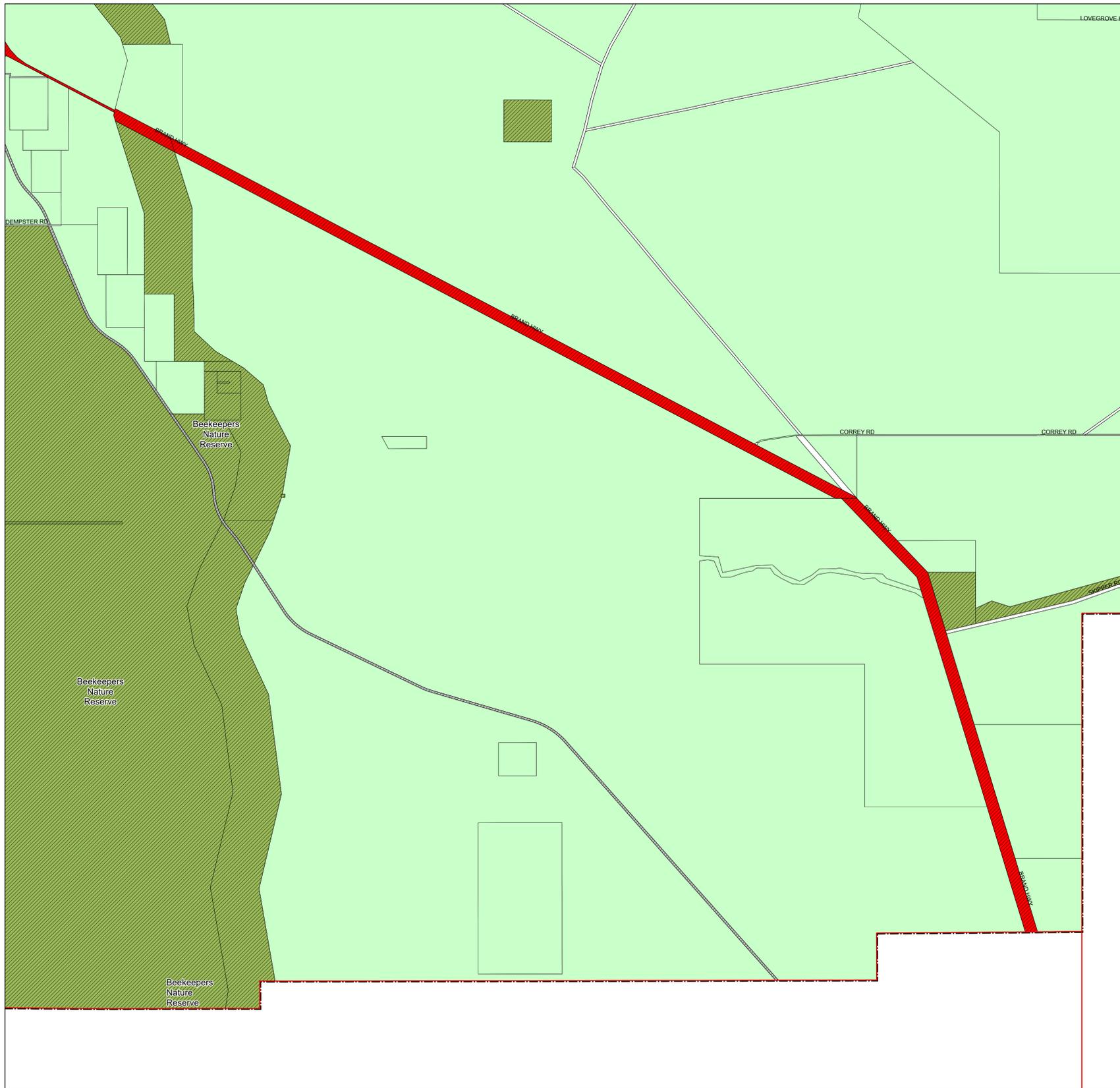


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Plot Date: 27 November 2025
G.Gazette: N/A

Local Planning Scheme Map No. 7 of 17
MAP: Arrowsmith Locality South West



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LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

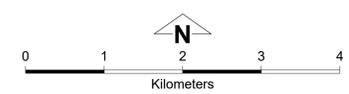
VERSION No 1

Shire of Irwin

Local Planning Scheme No. 6
(District Scheme)

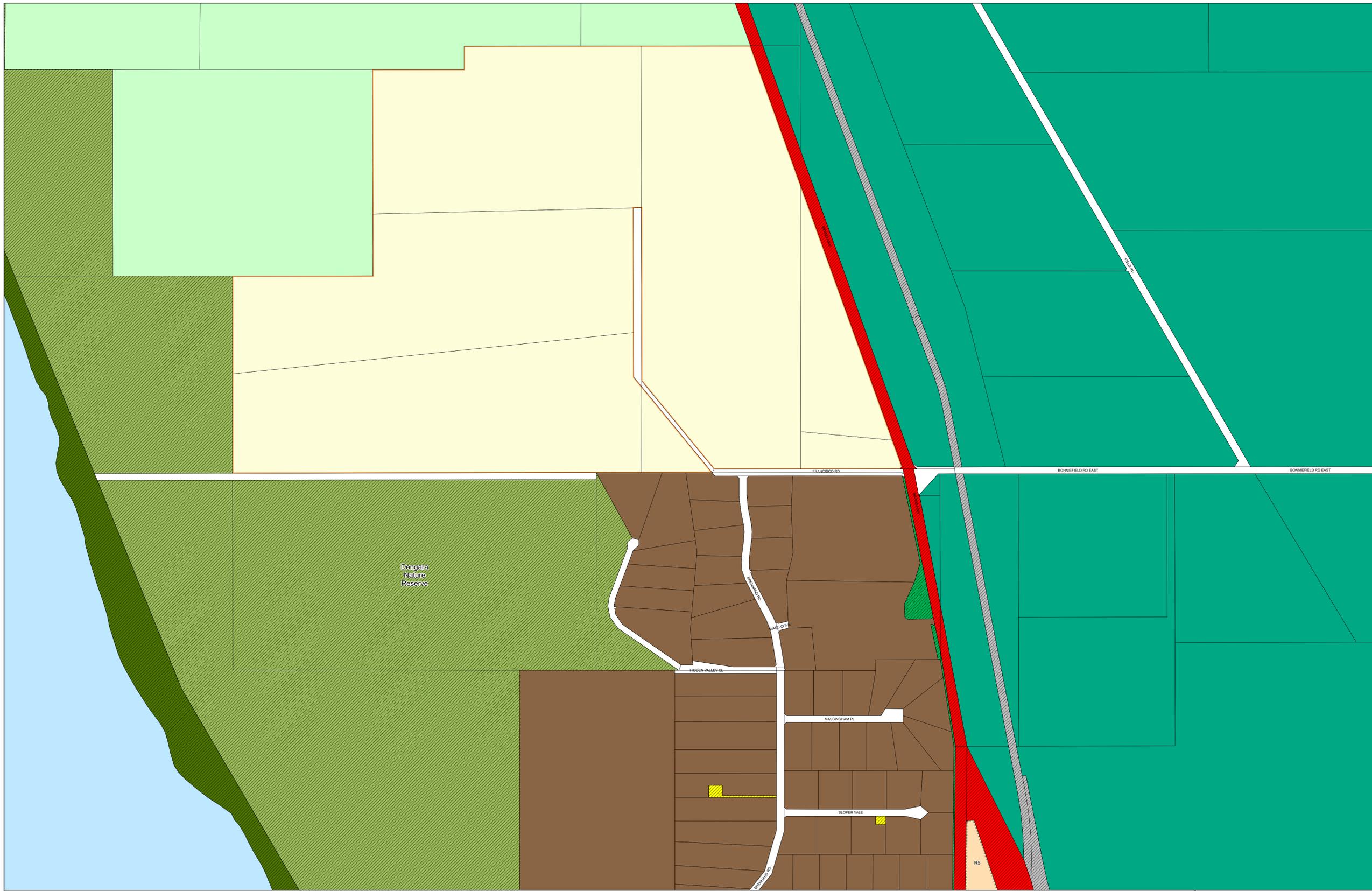
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Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 27 November 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 8 of 17
 MAP: Arrowsmith Locality South East



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

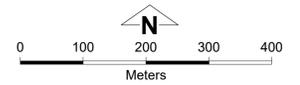
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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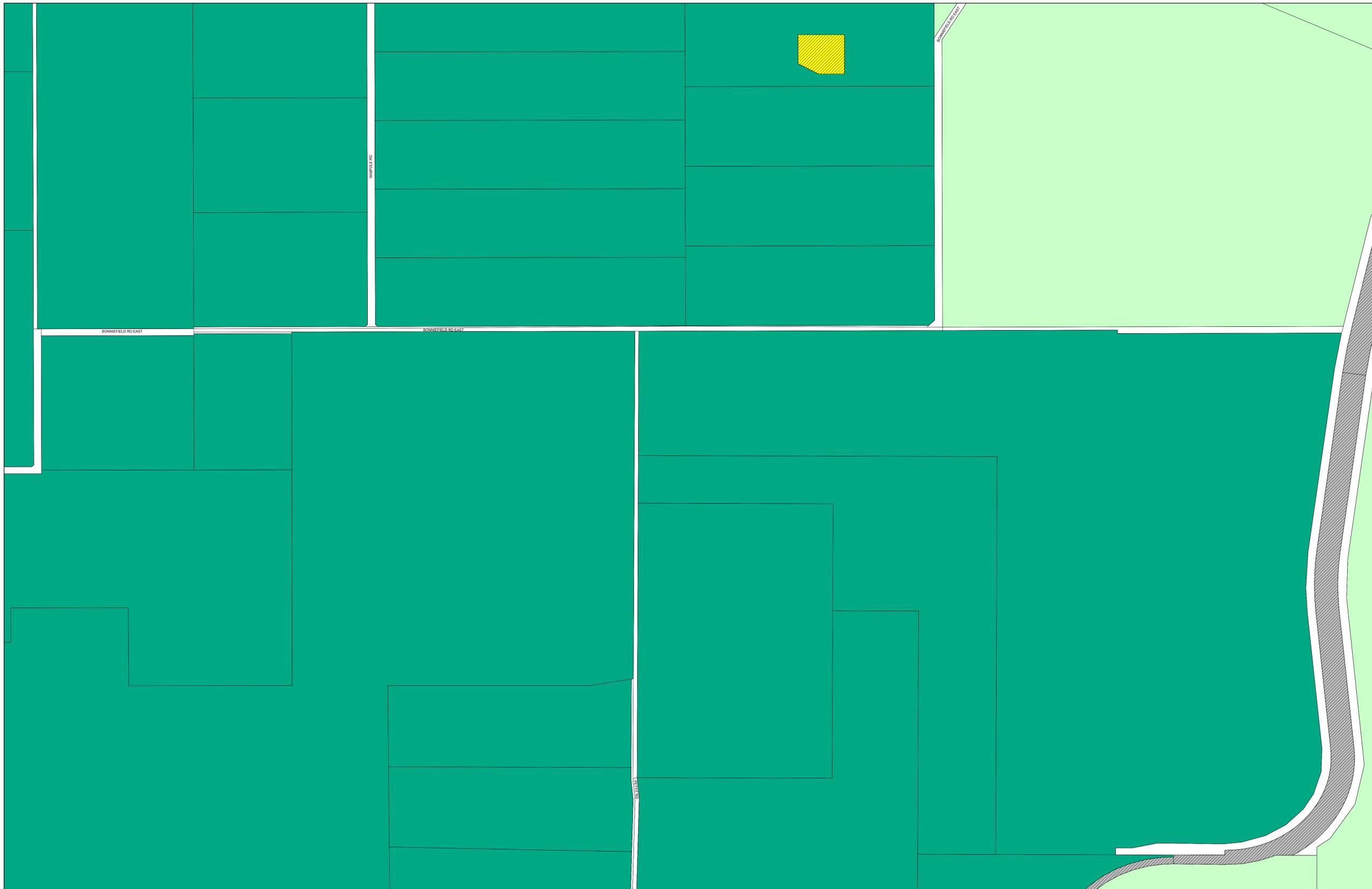
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 9 of 17
 MAP: Dongara Townsite Locality North

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

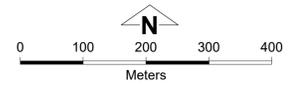
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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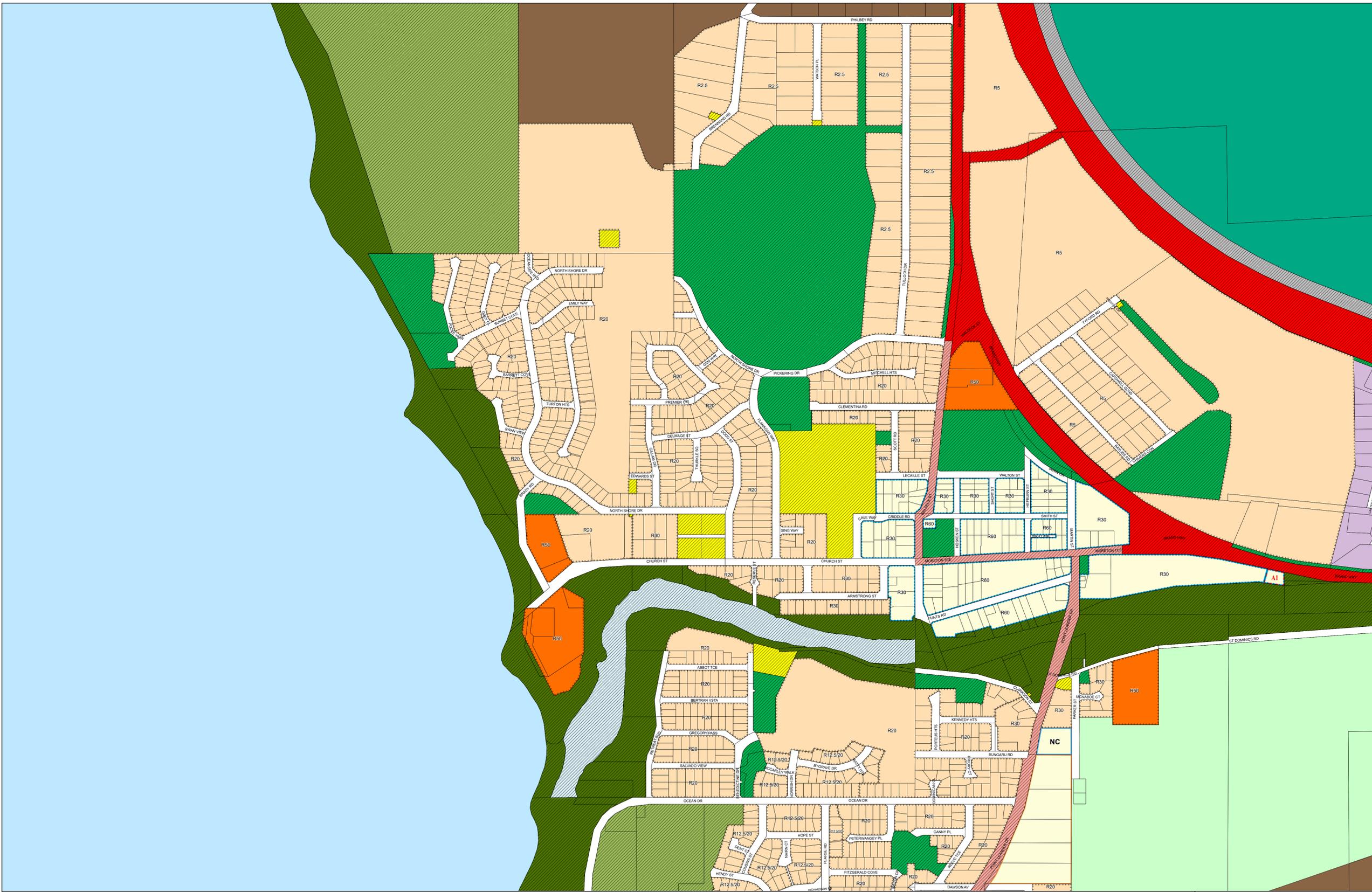
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 10 of 17
 MAP: Bonniefield Locality

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

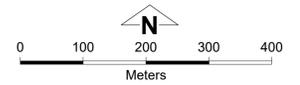
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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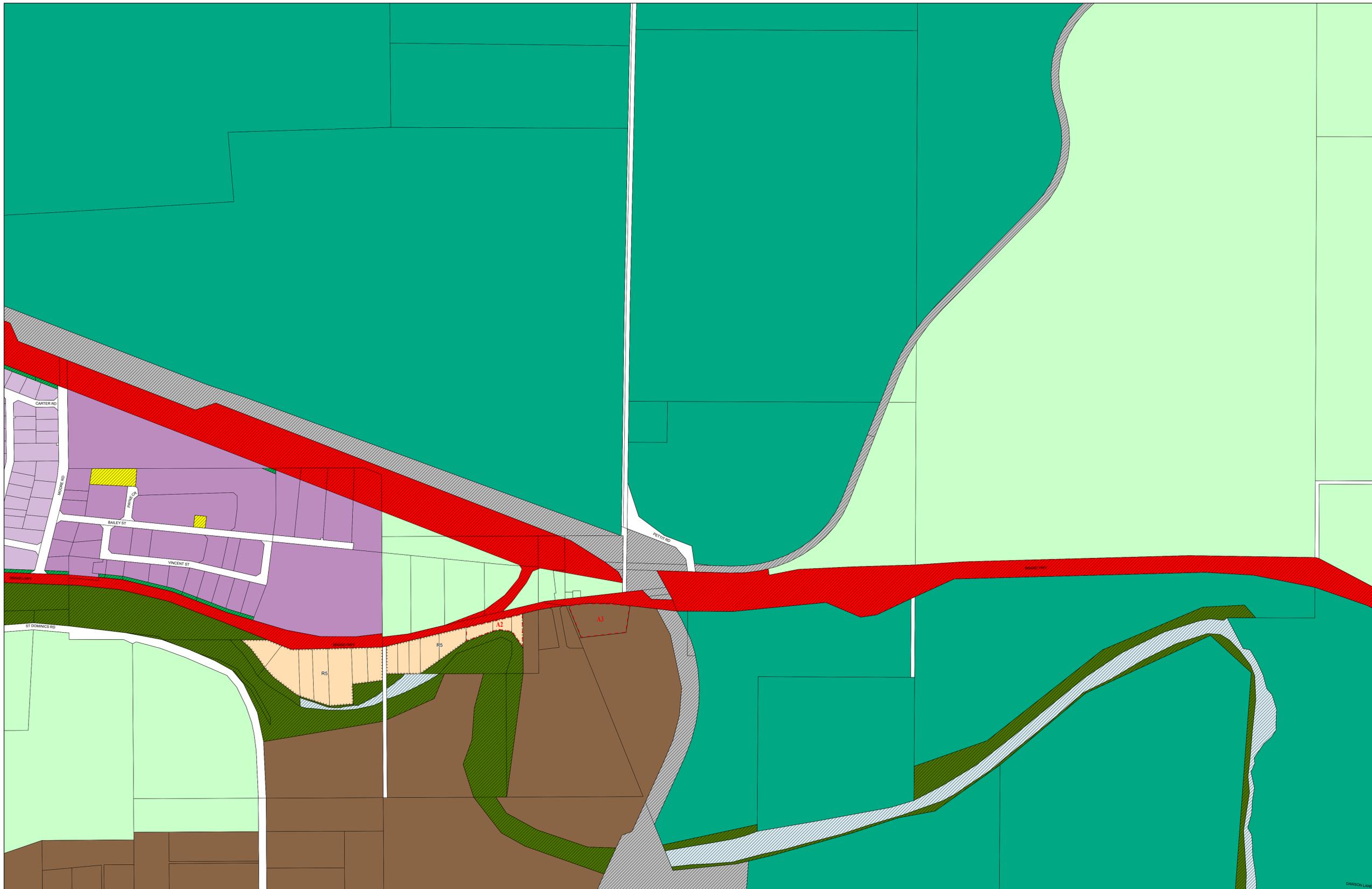
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 11 of 17
 MAP: Dongara and Port Denison Townsite

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

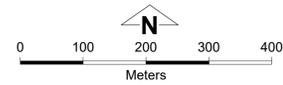
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
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- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

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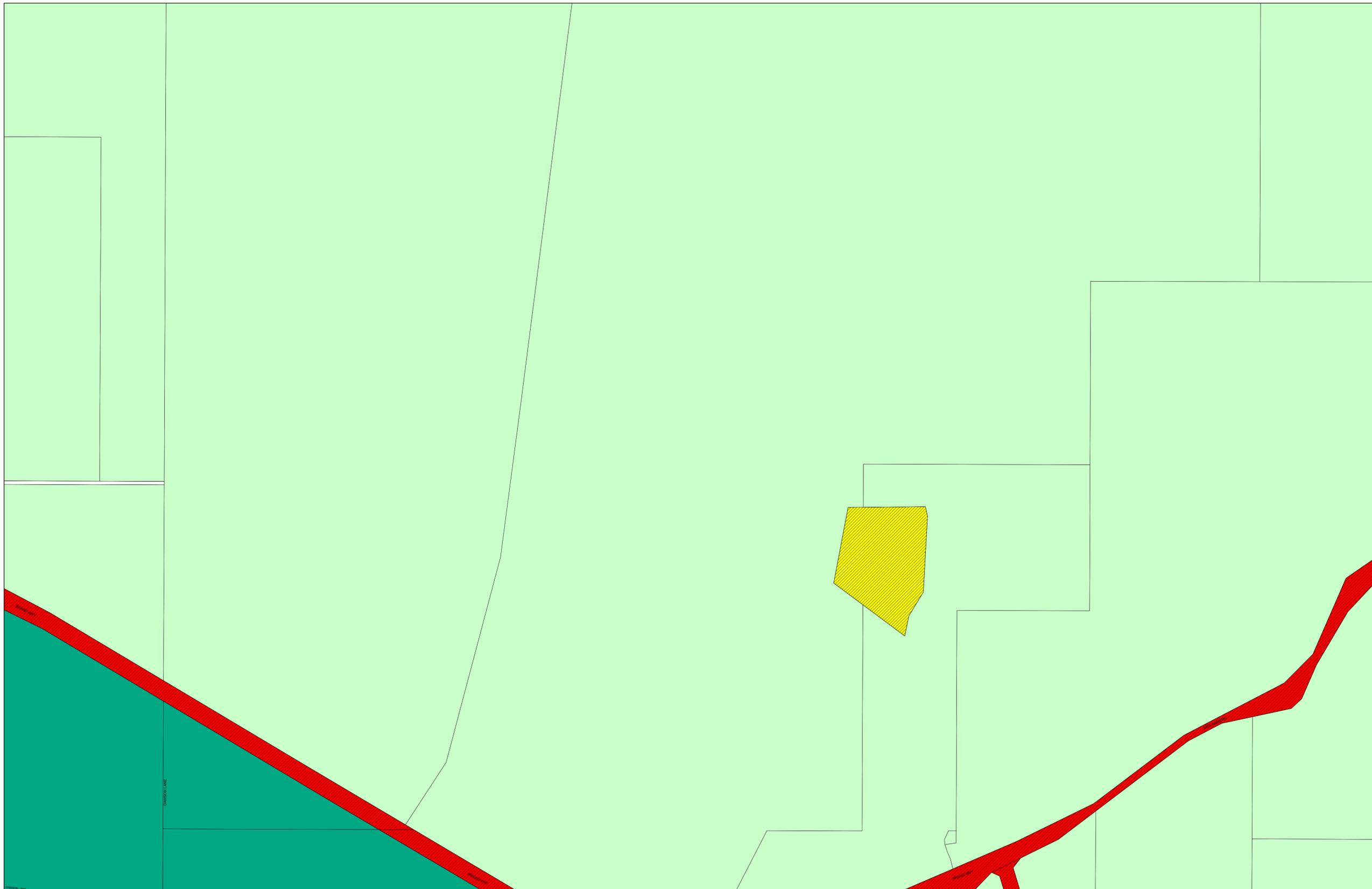
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 12 of 17
 MAP: Dongara and Port Denison Locality East

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

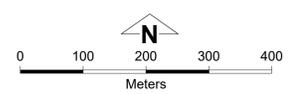
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

DRAFT ONLY

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 13 of 17
 MAP: Yardarino Locality North

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

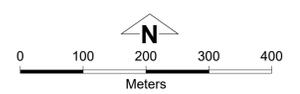
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
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- Special use area
- R Codes
- Visual landscape area
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- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

DRAFT ONLY

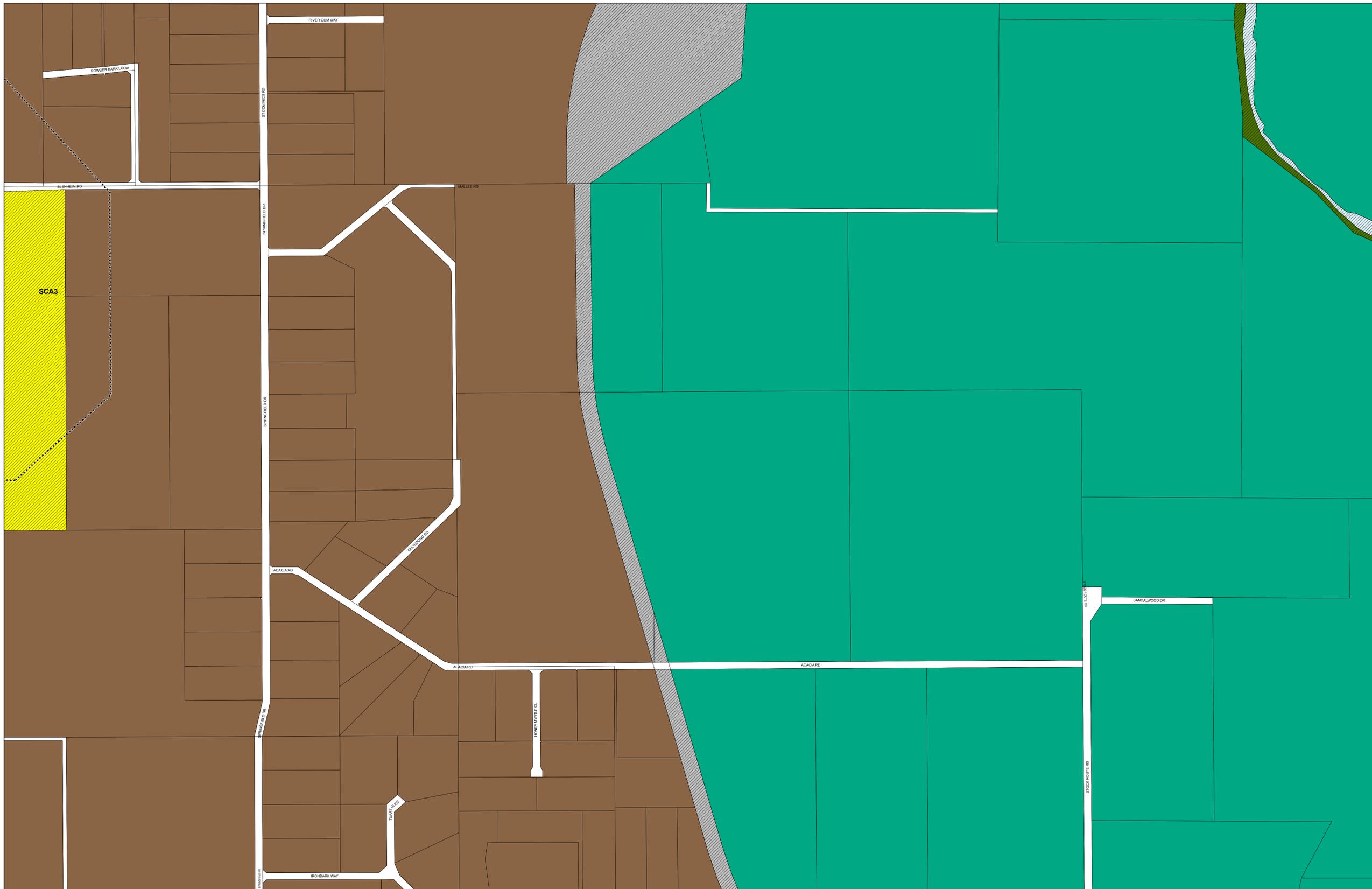
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 14 of 17
 MAP: Port Denison Townsite

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

LOCAL SCHEME RESERVES

- Drainage/waterway
- Environmental conservation
- Foreshore
- Public open space
- Primary distributor road
- Local distributor road
- Local road
- Public purposes
- Railways
- Strategic infrastructure

LOCAL SCHEME ZONES

- General industry
- Light industry
- Neighbourhood centre
- Residential
- Rural
- Rural residential
- Rural smallholdings
- Special use
- Tourism
- Town centre
- Urban development

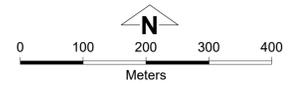
OTHER CATEGORIES

- Scheme Boundary
- Local Government Boundary
- Additional uses
- Special use area
- R Codes
- Visual landscape area
- Public drinking water source area
- Wastewater treatment plant buffer area
- Cement plant buffer area
- No Zone
- Oceans/waterways

VERSION No 1

DRAFT ONLY

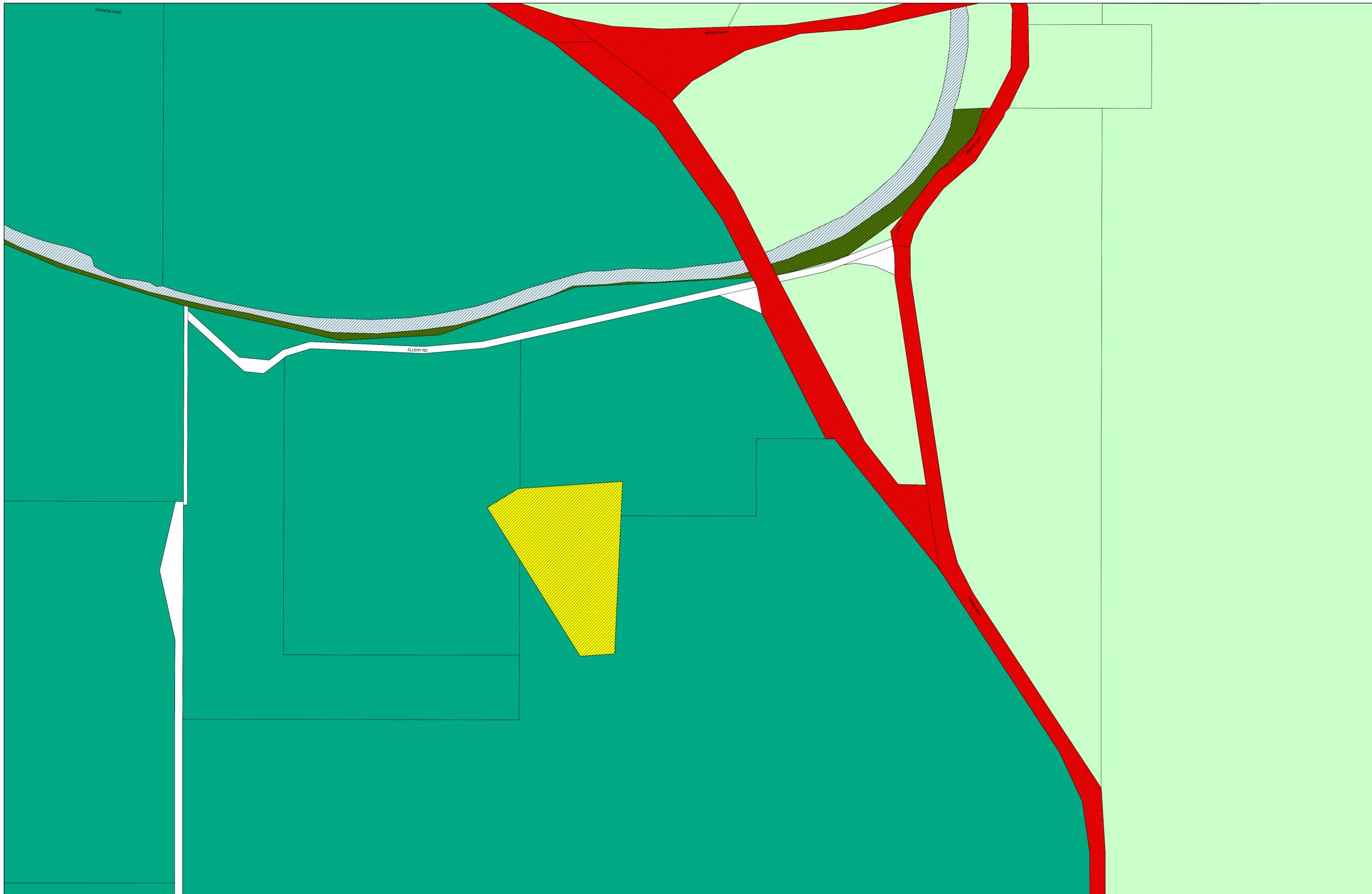
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 15 of 17
 MAP: Port Denison Locality East

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

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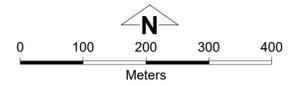
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VERSION No 1

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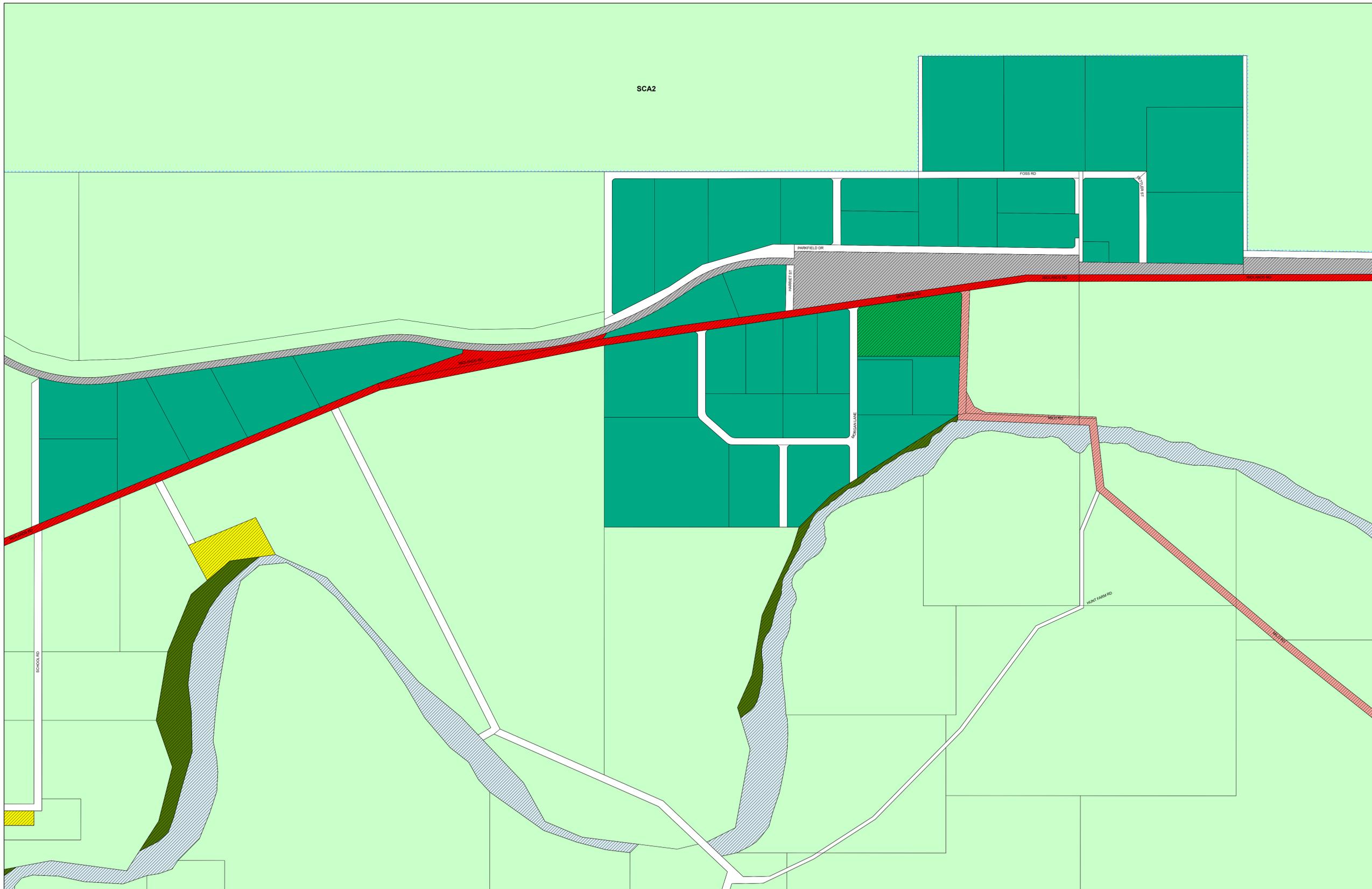
Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A

Local Planning Scheme Map No. 16 of 17
 MAP: Yardarino Locality South

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



LEGEND

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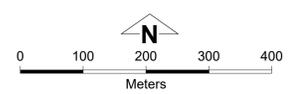
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Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)



Authorised: T.Servaas
 Plot Date: 01 December 2025
 G.Gazette: N/A
 Local Planning Scheme Map No. 17 of 17
 MAP: Irwin Townsite

Shire of Irwin
 Local Planning Scheme No. 6
 (District Scheme)