



City of
Kalgoorlie
Boulder

LOCAL PLANNING SCHEME NO. 2



AMENDMENT RUNNING SHEET

No.	Gazettal date	Date updated	Author	Amendment details

DRAFT

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SCHEME MAPS

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1. Citation

This local planning scheme is the City of Kalgoorlie-Boulder Local Planning Scheme No.02, 2021.

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 {insert date}.

3. Scheme revoked

The following local planning scheme is revoked –

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

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

4. Notes do not form part of Scheme

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

Note:

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

5. Responsibility for Scheme

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

6. Scheme area

This Scheme applies to the area shown on the Scheme Maps in Schedule No.01, Scheme Map No. (1-10).

7. Contents of Scheme

1. In addition to the provisions set out in this document (the scheme text), this Scheme includes the following –

- (a) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2) (as amended); and
 - (b) the Scheme Map;
 - (c) the following plans, maps, diagrams, or illustrations or materials –
There are no plans, maps, diagrams, or illustrations or materials in addition to the provisions set out in this document.
2. This Scheme is to be read in conjunction with the City of Kalgoorlie-Boulder Local Planning Strategy (as amended) for the Scheme area.

8. Purposes of Scheme

The purposes of this Scheme are to –

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

9. Aims of Scheme

The aims of the Scheme are to –

- (a) ensure there is a sufficient supply of serviced and suitable land for housing, commercial activities, community facilities, recreation, and open space;
- (b) support such expansion as is consistent with the provision and improvement of infrastructure, services and facilities;
- (c) provide for a range of accommodation choices that meets the needs and aspirations of the community;
- (d) provide for convenient, attractive and viable commercial areas and tourist facilities to serve the needs of the residents and visitors;
- (e) encourage the development of businesses that will strengthen the economic base of the City;
- (f) ensure that areas of environmental and cultural significance are protected and that land use and development within the City is environmentally sustainable.
- (g) ensure the use and development of land does not result in significant adverse impacts on the physical and social environment;
- (h) nurture new economic development opportunities through flexible land use planning controls;

- (i) ensure that development is performed in an orderly and proper manner;
- (j) protect, and where possible, enhance amenity by promoting high quality built formats;
- (k) conserve the non-indigenous and indigenous built and natural environments;
- (l) manage land use planning and development so that it does not diminish the mineral resource sector;
- (m) preserve the rare and valuable natural environment and promote the use of environmentally sustainable building design and materials;
- (n) facilitate a diverse and integrated network of open space catering for both the active and passive recreation needs of the community; and
- (o) protect remnant vegetation;

10. Relationship with local laws

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

11. Relationship with other local planning schemes

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

12. Relationship with region planning scheme

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






13. Regional Reserves






There are no regional reserves in the Scheme area.

14. Local Reserves

1. Local reserves are shown on the Scheme Map according to the legend on the Scheme Map No. 02.
2. Where an application for planning approval is made with respect to land within a reserve, the local government shall have regard to the purpose intended for the reserve and the local government shall, in the case of land reserved for the purposes of a public authority, confer with that authority prior to making its determination.
3. The objective of each local reserve are as follows –

Table1: Reserve Objectives

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

 Railways	(a) set aside land required for passenger rail and rail freight services;
 Primary Distributor Road	(a) set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy;
 District Distributor Road	(a) set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy;
 Local Distributor Road	(a) set aside land required for a local road being a road classified as an Local Distributor under the Western Australian Road Hierarchy;
 Local Road	(a) 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. The Table 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.

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

No.	Description of land	Additional use	Conditions
AU1	Reserve 32594	Market	Operation as specified by the local government.
AU2	Reserve 41649	Market	As specified by the local government.
AU3	Reserve 40918	Caravan park	The use of the land for 'Caravan Park' for up to 24 hours and within the defined area. Camping is not permitted.
AU4	Reserve 32178	Community purpose	The use for 'Community purpose' is related to the existing community garden.
AU5	Reserve 32178	Restaurant/café	The scale of the 'restaurant/café' is not to exceed current operations.

Also refer to clause 19 Table 5 for other Additional uses

16. Zones






1. Zones are shown on the Scheme Map according to the legend on each map







The objectives of each zone are as follows –



Note:

Clause 37 of the Scheme is to be read in conjunction with the objectives and development standards set out in this clause and is to be applied to relevant development proposals.

Table 3: Zone Objectives

Zone name	Objectives
Commercial 	<ul style="list-style-type: none"> (a) To provide for a range of shops, offices, restaurants and other commercial outlets in defined town sites or activity centres; (b) To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades; (c) Ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
Service Commercial 	<ul style="list-style-type: none"> (a) To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites; (b) To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
Town Centre 	<ul style="list-style-type: none"> (a) Designate land for future development as a town centre or activity centre (b) Provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centre State Planning Policy.
Tourism 	<ul style="list-style-type: none"> (a) To promote and provide for tourism opportunities; (b) 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. (c) To allow limited residential uses, where appropriate; (d) 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.
General Industry 	<ul style="list-style-type: none"> (a) 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; (b) To accommodate industry that would not otherwise comply with the performance standards of light industry; (c) Seek to manage impacts such as noise, dust and odour within the zone;

<p>Light Industry</p> 	<p>(a) To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones;</p> <p>(b) To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</p>
<p>Rural Townsite</p> 	<p>(a) To provide for a range of land uses that would typically be found in a small country town;</p> <p>(b) To create alternative employment opportunities outside of the Kalgoorlie Townsite;</p>
<p>Rural Residential</p> 	<p>(a) To provide for lot sizes in the range of 1ha to 4 ha</p> <p>(b) To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land</p> <p>(c) To set aside areas for the retention of vegetation and landform or other features which distinguish the land..</p>
<p>Rural</p> 	<p>(a) To provide for the maintenance or enhancement of specific local rural character;</p> <p>(b) To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</p> <p>(c) To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and water course systems from damage;</p> <p>(d) To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</p> <p>(e) To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural land use</p>
<p>Residential</p> 	<p>(a) To provide for a range of housing and a choice of residential densities to meet the needs of the community.</p> <p>(b) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas</p> <p>(c) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</p>
<p>Private Clubs and Institutions</p> 	<p>(a) To provide sites for privately owned and operated recreation and institutions</p> <p>(b) To integrate private recreation areas with public recreation areas wherever possible.</p> <p>(c) To separate potentially noisy engine sports from incompatible uses.</p> <p>(d) To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.</p> <p>(e) To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.</p>

<p>Urban Development</p> 	<ul style="list-style-type: none">(a) To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme;(b) To provide for a range of residential densities to encourage a variety of residential accommodation;(c) 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;
<p>Industrial Development</p> 	<ul style="list-style-type: none">(a) To designate land for future industrial development;(b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme;

17. Zoning table

The zoning table for this Scheme is as follows –

Table 4: Zoning table

Land Uses	Rural	Rural Residential	Rural Townsite	Residential	Urban Development	Private Clubs and Institutions	Town Centre	Tourism	Commercial	Service Commercial	Light Industry	General Industry	Industrial Development	
Abattoir	A	X	X	X	Development in accordance with the approved Structure plan	X	X	X	X	X	X	D	Development in accordance with the approved Structure plan	
Aged or dependent persons dwelling	I	X	D	P		X	D	X	X	X	X	X		X
Agriculture-extensive	P	A	X	X		X	X	X	X	X	X	X		X
Agriculture-intensive	P	A	X	X		X	X	X	X	X	X	X		X
Airfield	A	X	X	X		X	X	X	X	X	X	X		X
Amusement parlour	X	X	X	X		A	D	P	X	P	A	X		X
Ancillary dwelling	D	D	D	P		X	X	X	X	X	X	X		X
Animal Establishment	P	D	D	A*C2		X	X	A	X	X	X	X		X
Animal husbandry-intensive	D	A	X	X		X	X	X	X	X	X	X		X
Art gallery	P	D	P	X		D	D	P	D	X	X	X		X
Bed and breakfast	D	D	P	D		X	A	X	X	X	X	X		X
Betting agency	X	X	I	X		A	D	I	D	X	X	X		X
Brewery	D	A	P	X		X	A	D	A	A	P	P		P
Bulky goods showroom	X	X	X	X		X	X	X	D	P	D	X		X
Car park	X	X	X	X		X	I	I	D	P	P	X		X
Caravan park	X	D	P	X		X	X	P	X	X	X	X		X
Caretakers dwelling	X	X	X	X		P	X	I	I	I	I	I		I
Child care premises	X	X	D	A		X	D	X	P	X	X	X		X
Cinema / theatre	X	X	X	X		X	D	D	P	D	X	X		X
Civic use	X	X	D	X		I	D	A	P	X	D	D		D
Club premises	A	X	D	A		I	D	X	D	X	X	X		X
Commercial vehicle parking	P	A	P	A		X	X	X	P	P	P	P		P
Community purpose	D	X	P	A		I	D	I	P	P	X	X		X
Consulting rooms	X	X	A	A		X	D	X	P	D	I	X		X
Container deposit recycling centre	X	X	D	X		D	X	X	P	P	P	P		P
Convenience store	X	X	P	D		X	D	I	P	P	X	X		X
Corrective institution	A	X	X	X	X	X	X	X	X	A	A	A		

Land Uses	Rural	Rural Residential	Rural Townsite	Residential	Urban Development	Private Clubs and Institutions	Town Centre	Tourism	Commercial	Service Commercial	Light Industry	General Industry	Industrial Development
					Development in accordance with the approved Structure plan								Development in accordance with the approved Structure plan
Educational establishment	X	X	P	A		X	D	X	A	X	A	X	
Exhibition centre	X	X	A	X		P	D	A	D	X	X	X	
Family day care	X	I	A	A		X	D	X	X	X	X	X	
Fast food outlet/Lunch bar	X	X	D	X		X	D	X	P	D	D	D	
Fuel depot	A	X	X	X		X	X	X	X	X	D	P	
Funeral parlour	X	X	X	X		X	D	X	X	D	D	D	
Garden centre	A	X	P	X		X	X	X	X	D	D	D	
Grouped dwelling	D*C1	X	D	P		X	X	X	X	X	X	X	
Holiday accommodation	X	D	X	P		X	X	I	X	X	X	X	
Holiday house	X	D	P	P		X	X	X	X	X	X	X	
Home business	A	A	A	A		X	X	X	X	X	X	X	
Home occupation	A	A	A	A		X	X	X	X	X	X	X	
Home office	P	P	P	P		X	X	X	X	X	X	X	
Home store	A	A	A	A		X	A	X	X	X	X	X	
Hospital	X	X	X	X		X	A	X	X	X	X	X	
Hotel	X	X	A	X		X	D	P	P	X	X	X	
Industry	A	X	X	X		X	X	X	X	X	D	P	
Industry - extractive	A	X	X	X		X	X	X	X	X	X	X	
Industry - light	D	X	A	X		X	X	X	X	X	P	P	
Industry - primary production	P	X	X	X		X	X	X	X	X	X	X	
Liquor Store - large	X	X	X	X		X	A	X	A	A	A	D	
Liquor Store - small	X	X	A	X		X	A	I	A	A	X	X	
Market	X	X	P	X		I	A	I	A	X	X	X	
Medical centre	X	X	D	A		X	D	X	P	D	X	X	
Mining operations*	A	X	X	X		X	X	X	X	X	X	A	
Motel	X	X	D	X		X	D	P	P	A	X	X	
Motor vehicle repair	X	X	D	X		X	X	X	D	P	D	P	
Motor vehicle wash	X	X	D	X		X	A	X	D	P	P	D	
Motor vehicle, boat or caravan sales	X	X	D	X		X	X	X	D	P	D	P	
Multiple dwelling	X	X	X	P		X	D	X	X	X	X	X	
Nightclub	X	X	X	X		X	A	X	A	X	X	X	

Land Uses	Rural	Rural Residential	Rural Townsite	Residential	Urban Development	Private Clubs and Institutions	Town Centre	Tourism	Commercial	Service Commercial	Light Industry	General Industry	Industrial Development
					Development in accordance with the approved Structure plan								Development in accordance with the approved Structure plan
Office	X	X	D	X		I	D	I	P	I	I	I	
Park home park	X	A	A	X		X	X	P	X	X	X	X	
Place of worship	A	X	A	A		X	A	X	A	A	A	X	
Reception centre	X	X	D	X		I	D	P	P	D	X	X	
Recreation - private	X	X	D	A		P	D	D	D	D	D	X	
Renewable energy facility	A	X	X	X		X	X	X	X	X	D	P	
Residential aged care facility	X	X	D	P		X	D	X	X	X	X	X	
Residential building	D	X	P	P		X	D	X	X	X	X	X	
Resource recovery centre	A	X	X	X		X	X	X	X	X	A	A	
Restaurant / café	D	X	P	A		I	D	P	P	D	D	D	
Restricted premises	X	X	X	X		X	A	X	A	A	A	X	
Road house	D	X	P	X		X	X	X	X	D	D	P	
Rural home business	P	P	P	X		X	X	X	X	X	X	X	
Rural pursuit / hobby farm	P	P	D	A*C2		X	X	X	X	X	X	X	
Service station	D	X	P	X		X	A	I	P	P	P	D	
Serviced apartment	X	X	X	X		X	D	P	D	X	X	X	
Shop	X	X	P	X		I	D	I	P	P	D	X	
Single bedroom dwelling	X	X	P	P		X	D	I	X	X	X	X	
Single house	P	P	P	P		X	X	X	X	X	X	X	
Small bar	X	X	A	A		I	D	I	P	X	A	X	
Tavern	X	X	P	X		I	D	D	P	X	X	X	
Telecommunications infrastructure	A	A	A	A		A	A	A	A	A	A	A	
Tourist development	X	X	D	X		I	D	P	D	X	X	X	
Transport depot	A	A	A	X		X	X	X	X	X	P	P	
Tree farm	P	X	X	X		X	X	X	X	X	X	X	
Veterinary centre	X	X	X	X		X	X	X	D	P	P	D	
Warehouse / storage	I	X	X	X		X	X	X	D	P	D	P	
Waste disposal facility	A	X	X	X		X	X	X	X	X	D	P	
Waste storage facility	A	X	X	X		X	X	X	X	X	D	P	
Winery	P	P	X	A		X	X	X	X	X	X	X	
Workforce accommodation*	D	X	A	A		X	X	X	X	D	D	X	

*: Workforce accommodation incidental to a mining operation is exempt from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.

*C1: This sub-symbol means that the use is not permitted unless the lot size is 5 hectares (ha) or greater. The condition of this sub-symbol must be complied with in order for the parent symbol to be used. Refer to Schedule 7 for additional standards.

*C2: This sub-symbol means that the use is not permitted unless the lot size is 1,500m² or greater. The condition of this sub-symbol must be complied with in order for the parent symbol to be used. Refer to Schedule 5 for additional standards.

Note: The provisions of the Scheme apply in addition to the requirements of other relevant legislation, under which separate approval may also be required, e.g. Aboriginal Heritage Act, Bush Fires Act, Environmental Protection Act and, in particular the Environment Protection (Clearing of Native Vegetation) Regulations

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 –

Permissible

P

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

Incidental

I

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

Discretionary

D

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

Advertised

A

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

Prohibited

X

means a use that is not permitted by the Scheme

Note:

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions. (Planning and Development Act).*
2. *In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions*
3. *Deemed provisions as per the Planning and Development Act regulations 2015 Schedule 2 Part 8.*

3. In considering a 'D' or an 'A' use, the local government will have regard to the matters set out in Schedule 2, Part 8 clause 64, and Part 9 clause 66 of the '*Planning and Development (Local Planning Schemes) Regulations 2015*' and may refuse or impose condition on any such use.

4. If a use of land is identified in a zone as being a class 'X' use, the local government must refuse an application for development approval for that use in that zone unless –
 - (a) the development approval application relates to land that is being used for a non- conforming use; and
 - (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
5. A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
6. 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.
7. The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
 - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
8. 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) an Activity Centre Plan;
 - (c) a Local Development Plan.

19. Additional uses

1. Table 5 sets out –
 - (a) classes of use for specified land that are additional to the classes of use that permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that additional use.

Table 5: Specified additional uses for zoned land in Scheme area

No.	Description of land	Current Zone	Additional use	Conditions
AU6	Lots 2, 6 – 10, 100, 101, 104, 105, 150 & 51 Piccadilly Street, Piccadilly Lots 735, 738 – 741, 40 – 43 Charlotte Street, Piccadilly Lots 2, 4, 5 and 1277 Porter Street, Kalgoorlie Lots 20, 887, 888, 6, 3, 41 and 40 McDonald Street, Kalgoorlie	Residential	As a “P” use <ul style="list-style-type: none"> Child Care Premises* Community Purpose* Consulting Rooms* Family Day Care* Medical Centre* 	
AU7	Lot 126 Hare St, West Lamington	Residential	As a ‘D’ use: <ul style="list-style-type: none"> Convenience Store* Recreation – Private* 	
AU8	Lots 11, 102, 120, 121, 122, 123, 124, 125, 126 and 2498, Piesse St, Boulder	Residential	As a ‘D’ use: <ul style="list-style-type: none"> Shop* 	
AU9	Lot 2878, Federal Rd, South Kalgoorlie	Residential	As a ‘A’ use: <ul style="list-style-type: none"> Liquor Store (small) * 	
AU10	Lots 1655 and 1656, Ward St, Lamington	Residential	As a ‘A’ use: <ul style="list-style-type: none"> Tavern* 	
AU11	Lot 847 Campbell Street, Lamington	Residential	As a ‘D’ use: <ul style="list-style-type: none"> Shop* Restaurant / café* 	
AU12	Lot 205 Aslett Drive, Karlkurla	Residential	As a ‘P’ use: <ul style="list-style-type: none"> Serviced apartment 	
AU13	Lots 1, 2, 3, 19, 20, 47, 51, 52, 56, 57, 97, 98, 101, 288, 291, 292, 295, 296, 298, 308, 318, 320, 322, 330, 342, 343, 606 – 611, 616 – 620, 624, 625, 3018, 3088 and 4863 Dugan Street Lots 1, 2, 238, 239, 244, 245, 260, 265, 276 – 279, 283, 649 – 651 1001 and 1002 Forrest Street Lots 1, 4, 347, 350 – 354, 361, 362, 366 – 368, 375, 376, 379, 386, 393, 397, 398, 401 – 405, 566, 571 – 574, 576, 577, 581, 582,	Residential	As a “D” use <ul style="list-style-type: none"> Office Shop Warehouse As an “A” Use <ul style="list-style-type: none"> Bulky Goods Showroom Garden Centre Industry Light Motor Vehicle, Boat or Caravan Sales Motor Vehicle Repair 	<ol style="list-style-type: none"> The Additional Use is only afforded to those premise with existing commercial or industrial operations. Change of use applications will only be supported where the use is listed in the Additional Use. Development is to be generally in accordance with a development approval issued by the local government Minor additions or alterations to the existing use are permitted.

	<p>585, 822, 823 and 1430 Hay Street</p> <p>Lots 1 and 2 Nethercott Street</p>			<p>5. In the event that –</p> <ol style="list-style-type: none"> a. The building is removed, destroyed or damaged to the extent that the replacement cost would on independent expert assessment be 75% or more of the value of the building immediately prior to removal destruction or damage; or b. Approval is granted for a land use compatible with the residential zoning The additional use shall extinguish.
<p>AU14</p>	<p>Lots 7, 61, 357, 359, 368, 369, 374, 375, 379 and 380 Dugan Street</p> <p>Lots 1, 7, 50, 382, 386 – 390 and 394 Forrest Street</p> <p>Lots 24, 25, 30, 31, 272, 334 – 338, 344 – 347 and 349 – 352 Hay Street</p> <p>Lot 367 Lane Street</p>	<p>Town Centre</p>	<p>As a “D” use</p> <ul style="list-style-type: none"> • Warehouse <p>As an “A” Use</p> <ul style="list-style-type: none"> • Bulky Goods Showroom • Industry Light • Motor Vehicle Repair 	<ol style="list-style-type: none"> 1. The Additional Use is only afforded to those premise with existing commercial or industrial operations. 2. Change of use applications will only be supported where the use is listed in the Additional Use. 3. Development is to be generally in accordance with a development approval issued by the local government 4. Minor additions or alterations to the existing use are permitted. 5. In the event that – <ol style="list-style-type: none"> a. The building is removed, destroyed or damaged to the extent that the replacement cost would on independent expert assessment be 75% or more of the value of the building immediately prior to removal destruction or damage; or

				b. Approval is granted for a land use compatible with the Town Centre zoning. The additional use shall extinguish.
AU15	Lot 1 (No. 271) Forrest Street, Kalgoorlie	Residential	As a 'D' use: <ul style="list-style-type: none"> Office 	
AU16	Lot 454 Hannan Street, Kalgoorlie	Residential	As a 'D' use: <ul style="list-style-type: none"> Amusement Parlour 	
AU17	Lot 123 and 452 Hannan Street, Kalgoorlie	Residential	As a 'D' use: <ul style="list-style-type: none"> Office 	
AU18	Lot 451 Hannan Street, Kalgoorlie	Residential	As an 'A' use: <ul style="list-style-type: none"> Motor vehicle, boat or caravan sales 	
AU19	Lot 70 and 411 Hannan Street, Kalgoorlie	Residential	As an 'A' use: <ul style="list-style-type: none"> Hotel Motel Shop 	

**Additional uses are to be assessed using the 'Commercial' Zone provisions in Schedule 2.*

Also refer to clause 15 Table 2 for other Additional uses

- Despite anything contained in the zoning table (Table 4), land that is specified in Table 5 to subclause (1) may be used for the additional class of use set in respect of that land subject to the conditions that apply to that use.

20. Restricted uses

- There are no restricted uses that apply to this Scheme.

21. Special use zones

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

22. Non-conforming uses

- Unless specifically provided, this Scheme does not prevent –
 - the continued use of the 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
 - the carrying out of development on land if –
 - before commencement of this Scheme, the development was lawfully approved; and
 - the approval has not expired or been cancelled.

2. Subclause (1) does not apply if –
 - (a) the non-conforming use of the land is discontinued; and
 - (b) a period of 6 months, or a longer period approved by the local government has elapsed since the discontinuance of the non-conforming use.
3. Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government –
 - (a) purchases the land; or
 - (b) pays compensation to the owner of the land in relation to the non-conforming use.

23. Changes to non-conforming use

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

24. Register of non-conforming uses

1. The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
2. A register prepared by the local government must set out the following –
 - (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use;
 - (d) the date on which any discontinuance of the non-conforming use is noted.
3. If the local government prepares a register under subclause (1) the local government –
 - (a) must ensure that the register is kept up-to-date; and
 - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - (c) May publish a copy of the register on the website of the local government.
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.

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
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
3. The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within boundaries shown on the Scheme Map.
4. The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

26. Modification of R-Codes

1. In areas identified with a Dual Residential Coding specified on the Scheme Map, the local government may permit development above the lower code to the higher code, provided that the development is consistent with the Scheme and complies with the following requirements:
 - (a) Where a Grouped or Multiple residential development is proposed; and
 - (b) There is evidence that the site is free of contamination, or that any contamination has been suitably addressed; and
 - (c) There is no more than one vehicle entry point per street.
2. A maximum plot ratio bonus of up to 50% may be awarded to developments in the Dual Residential Code areas or within the Town Centre zone, on a pro-rata basis as per State Planning Policy 7.3 *Residential Design Codes Volume 2 – Apartments 2.8.1*.

The following items of significance apply;

- (a) Preservation of heritage (up to 30% of the total bonus, based proportionately upon the scale of restoration) for those properties that are within a Heritage Precinct or have a Heritage listing; and or
- (b) Provision of public facilities (proportionate to site area or 5% per item achieved up to 20% of the total bonus); and or
- (c) Community Housing (owned by a registered social housing provider), 5% per dwelling (up to 25% total); and or
- (d) Provision of privately owned public space (up to 20% bonus as a percentage of the site. This will require a public access easement under section 196 of the Land Administration Act 1997).
- (e) Provision of Aged Persons housing as per R-Codes definitions and requirements, within a development (5% bonus per unit, up to a maximum bonus of 30%).

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

1. State Planning Policy 3.6 — Development Contributions for Infrastructure, modified as set out in clause 28, is to be read as part of this Scheme.

2. The local government —

- (a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the offices of the local government; and
- (b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

28. Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

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

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

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

State planning policies to be read as part of Scheme
(1) State Planning Policy 3.7 - Planning in Bushfire Prone Areas
(2) State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations
(3) State Planning Policy 4.2 – Activity centres for Perth and Peel

30. Modification of State planning policies

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

31. Environmental conditions

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

32. Additional site and development requirements

1. Table 7 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local policies.

Table 7: Additional requirements that apply to land in the Scheme area

No.	Description of land	Requirement
1	As identified on maps in Schedule 01 (H1 and H2 on the Scheme maps)	Kalgoorlie and Boulder Heritage Precincts. (i) All development that is located within the Kalgoorlie or Boulder Heritage precincts requires the approval of the local government. (ii) Development applications are to be assessed against relevant local planning policies and may require referral to relevant State Heritage agencies. (iii) Additional requirements may be required by Schedule 5.

2	All zoned land in the Scheme area	<p>Additional Site and Development Requirements on zoned land</p> <p>Schedule 02 sets out requirements that apply to all zoned land within the scheme area, being additional development requirements related to lot size, setbacks, plot ratios, building heights and landscaping coverage for development.</p>
3	All land in the Scheme area	<p>Environment and Waste management Standards</p> <p>Schedule 03 sets out the standards that apply to all land within the scheme area</p>
4	All land in the Scheme area	<p>Vehicle Access and Vehicle Parking Standards</p> <p>Schedule 04 sets out the standards that apply to all land within the scheme area</p>
5	All land in the Scheme area	<p>Building Format standards</p> <p>Schedule 05 sets out the standards that apply to all land within the scheme area</p>
6	All land in the Scheme area	<p>Infrastructure Standards</p> <p>Schedule 06 sets out the standards that apply to all land within the scheme area</p>
7	All land in the Scheme area	<p>Other various standards</p> <p>Schedule 07 sets out the standards that apply to all land within the scheme area</p>
8	All land in the Scheme area	<p>Car Parking Requirement Standards</p> <p>Schedule 08 sets out the standards that apply to all land within the scheme area</p>
9	All land in the Scheme area	<p>Bicycle Parking Standards</p> <p>Schedule 09 sets out the standards that apply to all land within the scheme area</p>
10	All land in the Scheme area	<p>Shower / Change Room requirement Standards</p> <p>Schedule 10 sets out the standards that apply to all land within the scheme area</p>

- To the extent that a requirement referred to in the schedules, is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy the requirement referred to in the schedules prevails.

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

Table 8 sets out requirements relating to development that is included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

Table 8: Additional requirements that apply to land covered by structure plan, activity centre plan or local development plan

No.	Name	Description of land	Requirement
S1	Hannans Outline Development Plan	Greenview at Karlkurla Estate, Hannans	Designates zones, R-Code and indicative lot layout
S2	Outline Development Plan - Speculation Road, Kalgoorlie	As per the Speculation Road, Somerville Outline Development Plan	Indicative Lot and Road Layout, R-Codes.
S3	Local Development Plan 03	Lots 124-127, 135-142 Greenview at Karlkurla	Building Envelopes, Setbacks
S4	Local Development Plan 04	Lots 158-164 Greenview at Karlkurla	Building Envelopes, Setbacks
S5	Local Development Plan 05	Lots 174-181, 196-204 Greenview at Karlkurla	Building Envelopes, Setbacks, Designated Carport/Garage location, Preferred studio above garage, Minimum mandatory 2 storey building zone
S6	Local Development Plan 06	Lots 182-195 Greenview at Karlkurla	Building Envelopes, Setbacks, Designated Carport/Garage location, Preferred studio above garage, Minimum mandatory 2 storey building zone
S7	Local Development Plan 07	Lot 205 Greenview at Karlkurla	Building Envelopes, Setbacks, Retaining walls, Fencing
S8	Anzac Drive West Structure Plan	Lot 500-502 Anzac Drive, Yilkari	Land Use Permissibility, indicative road layout

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 additional site and development requirements.
3. An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
4. If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must;

- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
 - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- 5. The local government may only approve an application for development approval under this clause if the local government is satisfied that —
 - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
 - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

35. Restrictive covenants

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

36. Special control areas

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

Table 9 – Special control areas in the Scheme area

Name of Area	Purpose	Objectives	Additional Provisions
<p>SCA1 Kalgoorlie-Boulder Airport – Aircraft Noise</p>	<p>Minimise the impact of aircraft noise on sensitive land uses</p>	<ul style="list-style-type: none"> • to regulate development for sites located within the Australian Noise Exposure Forecast (ANEF); • to ensure that new development within the SCA is designed and constructed to mitigate impact from aircraft noise; • to ensure that development is in accordance with, and does not compromise the objectives of the Kalgoorlie Airport Master Plan. 	<ol style="list-style-type: none"> 1. Planning approval is required for all habitable structures wholly or partly within SCA1 including the construction, extension or alteration of any building; and 2. The local government may refer planning applications to State and/or Federal regulatory agencies and must have due regard to advice received when determining applications; and 3. In considering any application for planning approval, subdivision or scheme amendment, the local government shall have regard to – <ol style="list-style-type: none"> (a) the objectives of the Kalgoorlie-Boulder Airport Aircraft Noise SCA1; (b) advice from State and/or Federal regulatory agencies; potential impacts of the proposal on the current and future operations of the airport; (c) relevant ANEF contour information; (d) Australian Standards AS2021-2015 (as amended) Acoustics – Aircraft Noise Intrusion – Building Siting and Construction; and (e) the Kalgoorlie-Boulder Airport Master Plan. 4. Noise sensitive land uses*, may be considered for approval in areas between ANEF 20 to 25 subject to the design and construction of noise attenuation measures contained in Australian Standards AS2021:2015 (as amended) Acoustics – Aircraft Noise Intrusion – Building Siting and Construction; and <ol style="list-style-type: none"> (a) Sensitive land uses in areas where the ANEF contour is greater than ANEF 25 will not be permitted.

			<p>5. Subdivision within SCA1 is permitted provided that, A notification be placed upon the title indicating that the subject land is subject to noise associated with the operation of the Kalgoorlie Airport.</p> <p>* Noise-sensitive land uses include premises occupied or designed for occupation or use for; residential purposes (including dwellings, residential buildings or short-stay accommodation), caravan park, educational establishment, child care premises, hospital, nursing home or place of worship.</p>
<p>SCA2 Kalgoorlie-Boulder Airport – Building Height Restrictions</p>	<p>To identify the area surrounding the Kalgoorlie-Boulder airport where height control measures are required</p>	<ul style="list-style-type: none"> • to regulate development located within the Obstacle Limitation Surfaces (OLS) areas; • to control the type of vegetation and height of structures being constructed within areas that are subject to airport height restrictions; • to ensure that development is in accordance with, and does not compromise the objectives of the Airport Master Plan. 	<ol style="list-style-type: none"> 1. Planning approval is required for all development wholly or partly within SCA2* including the construction, extension or alteration of any building; and <ol style="list-style-type: none"> (a) Development application plans are to state the ultimate heights of buildings/structures in Australian Height Datum (AHD). 2. Planning applications are to be referred to the Airport Manager for advice, and the local government must give due regard to the advice received when determining applications; <ol style="list-style-type: none"> (a) The local government may refer planning applications to State and/or Federal regulatory agencies and must have due regard to advice received when determining applications; 3. Any object outside of the Obstacle Limitation Surface (OLS) that extends above a height of 110 m above site ground level must be assessed by the Civil Aviation Safety Authority (CASA) to determine whether development is an obstacle to aircraft operations; and <ol style="list-style-type: none"> (a) Any object outside of the OLS that extends above a height of 150 m above site ground level is to be regarded as an obstacle unless assessed by CASA to be otherwise; 4. On advice from the Airport Manager, where buildings/structures are deemed to require red hazard beacons installed at their highest parts of the buildings or structure, the local government will require written confirmation from a licensed land surveyor be provided to the local government post construction confirming building/structure heights in Australian Height Datum (AHD). <p>* Excludes all residential development north of Speculation Drive and within the North Somerville Structure Plan area.</p>

<p>SCA3 Fimiston Gold Mine Safety Area</p>	<p>To reduce the level of risk associated with human health in relation to open cut mining activities</p>	<ul style="list-style-type: none"> • provide a separation buffer between the Super Pit Gold Mine and urban areas to maintain the safety and health of surrounding residents and the population in general; • minimise the impact on the amenity of the adjoining urban and residential areas; and • to allow for the continuation of operations at the Super Pit Gold Mine. 	<ol style="list-style-type: none"> 1. Planning approval is required for all development wholly or partly within SCA3 including the construction, extension or alteration of any building; and 2. Planning applications shall be given consideration after written endorsement or advice has been received from; <ol style="list-style-type: none"> (a) The Department of Mines, Industry Regulation and Safety or a similar State agency; and Kalgoorlie Consolidated Gold Mines Pty Ltd. 3. The City will not permit any new residential development within the SCA3. This includes any caretakers dwellings or habitable structures. 4. The City will conditionally permit development where it can be proven that the objectives of SCA3 are not compromised by the development of; <ol style="list-style-type: none"> (a) An industrial land use; or (b) Activities for a recreational purpose; or (c) related to a public purpose. 5. Subdivision within SCA3 is permitted provided that; <ol style="list-style-type: none"> (a) A notification be placed upon the title indicating that the subject land is subject to risk associated with the operation of nearby mines.
<p>SCA4 Gribble creek flood control</p>	<p>To ensure that Development is appropriately located and constructed to minimise the impacts of flooding;</p>	<ul style="list-style-type: none"> • protect existing and future inhabitants from flood hazards and the potential danger and damage associated with the use of flood prone land; to protect Gribble Creek from inappropriate development which may have a detrimental effect on its natural hydrological flows; 	<ol style="list-style-type: none"> 1. Planning approval is required for all development wholly or partly within SCA4 including the construction, extension or alteration of any building or structure; and 2. The City may refer planning applications to the Department of Water and Environmental Regulation or a similar State agency and have due regard to recommendations and advice received from those authorities when determining applications. 3. No new development shall be permitted in the floodway except where; <ol style="list-style-type: none"> (a) the proposal is for minor additions to existing buildings or to replace an existing development; and (b) the proposed minimum finished floor level is 500mm greater than the designated 1% (1 in 100) Average Exceedance Probability (AEP) flood level; and/or at a height specified by the Department of Water or Environmental Regulation (DWER) or other relevant State agency;

		<ul style="list-style-type: none"> • to consider the appropriateness of land use and to employ necessary built form outcomes to minimise flood risk; 	<p>and this is supported by an engineer's report to the satisfaction of the local government; and</p> <ul style="list-style-type: none"> (c) A licenced land surveyor certifies that the minimum finished floor levels is achieved prior to the commencement of construction of the remaining development; and (d) In the case of a new dwelling to replace an existing dwelling, the obstruction of the floodway caused by the new dwelling is no greater than the obstruction caused by the existing dwelling; and (e) Where the proposed development will not adversely affect the free flow of floodwaters within the floodway; and (f) The applicant enters into a flood/erosion indemnity agreement between the applicant and the local government; and (g) Safe access and evacuation procedures exist to manage the risk of isolation during a major flood; and (h) Electrical installations are installed a minimum of 500mm above the designated 1% AEP flood level; and (i) A notification be placed upon the title indicating that the subject land is subject to inundation. <p>4. Development in the flood fringe may be supported where;</p> <ul style="list-style-type: none"> (a) The proposed minimum finished floor level is 500mm greater than the designated 1% (1 in 100) AEP flood level; and/or at a height specified by DWER or other relevant State agency and is supported by an engineer's report to the satisfaction of the local government; and (b) A licenced land surveyor certifies that the minimum finished floor levels have been achieved prior to the commencement of construction of the remaining development; and (c) It does not encroach any fill into the floodway; and (d) The side slope of fill should be a maximum of 1:4 and suitably vegetated/treated to minimise potential erosion during major flooding; and (e) The applicant enters into a flood/erosion indemnity agreement between the applicant and the local government; and (f) Safe access and evacuation procedures exist to manage the risk of isolation during a major flood; and
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			<p>(g) Electrical installations are installed a minimum of 500mm above the designated 1% AEP flood level; and</p> <p>(h) A notification be placed upon the title indicating that the subject land is subject to inundation.</p> <p>5. A stormwater management plan must be approved prior to commencement of development, and must be to the satisfaction of the local government, and the Department of Water and Environmental Regulation or a similar State agency.</p> <p>6. Any vegetation clearing, site works, fencing, landfill or any other development which changes the existing topography of the land requires the approval of the local government.</p> <p>7. Subdivision within the Floodway is not permitted unless it is for the purposes of Crown Land Management or for the release of land into the Crown estate.</p> <p>8. Subdivision within the Flood fringe is permitted provided that;</p> <p>(a) A notification be placed upon the title indicating that the subject land is subject to inundation; and</p> <p>(b) A licenced land surveyor certifies that the minimum finished lot site levels have been achieved prior to the issue of titles.</p>
<p>SCA5 Water treatment plant buffer</p>	<p>To identify the buffer area surrounding the waste water treatment plant.</p>	<ul style="list-style-type: none"> • to prevent the introduction and intensification of land development which would be incompatible with: <ul style="list-style-type: none"> ○ The ongoing operation of the wastewater treatment plant ○ Future expansion of the capacity of treatment plant • To facilitate the use and development of 	<p>1. Planning approval is required for all development wholly or partly within SCA5 including the construction, extension or alteration of any building or structure that contains or supports sensitive land uses; and</p> <p>2. In considering any application for development approval, scheme amendment request, structure plan, local development plan or subdivision application, and in addition to the matters listed in clause 67 of the deemed provisions, the local government shall have regard to the following:</p> <p>(a) the recommendations of the Water Corporation and Department of Environment Regulation; and</p> <p>(b) the potential odour impact of the waste water treatment plant and whether the proposal is compatible with the existing and future use of the plant.</p>

		<p>land for uses which are beneficial to the operation of the treatment plant.</p> <ul style="list-style-type: none"> To prevent adverse impacts on residential and other sensitive land uses. 	<p>(c) A structure plan, activity centre plan, local development plan and/or scheme amendment proposal is to provide a current odour modelling technical report to review and confirm the boundaries of the odour buffer.</p> <p>3. No residential or other sensitive land uses as defined by EPA Guidance Statement No. 3 (Separation Distances between Industrial and Sensitive Land Uses, June 2005) are to be located in the Treatment Plant odour buffer.</p>
<p>SCA6 Kalgoorlie motorsport noise buffer</p>	<p>To identify the extent of noise hazard associated with the operation of the Kalgoorlie motorsport complex</p>	<ul style="list-style-type: none"> To prevent adverse impacts on residential and other sensitive land uses. To ensure that new development within the SCA6 is designed and constructed to mitigate any impact from motorsport noise 	<ol style="list-style-type: none"> Planning approval is required for all noise sensitive* development wholly or partly within SCA6 including the construction, extension or alteration of any building or structure that contains or supports sensitive land uses*; and In considering any application for planning approval, subdivision or scheme amendment, the local government shall have regard to – <ol style="list-style-type: none"> the objectives of the Kalgoorlie Motorsport Complex advice from State and/or Federal regulatory agencies; relevant Australian Standards and policies relating to motor sport noise impacts Subdivision within SCA6 is permitted provided that a notification be placed upon the title indicating that the subject land is subject to noise hazard associated with the operation of the Kalgoorlie Motorsport Complex. <p>* Noise-sensitive land uses include premises occupied or designed for occupation or use for; residential purposes (including dwellings, residential buildings or short-stay accommodation), caravan park, educational establishment, child care premises, hospital, nursing home or place of worship.</p>
<p>SCA7 State Planning Policy 5.4 road noise</p>	<p>To identify land subject to the policy</p>	<ul style="list-style-type: none"> To assess properties for the impact of road noise against the policy 	<p>Assessment and conditions;</p> <ol style="list-style-type: none"> as per the State Planning Policy 5.4 Road and rail noise
<p>SCA8 State Planning Policy 5.4 rail noise</p>	<p>To identify land subject to the policy</p>	<ul style="list-style-type: none"> To assess properties for the impact of Rail noise against the policy 	<ol style="list-style-type: none"> Assessment and conditions as per the State Planning Policy 5.4 Road and rail noise When a development application is received, proposed developments adjacent to the rail corridor will be referred to the Public Transport Authority (PTA) for comment.

<p>SCA9 Kalgoorlie explosives reserve safety buffer</p>	<p>To identify the extent of the explosives safety buffer area</p>	<ul style="list-style-type: none"> To enable referral to relevant state agencies on development proposals 	<ol style="list-style-type: none"> When a development application is received, that application will be referred to the Department of Mines, Industry and Safety (DMIRS) for comment. The department may recommend conditions to development. Development that will not be supported in the buffer area includes sensitive land uses such as; <ol style="list-style-type: none"> Schools Hospitals Aged care facilities Prisons Multiple dwellings All non-dwelling habitable structures with a density greater than 40 habitable rooms per hectare.
<p>SCA10 Yilkari Industrial development buffer</p>	<p>To identify land surrounding Lot 350 & Lot 500 Yilkari to minimise sensitive land uses</p>	<ul style="list-style-type: none"> To prevent the introduction of sensitive land uses that may compromise the viability and operation of general industry located on Lot 350 & Lot 500 Yilkari To align with the objective of the EPA Guidance Statement No. 3 (Separation distances between industrial and sensitive land uses) as amended from time to time, by establishing a buffer for the protection of industry. 	<ol style="list-style-type: none"> Planning approval is required for all development wholly or partly within SCA10 including the construction, extension or alteration of any building or structure; and The City may refer to the department of Mines, Industry Regulation and Safety or any relevant State agency in determining an approval; and The City will not permit any type of residential dwelling, caretakers dwelling, tourist development, workforce accommodation, hotel, motel, within the SCA10 Subdivision within SCA10 is permitted provided that; <ol style="list-style-type: none"> A notification be placed upon a title indicating that the subject land is specifically not permitted to be developed for the purposes of any type of residential dwelling, caretakers dwelling, tourist development, workforce accommodation, hotel, motel,

Division 01 - 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 –

Advertisement	<p>Means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes —</p> <ul style="list-style-type: none"> (a) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and (b) any airborne device anchored to any land or building used for the display of advertising; and (c) any vehicle or trailer or other similar object placed or located so as to serve the purpose of displaying advertising; <p><i>Refer to schedule 11 for exemptions.</i></p>
Amenity	<p>Means all those factors which combine to form the character of an area and include the present and likely future amenity.</p>
Annual Exceedance Probability	<p>Means the probability of a flood event of a given size being equalled or exceeded in any one year, usually expressed as a percentage.</p>
Australian Height Datum (AHD)	<p>Is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.</p>
Building envelope	<p>Means the area of land within which all buildings and effluent disposal facilities on a lot must be contained;</p>
Building height	<p>In relation to a building height —</p> <ul style="list-style-type: none"> (a) if the building is used for residential purposes, it has the meaning given in the R-Codes; or (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes;
Commercial vehicle	<p>Means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including —</p> <ul style="list-style-type: none"> (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)
Commercial vehicle parking	<p>Means premises used for parking of one (1) or two (2) commercial vehicles but does not include –</p> <ul style="list-style-type: none"> (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.

Designated 1% AEP Flood Level	Means the peak water level that would potentially occur during a 1% AEP flood, as determined by the latest flood study endorsed by the City.
Floodway	Means a river, stream or drainage channel and a portion of the floodplain which forms the main flow path for floodwaters once the main channel has overflowed.
Flood fringe	Means the area of the floodplain outside of the floodway that is affected by flooding, but where development could be permitted (from a flooding perspective only) provided appropriate building and emergency management measures are taken to ensure adequate flood protection.
Floodplain	Means the extent of the land near a wetland, waterway or major drainage channel that may be flooded.
Floor area	Has meaning given in the Building Code of Australia.
Frontage	In relation to a building — <ul style="list-style-type: none"> (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or (b) if the building is used for purposes other than residential purposes, means the line where the road reserve and the front of a lot meet and, if a lot abuts two (2) or more road reserves, the one to which the building or proposed building faces.
Gross Floor Area (GFA)	means the area of all floors confined within the finished surfaces of walls.
Heritage place	Has the meaning given in Clause 7 of the <i>Heritage Act 2018</i> .
Incidental use	Means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;
Minerals	Has the meaning given in the <i>Mining Act 1978</i> section 8(1);
Minimum Finished Floor Levels (FFL)	A minimum finished floor level (FFL) of 500mm (0.50 m) above the designated 1% AEP flood level is recommended for habitable areas to ensure the proposed development has an adequate flood protection for development;
Net lettable area (NLA)	Means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas – <ul style="list-style-type: none"> (a) stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas; (b) lobbies between lifts facing other lifts serving the same floor; (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building; (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for exclusive use of occupiers of the floor or building;
Non-conforming use	Has the meaning given in the <i>Planning and Development Act 2005</i> section 172;
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 this Scheme comes into effect under section 87(4) of the Act;
Shelter	Means a building in a yard used for the temporary protection of a horse or a number of horses from inclement weather;
Shop-top	Buildings that contain commercial and other non-residential uses in conjunction with residential dwellings in a multiple dwelling configuration.
Short-term accommodation	Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;
Stable	Means a building used for stabling a horse or number of horses;
Stall	Means a compartment within a stable in which a single horse is kept;
Super Pit	Means the open cut gold mine operated by Kalgoorlie Consolidated Gold Mines Pty Ltd.
Surveillance Device	Means a listening device, an optical surveillance device or a tracking device;
Wall height	in relation to a wall of a building — (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet;
Wholesale	Means the sale of goods or materials to be sold by others.
Yard	Means an area that is fenced in for the purpose of confining a horse or number of horses

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 02 – Land use terms used in Scheme

38. Land use terms used

3. If this Scheme refers to a category of land use that is listed in this provision the meaning of that land use is as set out below –

Abattoir	Means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
Airfield	Means any premises used for purposes relating to aircraft landing, take-off and maintenance and does not include a private airstrip incidental to farming operations.
Aged or dependant persons dwelling	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
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 premise used for commercial production purposes, including outbuildings and earthworks, associated with any of the following — <ul style="list-style-type: none"> (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); and (d) aquaculture.
Amusement parlour	Means premises – <ul style="list-style-type: none"> (a) that are open to the public; and (b) that are used predominantly for amusement by means of amusement machines including computers; and (c) where there are two (2) or more amusement machines.
Ancillary dwelling	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
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 care.
Animal husbandry - intensive	Means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.
Art gallery	Means premises — <ul style="list-style-type: none"> (a) that are open to the public; and (b) where artworks are displayed for viewing or sale;

Bed and breakfast	<p>Means a dwelling –</p> <ul style="list-style-type: none"> (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four (4) adult persons or one family; and (b) containing not more than two (2) guest bedrooms;
Betting agency	<p>Means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i>.</p>
Brewery	<p>Means premises the subject of a producer’s licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i>.</p>
Bulky Goods Showroom	<p>Means premises –</p> <ul style="list-style-type: none"> (a) Used to sell by ret goods or accessories of the following types that are principally used for domestic purposes – <ul style="list-style-type: none"> (i) Automotive parts and accessories; (ii) Camping, outdoor and recreation goods; (iii) Electric light fittings; (iv) Animal supplies including equestrian and pet goods; (v) Floor and window coverings; (vi) Furniture, bedding, furnishings, fabrics, Manchester and homewares; (vii) Household appliances, electrical goods and home entertainment goods; (viii) Party supplies; (ix) Office equipment and supplies; (x) Babies’ and children’s goods, including play equipment and accessories; (xi) Sporting, cycling, leisure, fitness goods and accessories; (xii) Swimming pools; Or (b) Used to sell by retail goods and accessories by retail if – <ul style="list-style-type: none"> (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.
Car park	<p>Means premises used primarily for parking vehicles whether open to the public or not but does not include —</p> <ul style="list-style-type: none"> (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;
Caravan park	<p>Means premises that are a caravan park as defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1).</p>
Caretaker’s dwelling	<p>Means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant;</p>
Child care premises	<p>Means premises where —</p> <ul style="list-style-type: none"> (a) an education and care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> section 5(1), other than a family day care service as defined in that section, is provided; or (b) a child care service as defined in the <i>Child Care Services Act 2007</i> section 4 is provided;

Cinema / theatre	Means premises where the public may view a motion picture or theatrical production;
Civic use	Means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes;
Club premises	Means premises used by a legally constituted club or association or other body of persons united by a common interest;
Commercial vehicle parking	Means premises used for parking of one (1) or two (2) commercial vehicles but does not include — <ul style="list-style-type: none"> (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 two (2) health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
Container deposit recycling centre	Means premises used to return, consolidate, temporarily store and sort material associated with a container deposit scheme established under Part 5A of the Waste Avoidance and Resource Recovery Act 2007 before transfer to a waste storage facility or resource recovery centre, and may also include the return of small consumer goods or products as an incidental use.
Convenience store	Means premises — <ul style="list-style-type: none"> (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300 m² net lettable area.
Corrective institution	Means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
Educational establishment	Means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
Exhibition centre	Means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.
Family day care	Means premises where a family day care service as defined in the <i>Education and Care Services National Law (Western Australia)</i> is provided.

Fast food outlet / Lunch bar	<p>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 —</p> <ul style="list-style-type: none"> (a) without further preparation; and (b) primarily off the premises;
Fuel depot	<p>Means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —</p> <ul style="list-style-type: none"> (a) as a service station; or (b) for the sale of fuel by retail into a vehicle for use by the vehicle.
Funeral parlour	<p>Means premises used —</p> <ul style="list-style-type: none"> (a) to prepare and store bodies for burial or cremation (b) to conduct funeral services;
Garden centre	<p>Means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.</p>
Grouped dwelling	<p>As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.</p>
Holiday accommodation	<p>Means two (2) or more dwellings on one (1) lot used to provide short term accommodation for persons other than the owner of the lot;</p>
Holiday house	<p>Means a single dwelling on one (1) lot used to provide short-term accommodation but does not include a bed and breakfast;</p>
Home business	<p>Means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —</p> <ul style="list-style-type: none"> (a) does not involve employing more than two (2) people who are not members of the occupier’s household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 50 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 tonne 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.

<p>Home occupation</p>	<p>Means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —</p> <ul style="list-style-type: none"> (a) does not involve employing a person who is not a member of the occupier’s household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 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 — <ul style="list-style-type: none"> (i) Require a greater number of parking spaces than normally required for a single house; or (ii) Result in an increase in traffic volume in the neighbourhood and (g) Does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and (h) Does not include provision for the fuelling, repair or maintenance of motor vehicles; and (i) Does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;
<p>Home office</p>	<p>Means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —</p> <ul style="list-style-type: none"> (a) is solely within the dwelling; and (b) does not entail clients or customers travelling to and from the dwelling; and (c) does not involve the display of a sign on the premises; and (d) does not require any change to the external appearance of the dwelling.
<p>Home store</p>	<p>Means a shop attached to a dwelling that —</p> <ul style="list-style-type: none"> (a) has a net lettable area not exceeding 100 m²; and (b) is operated by a person residing in the dwelling.
<p>Hospital</p>	<p>Means premises used as a hospital as defined in the <i>Health Services Act 2016</i> section 8(4)</p>
<p>Hotel</p>	<p>Means premises the subject of a hotel licence other than a small bar or tavern licence granted under the <i>Liquor Control Act 1988</i> including any betting agency on the premises.</p>
<p>Industry</p>	<p>Means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —</p> <ul style="list-style-type: none"> (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; and (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 - primary production	Means premises used — (a) to carry out a primary production business as that term is defined in the <i>Income Tax Assessment Act 1997</i> (Commonwealth) section 995-1; or (b) for a workshop servicing plant or equipment used in primary production businesses;
Liquor store - large	Means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m ² .
Liquor store - small	Means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of not more than 300m ² .
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 three (3) or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
Mining operations	Means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1) is carried out.
Motel	Means premises, which may be licensed under the <i>Liquor Control Act 1988</i> – (a) used to accommodate guests in a manner similar to a hotel; and (b) with specific provision for the accommodation of guests with motor vehicles.
Motor vehicle, boat or caravan sales	Means premises used to sell or hire motor vehicles, boats or caravans.
Motor vehicle repair	Means premises used for or in connection with — (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or (b) repairs to tyres other than recapping or re-treading of tyres.
Motor vehicle wash	Means premises primarily used to wash motor vehicles.

Multiple dwelling	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
Nightclub	Means premises the subject of a nightclub licence granted under the <i>Liquor Control Act 1988</i> .
Office	Means premises used for administration, clerical, technical, professional or similar business activities.
Park home park	Means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> Schedule 8;
Place of worship	Means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.
Reception centre	Means premises used for hosted functions on formal or ceremonial occasions.
Recreation - private	Means premises that are — (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
Renewable Energy Facility	Means premises used to generate energy from a renewable energy source predominantly for use offsite and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource.
Residential aged care facility	Means a residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons’ dwellings and a retirement village, but does not include a hospital, rehabilitation or psychiatric facility.
Residential building	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
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 <i>Liquor Control Act 1988</i> .
Restricted premises	Means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of — (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth)</i> ; and (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; (c) smoking-related implements;

Road house	<p>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 —</p> <ul style="list-style-type: none"> (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	<p>Means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation —</p> <ul style="list-style-type: none"> (a) does not involve employing more than two (2) people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 200 m²; and (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and (f) does not involve the presence, use or calling of more than three (3) vehicles at any one time or of a vehicle more than thirty (30) tonnes gross weight;
Rural pursuit / hobby farm	<p>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 —</p> <ul style="list-style-type: none"> (a) the rearing, agistment, stabling or training of animals; (b) the keeping of bees; (c) the sale of produce grown solely on the premises;
Service station	<p>Means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —</p> <ul style="list-style-type: none"> (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.
Serviced apartment	<p>Means a group of units or apartments providing —</p> <ul style="list-style-type: none"> (a) self-contained short stay accommodation for guests; and (b) any associated reception or recreational facilities;
Shop	<p>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.</p>

Single bedroom dwelling	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
Single house	As defined in State Planning Policy 7.3 – Residential Design Codes Volume 1, as amended from time to time.
Small bar	Means premises the subject of a small bar licence granted under the <i>Liquor Control Act 1988</i> .
Tavern	Means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i> .
Telecommunications infrastructure	Means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.
Tourist development	Means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide — <ul style="list-style-type: none"> (a) short-term accommodation for guests; and (b) onsite facilities for the use of guests; and (c) facilities for the management of the development;
Transport depot	Means premises used primarily for the parking or garaging of three (3) or more commercial vehicles including — <ul style="list-style-type: none"> (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 (1) hectare, including land in respect of which a carbon right is registered under the <i>Carbon Rights Act 2003</i> section 5.
Veterinary centre	Means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.
Warehouse / storage	Means premises including indoor and/or outdoor facilities used for — <ul style="list-style-type: none"> (a) the storage of goods, equipment, plant or materials; or (b) the display or sale by wholesale of goods.
Waste disposal facility	Means premises used — <ul style="list-style-type: none"> (a) for the disposal of waste by landfill; or (b) the incineration of hazardous, clinical or biomedical waste;
Waste storage facility	Means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

Winery	Means premises used for the production of viticultural produce and associated sale of the produce;
Workforce accommodation	Means premises, which may include modular or relocatable buildings, used – <ul style="list-style-type: none">(a) primarily for the temporary accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and(b) any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

PART 07 SCHEDULES

Schedule No.01: Heritage Precincts

Kalgoorlie Heritage Precinct

Shown on Scheme maps as H1



Boulder Heritage Precinct

Shown on Scheme maps as H2



Schedule No.02: Additional Site and Development Standards on zoned land

Table 10 – Development Standards on Zoned land











	Commercial	Service Commercial	Town Centre	Tourism	General Industry	Light Industry	Rural Townsite	Rural	Rural Residential	Residential	Private Clubs and Institutions
											
Recommended minimum Lot Area	-	1,000m ²	-	1,000m ²	1,000m ²	1,000m ²	1,000m ²	-	1ha	R-Code	500m ²
Maximum plot Ratio – Non Residential	1.0 (6)	0.7 (6)	3.0 (6)	2.0 (6)	0.8	0.8	0.8	Max 3,500m ² aggregate footprint (4)	Max 2,000 m ² aggregate footprint (4)	Refer to Schedule 6(5)	0.8
R- Code assessment – Residential	-	-	Only above ground level	above ground level - R40	-	-	R10	Assessed against R2 criteria	Assessed against R2 criteria	R-Code	-
Average Front Setback	-	3.0m	-	3.0m	3.0m	3.0m	5.0m	30.0m	20.0m	R-Code	-
Side Setback	-	-	-	-	-	-	3.0m	20.0m	20m	R-Code	-
Rear Setback	-	-	-	-	-	-	3.0m	20.0m	20m	R-Code	-
Landscaping of site minimum area (5)	15%	15%	-	15%	10%	10%	15%	10%	15%	R-Code	10%
Building Height Non-residential - overall	25.0m	9.0m	(7)	21.0m	20.0m	15.0m	9.0m	12.0m	9.0m	-	12.0m
Building Height non-residential: Wall	6.0m	6.0m	(7)	6.0m	12.0m	12.0m	6.0m	6.0m	6.0m	-	6.0m
Building Height bonuses	Yes (1)	Yes (1)	Yes (3)	Yes (3)	Yes (2)	Yes (2)	No	Yes (2)	No	Ref: Clause 26(2)	Yes (2)

Table 11 – Development Standards on Town Centre land

Town Centre				
	R-AC 1	R-AC 2	R-AC 3	R-AC 4
Minimum length to frontage of verandah to be provided for a development with a nil setback (9)	100%	80%	20%	0%
Minimum building height	2 storeys	2 storeys	N/A	N/A
Minimum parking to be provided on site (8)	20%	40%	60%	80%
Minimum % of ground floor to be provided an active use	60%	40%	N/A	N/A

Notes:

- (1)** The local government may permit a variation to building heights and permit buildings over the stated overall height, and up to 20% taller wall height on boundaries, where the local government is satisfied that there will be no adverse impact on adjoining residential sites, or cultural heritage values of places or precincts, or the general amenity of the locality and adequate light and ventilation can be demonstrated;
- (2)** Additional height will only be considered where it is necessary to support the activity proposed, and is compliant with SCA 2.
- (3)** Residential development shall be accentuated and stepped back from lower level development, to clearly demonstrate the differences in land use when using Clause 26(2).
- (4)** Establishment of a commercial activity will only be approved after the habitation of a dwelling on the lot. Only one commercial activity is permitted per lot, and common access of at least 5 metres wide is to be provided to the commercial activity. The occupants of the dwelling shall be restricted to the owners or tenants of the commercial activity.
- (5)** Landscaping shall be predominantly street facing, within the first 3 metres of a street frontage.
- (6)** The local government may permit a maximum plot ratio bonus of up to 30% for the preservation of heritage (based proportionately upon the scale of restoration) for those properties that are within a Heritage Precinct or have a Heritage listing.
- (7)** All development within the Town Centre zone is to comply with the building height limit (storeys) set out in Table 2.1 of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments.
- (8)** The relaxation of parking standards does not apply to dwellings. Visitor parking bays may be reduced by the table proportionately.
- (9)** Exemptions may be considered for those properties on the Heritage list where a verandah is not considered with the heritage value of the site.

Schedule No.03: Environment, waste management and landscaping standards

Subject	Development Standards - Environment and Waste Management
<p style="text-align: center;">1</p> <p>Effluent disposal</p>	<p>Where deep sewerage is available, all development and building approvals shall be conditional upon connection into the deep sewerage system;</p> <ul style="list-style-type: none"> (a) Where deep sewerage is not available, development may be approved with an on-site effluent disposal system; (b) Where the local government considers that on-site effluent disposal will cause health or environmental hazard, the local government shall refuse development approval or make such approval conditional upon connection to deep sewerage; (c) Where subdivision, development or redevelopment increases demand for sewerage reticulation services, the local government can require Sewer Headworks Contributions as a condition of development approval.
<p style="text-align: center;">2</p> <p>Erosion and sediment control</p>	<p>Property owners must prevent soil, silt, litter and other material from leaving their property by way of –</p> <ul style="list-style-type: none"> (a) installing and maintaining adequate sediment and erosion controls; (b) preserve grassed and vegetated areas, while minimising the disturbance of these areas during development or works; (c) mulching or revegetating disturbed areas; (d) ensure that stockpiles of sand, gravel, soil and similar materials are located so that material does not spill onto the road or pavement, is not placed in drainage lines, depressions or watercourses, cannot be washed into roadways, drainage lines, depressions or watercourse.
<p style="text-align: center;">3</p> <p>Waste management</p>	<ol style="list-style-type: none"> 1. A waste management plan is to be provided at the development application stage where the development is: <ul style="list-style-type: none"> (a) A residential development with 10 or more grouped or multiple dwellings; or (b) A mixed use development; or (c) 10 or more aged or dependent persons development; or (d) A change of commercial use that requires a reassessment of waste management practices. 2. Local government may request a waste management plan be provided at the development application stage, addressing matters considered appropriate when the land use produces: <ul style="list-style-type: none"> (a) Medical and clinical waste arising from medical, nursing, dental, veterinary, laboratory, pharmaceutical and other similar practices; or (b) Food or trade waste; or (c) Waste as a result of commercial activities. 3. A commercial bin arrangement must be provided for: <ul style="list-style-type: none"> (a) A residential development of 10 or more grouped or multiple dwellings (b) 10 or more aged or dependent persons (c) A mixed use development

	<p>4. If a Waste Management Plan is to be submitted and approved by the City of Kalgoorlie-Boulder, and thereafter implemented to the satisfaction of the local government. The Waste Management Plan is to demonstrate that;</p> <ul style="list-style-type: none"> (a) There is sufficient storage for refuse and recycling bins, including sufficient area to access those bins. The Management plan must be to the satisfaction of the City and appropriate refuse and recycling collection contractors. (b) The floor of the bin compound shall be constructed in concrete in accordance with AS2870 and be of a minimum thickness of 75mm. (c) Each bin compound shall be of a sufficient size to accommodate all receptacles required by the development. (d) Bin stores shall be provided with an adequate supply of water with hose cock and have floor drainage installed. (e) Bin compounds are to be ventilated in accordance with AS1668.2. (f) All bin stores are to be designed with self-closing doors to eliminate access by vermin. (g) On-site collection accessible by waste collection vehicle in accordance with AS2890.2 taking into consideration ceiling clearance requirements (if applicable). (h) Accessible by refuse vehicle in accordance with AS2890.2 taking into consideration any obstructions which include crossovers, footpaths, street trees and signage
<p style="text-align: center;">4</p> <p style="text-align: center;">Refuse and storage areas</p>	<p>Provision shall be made for one or more areas for the storage of any matter including refuse in any development.</p> <p>The refuse or storage areas shall be:</p> <ul style="list-style-type: none"> (a) screened from view to the satisfaction of the local government; (b) safely accessible to service vehicles.
<p style="text-align: center;">5</p> <p style="text-align: center;">Landscaping</p>	<p>For All development the following landscaping standards are required – a landscaping plan and maintenance schedule is to be included in a development application addressing matters considered appropriate by the local government;</p> <ul style="list-style-type: none"> (a) the planting of native species listed within Schedule 13 – Preferred Landscaping Species List, however up to 30% of landscaped areas may be permitted to include exotic species listed in Schedule 13; (b) a minimum of 1 tree per 6 car parking bays, with a minimum 1.8 m wide planting bed, however a 1.5 m x 1.5 m planting bed may be accepted at the discretion of the local government; (c) groundcovers are spaced at a rate of 1.0 m centres using a minimum 150mm pot size; (d) shrubs are spaced at 2.0 m centres using a minimum 300mm pot size; (e) trees are spaced at a rate of 5.0 m centres using a minimum 45L pot size; (f) planting media and mulches are to be provided in accordance with <i>AS4454-2012 (as amended) Compost, Soil Conditioners and Mulches</i> and <i>AS4419-2003 (as amended) Soils for Landscaping and Garden Use</i>; (g) buildings forming part of an approved development shall not be occupied until the required landscaping has been constructed and planted, unless the local government otherwise approves;

	<ul style="list-style-type: none"> (h) Landscaping species which fail establish within a period of 12 months from post completion of development shall be replaced to the satisfaction of the City; (i) landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with an approved plan and maintained thereafter to the satisfaction of the City. <p>Variations to landscaping provisions may be considered under the following circumstances:</p> <ul style="list-style-type: none"> (a) where 100% site coverage and/or building footprint is proposed; (b) the local government may accept verge tree plantings, green walls, vertical gardens, roof or terrace gardens and planter boxes to satisfy all or part of the required percentage of on-site landscaping; and (c) A circumstance in which the applicant can demonstrate landscaping requirements cannot be met.
<p style="text-align: center;">6</p> <p>Landscaping of demolished building sites</p>	<p>Where buildings are demolished within the Commercial or Town Centre zones and, redevelopment of the site is delayed for more than six months; the following works are required to be carried out by the applicant:</p> <ul style="list-style-type: none"> (a) the premises are to be cleared of all rubble, debris and demolition materials; (b) the site is to be levelled to the same level as the adjoining footpath and/or road and turfed so it can be mowed unless topography is such that an alternative solution is required and that the solution is to the satisfaction of the local government; (c) the site is to be landscaped with perimeter plantings (consisting of advanced specimens of fast growing species as determined by the local government); and (d) the site is to be maintained to ensure no sediment runoff from the site occurs.
<p style="text-align: center;">7</p> <p>Vegetation protection and offset</p>	<p>In Urban development, Industrial development, Rural zones and within Public Purpose reserves - no clearing of vegetation shall occur except for the purposes of;</p> <ul style="list-style-type: none"> (a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended) and Bushfire Management Plan; (b) clearing as reasonably required for the construction of an approved structure or vehicular access to the satisfaction of the local government; (c) Maintaining an orderly public environment as deemed by the City.

Schedule No.04: Vehicles and parking standards

Subject	Development Standards – Vehicle Parking
<p>1</p> <p>Car parking</p>	<p>A person shall not develop, use land, erect, or adapt any building for use unless car parking bays are provided in accordance with Schedule 04: Car Parking Requirements, and such spaces are constructed and marked in accordance with AS 2890.1, AS 2890.6 and AS 2890.5;</p> <ul style="list-style-type: none"> (a) The local government may take into consideration as part of car parking calculations, any car parking bays available after normal trading hours; (b) The required number of car parking bays shall be round up to the nearest whole number; and (c) All crossovers, open storage, manoeuvring and circulation areas shall be suitably constructed, sealed (asphalt, concrete or brick pavers), drained and thereafter maintained, excluding non-residential development within the Rural Zone. (d) Within the General Industry zone, the local government may grant approval for manoeuvring and circulation areas to be constructed with materials other than those noted in subclause (c) if the applicant can demonstrate that such materials permits all-weather access by vehicles accessing the site, will not impede the drainage of storm water, not create a dust hazards, does not result in gravel, sand or other forms of earth leaving the site and will not create a traffic hazard for vehicles using the area. (e) Disabled car parking bays to be provided as per the National Construction Code. (f) Where a particular use of land is not specified in Schedule 04, the local government shall determine the number of car parking spaces to be provided on the site having regard to the nature of the proposed development, the number of employees and visitors likely to be on the site, the anticipated demand for visitor parking, the availability of on street parking, the need to keep roads and streets free of obstructions and the amenity of the area. (g) Where land is developed to accommodate a range of uses, the number of car parking spaces to be provided is to be calculated separately for each part of the land or building used for each use. (h) Where on street parking is proposed to be utilised, the applicant is required to demonstrate, through the provision of a parking study, that there is sufficient on street spaces available during the hours of operation of the proposed use. (i) No additional car parking bays is required for alfresco dining. (j) For properties within the Kalgoorlie or Boulder Heritage Precincts as identified in Schedule 01, no additional onsite car parking spaces are required for a change of use, the creation of additional floor space or the creation/extension of mixed use development involving residential, or 'shop top' housing areas unless the total development proposes a 50% increase in existing floor space. (k) Tandem parking spaces will only be accepted when they are for the use of staff who are generally on the premises for long periods of time. These spaces will be required to be marked as staff bays, and will not be for the general use of customers or visitors to the building.

<p style="text-align: center;">2</p> <p style="text-align: center;">Cash-in-lieu of parking bays</p>	<p>Where a person who applies for planning approval is required to provide car parking bays in accordance with the Scheme, that person may, if the local government so agrees, make a cash payment to the local government in lieu of all or any of the required number of car parking bays subject to the following;</p> <ul style="list-style-type: none"> (a) A cash in lieu payment shall not be less than the estimated cost to the owner of providing the car parking spaces otherwise required by the Scheme, plus the value as estimated by the Valuer-General acting in accordance with the <i>Valuation of Land Act 1978</i>, of the area of land which would have been occupied by the parking spaces; (b) Before the local government agrees to accept a cash payment in lieu of the provision of parking spaces, the local government must either have already provided a public car park nearby, or must have firm proposals for providing a public car park area nearby within a period of not more than eighteen months from the time of agreeing to accept the cash payment. (c) Payments under this clause shall be deposited into a special fund to be used exclusively to provide and/or maintain car parks in the near vicinity of the development site. (d) Where the local government agrees to accept a payment in lieu of the required number of car parking bays, the balance of the car parking bays shall be provided on the land subject of the application; (e) If an owner or developer shall object to the amount of the costs and values determined by the local government pursuant to subclause (a)(i), the matter may be referred to arbitration in accordance with the provisions of the <i>Commercial Arbitration Act 2012</i>.
<p style="text-align: center;">3</p> <p style="text-align: center;">Bicycle parking and end of trip facilities</p>	<p>Bicycle parking shall be provided and maintained for all developments in accordance with the rates set out in Schedule 09.</p> <p>Bicycle parking spaces shall be designed in accordance with AS2890.3</p> <ul style="list-style-type: none"> (a) The number of bicycle parking spaces required in Schedule 09 shall be rounded up to the nearest whole number. (b) If the Scheme does not specify the number of bicycle parking spaces required in respect of any particular use, then the number of bicycle parking spaces to be provided shall be fixed by the local government having regard to other relevant uses, if any. (c) Where bicycle parking spaces are required to be provided for employees, end of trip facilities are to be provided as per Schedule 10. (d) Lockers shall be provided and maintained for all developments at a rate of 1 locker per bicycle parking space required for employees as per Schedule 10.
<p style="text-align: center;">4</p> <p style="text-align: center;">Vehicular access to the street</p>	<p>Each development lot shall have a constructed crossover from the primary or secondary street;</p> <ul style="list-style-type: none"> (a) Vehicular access to non-residential lots shall not be within 9m of an intersection or where a carriageway otherwise deviates; (b) Where a lot has access to more than one (1) street, access shall be to and from the minor street as determined by the local government, unless otherwise approved by the local government; (c) Each lot has a right to an access and exit point; however, at the discretion of the local government additional access and exit points may be approved if the new access/exit points contribute to the avoidance of potential traffic hazards; (d) Local government consent must not contradict the development bonus issued under Clause 26.1(c).

<p style="text-align: center;">5</p> <p style="text-align: center;">Parking and loading separated from development</p>	<p>Where access, parking or loading is provided on a lot or lots separated from the subject lot, the local government shall require that the land allocated for that purpose will be permanently retained by requiring:</p> <ul style="list-style-type: none"> (a) an amalgamation of the lots set aside for access, parking or loading; or (b) by a right of carriageway being registered on the respective titles; or (c) by a legal agreement registered on the respective titles
<p style="text-align: center;">6</p> <p style="text-align: center;">Shared car parking</p>	<ol style="list-style-type: none"> 1. Where an application for development approval is made for a non-residential use which does not provide the required number of on-site car parking spaces, the local government may permit part or all of the shortfall to be provided through an agreement to share car parking space(s) on an adjacent site (Shared Site). 2. When considering whether to permit a proposal for shared car parking, the local government must: <ul style="list-style-type: none"> (a) be satisfied that the hours of peak operation of the proposed development and those of the Shared Site do not substantially overlap; (b) be satisfied that adequate car parking will be available at all times for both the development site and the Shared Site; (c) be satisfied that the relationship between the development site and the Shared Site is such that the shared car parking space(s) is likely to be used by people visiting the development site; and (d) have regard to other relevant considerations in any applicable local planning policy. 3. An application for development approval which proposes shared parking must include: <ul style="list-style-type: none"> (a) information addressing the matters in the preceding sub-clause 2; (b) a draft parking management plan; and (c) any other relevant material referred to in an applicable local planning policy. 4. If the local government permits a shared car parking arrangement, it may require the owner of the development site to enter into a legal agreement for the purpose of ensuring the satisfactory provision and maintenance of the shared car parking. The legal agreement: <ul style="list-style-type: none"> (a) must be to the satisfaction of the local government; (b) must be made with the owner of the Shared Site, and any other person specified by the local government (which may include the local government); (c) must be prepared (and if necessary, registered and lodged) at the cost of the owner of the development site; (d) may, if required by the local government, provide for one or more of an easement, restrictive covenant, right-of-way, reciprocal access and circulation, lease, licence, notification, absolute caveat and any other provision necessary or convenient to ensure the shared parking arrangement is provided and maintained; and (e) must not be amended, surrendered or terminated without the approval of the local government.

	<ol style="list-style-type: none"> 5. Where shared parking relates to land owned or vested to the City of Kalgoorlie – Boulder, no encumbrance will exclusively bind the City. The City reserves the right to share parking with multiple owners simultaneously. 6. The City may consider the use of shared off-street parking facilities in the vicinity of the application provided that it can be proved that the criteria in sub-clause 2 have been satisfied.
<p style="text-align: center;">7</p> <p style="text-align: center;">Parking of commercial vehicles in residential areas</p>	<p>Where planning approval is required the following criteria must be met;</p> <ol style="list-style-type: none"> (a) the vehicle shall form an essential part of the occupation of the occupant of the dwelling; (b) a residential dwelling must exist on the subject site, (c) the allocated commercial vehicle parking area shall not be more than 40% of the total lot area; (d) the vehicles must have the ability to access and egress the subject site in forward gear; (e) no vehicle shall exceed either 5 metres in height or 19 metres in length (f) commercial vehicles must be adequately obscured from the street frontage and adjoining residential properties; (g) a constructed crossover servicing the commercial vehicles must be installed; and (h) a maximum of three (3) commercial vehicles are permitted.
<p style="text-align: center;">8</p> <p style="text-align: center;">Storage of caravans and boats in the Residential zone</p>	<ol style="list-style-type: none"> (a) Parking of caravans and boats shall not occur within the front setback of the property; (b) Where caravans and boats are to be stored in front of the street setback line, they must be stored or screened in a way which minimises the visual impact on neighbouring properties. (c) Caravans and boats stored on residential properties shall be maintained free of dilapidation.

Schedule No.05: Development Standards – Building Format

Subject	Development Standards – Building Format
1 Amenity	<ol style="list-style-type: none"> 1. Where, in the opinion of the local government, any proposed building, structure, site work and/or use, would not be in harmony with the existing buildings or the amenity of the locality in which the proposed development is to be located by virtue of the use and/or design and appearances of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and mass of any building, the local government may: <ol style="list-style-type: none"> (a) refuse the proposal notwithstanding that it otherwise complies with the provisions of the Scheme; or (b) may place conditions on any planning approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality in which the proposed development is to be located. 2. For the preservation of amenity, no building shall be constructed, finished, or left unfinished so that its external appearance would, in the local government's opinion impact the surrounding locality.
2 Building Design, Materials and Colours	<ol style="list-style-type: none"> 1. Local government may stipulate that a visual design report and/or colour palette be submitted with any development application that is: <ol style="list-style-type: none"> (a) Within the Town Centre zone (b) Within a Heritage precinct (c) On a lot that contains a place on the Heritage List
3 Building Height	<ol style="list-style-type: none"> 1. Building heights are generally dictated by either the provisions of the R-Codes of WA or by Schedule No.02 - Additional Site and Development Requirements on zoned land 2. The following structures may exceed the prescribed heights in point 1, <ol style="list-style-type: none"> (a) a chimney; (b) a mast; (c) satellite dish; (d) surveillance devices; (e) wind turbine; (f) signal receiving or transmitting tower; (g) a place of worship may have a tower, spire or arch feature; and (h) mining related structures such as mine headframes. subject to complying with the provisions of Clause 36 – Special Control Area No.2 and provided that the structure or facility is designed, sited and/or treated so as not to detract from the visual amenity of the locality: 3. Notwithstanding the prescribed heights in the R-Codes of WA or by Schedule No.02, the local government may, after following the advertising procedures set out at clause 64 of the deemed provisions, permit the construction of buildings or structures in excess of the height limitations specified where:

	<ul style="list-style-type: none"> (a) The development will not significantly intrude upon the privacy enjoyed by surrounding properties by overlooking; (b) The development is sympathetic with the scale and character; and (c) The development is not detrimental to the heritage value of the building or the streetscape and the approval of the Heritage Council of Western Australia (in the case of State registered buildings) is obtained.
4 Street frontages	<p>In respect to non-residential development, where the site has frontage to more than one (1) street, the local government may –</p> <ul style="list-style-type: none"> (a) designate one (1) of the streets to be primary street for the purpose of determining setbacks; (b) permit the setback on a secondary street to be reduced to half of the specified front setback or averaged unless the site is adjacent to a Primary or Distributor Road;
5 Development of land without access to a constructed road or lots with no frontage to dedicated roads	<ol style="list-style-type: none"> 1. Notwithstanding any other provision of the Scheme, planning approval is required for any development on land abutting an unconstructed carriageway within a dedicated road reserve. In considering such an application, the local government may: – <ul style="list-style-type: none"> (a) refuse the application until the road has been constructed; or (b) grant approval to the application subject to a condition requiring the applicant to pay a sum of money in or towards the cost of constructing that road or part thereof and associated stormwater management 2. Notwithstanding any other provision of the Scheme, planning approval is required for any development on a lot or location which does not have legal road frontage. In considering such an application, the local government will refuse the application until access is created by either subdivision or registration of a right of carriageway to the existing road network.
6 Caretakers dwelling	<p>Only one (1) caretakers dwelling is permitted on a lot and shall be on the same lot as the associated non-residential use;</p> <ul style="list-style-type: none"> (a) A caretakers dwelling is to have a total floor area not exceeding 80m² measured from the external face of walls; (b) Verandahs must not be enclosed by any means unless the total floor area remains within the 80m²; (c) The use of a caravan as a caretakers dwelling is not permitted; (d) A caretaker's dwelling may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the lawfully established or approved land use; (e) Caretakers dwelling shall be screened from the street and located behind the predominant Use; (f) The local government will not consider applications for caretakers' dwellings prior to the primary site activity being either approved or constructed; (g) Where simultaneous approval has been granted by the local government for both a caretaker's dwelling and the main activity on the same lot, the main activity must be developed and operational prior to occupation of the dwelling; (h) Caretaker's dwellings should be carefully sited and constructed so the potential site (or estate) impacts from noise, dust, odour or amenity are minimised;

	(i) Where the primary site activity has ceased the occupation of the caretaker's dwelling is to cease.
7 Outbuildings in the Residential zone	Development of an outbuilding in the Residential zone is not permitted unless a single house or grouped dwelling has been constructed on the lot.
8 Drive-through facilities	An exclusive area for queuing of cars is required (queue length of 5 to 10 cars measured from pick up point. This includes a minimum of 4 car spaces for cars queued from ordering point, plus two (2) car spaces for cars waiting for orders past the pick-up point area.
9 Shipping Container	<ol style="list-style-type: none"> 1. In residential zones a maximum of one (1) shipping container per property is permitted and setbacks are to be in accordance with the <i>Residential Design Codes of WA</i>; 2. In non-residential zones, setbacks are in the accordance with the applicable zone development standards; 3. In considering an application for a shipping container, the local government shall take into account whether the appearance of the structure would be compatible with the character and visual amenity of the locality to which it is proposed to be sited. The local government may refuse an application for such a structure if, in its opinion, the appearance of the structure would be incompatible with the character and visual amenity of the locality to which it is proposed to be relocated, notwithstanding any other provision of the Scheme. 4. shipping containers shall be painted or clad to complement the other buildings on the lot or is to be permanently screened from public view; 5. shipping containers shall be adequately screened from the street; 6. shipping containers shall not be used for habitable purposes; 7. shipping containers with dome structures require development approval; and 8. Should the shipping container show visible rust marks, painting has become faded or cladding has fallen into disrepair, the local government shall direct it to be removed from the lot or suitably upgraded.
10 Family Day Care	<p>A family day care is to comply with the following:</p> <ol style="list-style-type: none"> a) does not involve the display on the premises of a sign with an area exceeding 0.2 m² 9. not supported on any lot under 500m²

<p style="text-align: center;">11</p> <p style="text-align: center;">Development associated with Animal Establishments and Rural Pursuits</p>	<ol style="list-style-type: none">1. Development associated with an animal establishment or rural pursuit shall not be sited within 15m of a residence or other sensitive land use as defined by EPA Guidance Statement No. 3 (Separation Distances between Industrial and Sensitive Land Uses, June 2005).2. No part of a perimeter fence of a yard shall be sited within 6m of a residence or other sensitive land use as defined by EPA Guidance Statement No. 3 (Separation Distances between Industrial and Sensitive Land Uses, June 2005)3. Every stable shall –<ol style="list-style-type: none">(a) Be constructed of an impervious material(b) On all sides shall have a 150mm opening between the top of the wall and the roof(c) Have a floor, the upper surface of which –<ol style="list-style-type: none">i. Is to be raised 75mm above the natural ground levelii. Is to be constructed of cement, concrete or other impervious finish; andiii. Has a fall of 1 in 100 to a drain;(d) Have a floor area of 11m² or greater4. Every stall shall –<ol style="list-style-type: none">(a) have a floor area of not less than 11m²(b) Have a minimum height and width of 3m5. Every shelter shall –<ol style="list-style-type: none">(a) Be constructed of an impervious material(b) Have a minimum height of 2.5m(c) Have at least one side which is completely open and is not capable of being closed off by any means(d) Have a floor area of 9m² or greater
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Schedule No.06: Development Standards – Infrastructure

Subject	Development Standards - Infrastructure
1 Development adjoining road reserves	<p>For the purpose of establishing an urban road hierarchy and minimising traffic conflict, access from lots adjoining the following road reserves as indicated on Scheme Map No. 2 – Reserves, shall be permitted subject to the following standards –</p> <ul style="list-style-type: none"> (a) Primary Distributor Road – no direct access shall be permitted without the approval of Main Roads WA; (b) District Distributor Road– no direct access shall be permitted without the approval of the local government. The applicant will be required to demonstrate that such access will not adversely affect traffic flow and/or safety; (c) Local Distributor Road – one (1) access point unless otherwise determined by the local government; (d) Local Road – one (1) access point unless otherwise determined by local government.
2 Cash-in-lieu for infrastructure and public open space	<p>Notwithstanding the provisions of the R-Codes, the local government may refuse to grant development approval for a development involving more than five (5) grouped or multiple dwellings or subdivisions greater than five (5) lots, where the local government considers the need for –</p> <ul style="list-style-type: none"> (a) public open space and/or (b) the provision of other infrastructure; <p>The local government may, alternatively, grant development approval for such development subject to conditions relating to Cash-in-lieu for the provision of infrastructure or public open space.</p>
3 Stormwater	<p>Stormwater from any development is to be discharged to the street or alternate location to the satisfaction of the local government;</p> <ul style="list-style-type: none"> (a) the local government may require the preparation of detailed stormwater management plans for non-residential development or grouped/multi dwellings; (b) stormwater is not to be discharged or directed into the City’s reticulated sewer network and; (c) discharge of stormwater is to be uncontaminated; and (d) does not enter a neighbouring property; and (e) does not discharge into a right of way without express consent from the local government.
4 Service areas	<p>Unless otherwise approved by the local government, all development requiring the loading/unloading of goods or commodities from a vehicle to or from premises shall provide a service area to the satisfaction of the local government:</p> <ul style="list-style-type: none"> (a) all service vehicles shall load and unload without obstructing any right-of-way or road and, vehicles must leave in forward gear; (b) the access way to any service area shall be constructed and maintained to the satisfaction of the local government; (c) loading/unloading from separate lot(s) may be permitted to the satisfaction of the local government;

	<p>(d) All servicing areas and other parts of land or buildings which in the opinion of the local government detract from the amenity of the area shall be screened from public view and from view from adjoining properties, to the satisfaction of the local government.</p>
<p>5 Non-residential development in residential zone</p>	<p>Where a non-residential development is proposed or exists in the Residential zone the following is applied –</p> <ul style="list-style-type: none"> (a) for non-residential development a plot ratio of 0.2 shall apply; (b) Setbacks are in accordance with the surrounding density code under the Scheme. For the purpose of this provision a major opening is a window, door or other opening which can affect the privacy of nearby residences or future residences; (c) minimum of 25% of the site area, including front setback areas which are not required for car parking and access, shall be landscaped to the satisfaction of the local government; (d) in determining any application for non-residential development, in addition to any other powers provided for under the Scheme, the local government may impose conditions designed to minimise the impact on residential amenity, including limiting the scale of the development and restricting the times during which the non-residential activity may be undertaken;

Schedule No.07: Development Standards – Various Standards

Subject	Development Standards - Infrastructure
<p>1 Home Business</p>	<p>General Requirements</p> <ul style="list-style-type: none"> (a) A home business or home occupation shall not include provision for the fuelling, repair or maintenance of motor vehicles; (b) Visits by customers or clients are to be by appointment only; (c) Shall not display a sign that is illuminated; (d) Shall be conducted in such a manner so that the dwelling and lot retain the appearance of a residential dwelling; (e) a change in the nature, size and character of the business approved as a home occupation or a home business shall require planning approval. (f) If, in the opinion of the local government, a home business is causing a nuisance or annoyance to owners or occupiers of land in the locality the local government may: <ul style="list-style-type: none"> i. revoke the approval; or ii. require the occupier of the land in respect of which the home business approval is issued to implement those measures specified by the local government and which in the opinion of the local government will remove the nuisance or annoyance.
<p>2 Rural zone additional dwelling</p>	<ul style="list-style-type: none"> 1. No more than two (2) dwellings are permitted on a lot that is zoned 'Rural' and has a lot size between 5 and 40 hectares (ha). 2. No more than three (3) dwellings are permitted on a lot that is zoned 'Rural' and greater than 40 hectares (ha).
<p>3 Amenity lighting</p>	<p>Developments are required to provide and maintain adequate lighting to publically accessible places associated with development. This includes areas that are;</p> <ul style="list-style-type: none"> (a) The approach to the entrance of a building; (b) Any lighting under verandas that are over public footpaths; (c) Any roads, lanes or public places adjacent to the development, but not the rear ROW.
<p>4 Light overspill</p>	<p>Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled in accordance with <i>AS 4282 Control of the Obtrusive Effects of Outdoor Lighting</i> so as not to:</p> <ul style="list-style-type: none"> (a) adversely impact on the amenity of any adjacent residents; or (b) Cause a traffic hazard in the adjacent road network.

Schedule No 08: Car Parking Requirement

Note:

1. Where a provision states 'or a minimum' the greater calculation of car parking bays shall prevail;
2. Where a land use is not described in Table 15: Car parking requirements, refer to SPP (7.3) Residential Design Codes for the statutory requirements;

Land use	Car parking	Staff parking	Delivery or queuing
Abattoir	A minimum of (3) bays required;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Aged or Dependant Persons Dwelling	As per R-Codes	N/A	N/A
Agriculture (extensive/intensive)	N/A	(1) bay per 1 staff;	N/A
Airfield	To be determined by the local government based on similar uses and a detailed car parking submission;		
Amusement Parlour	(1) bay per 40 m ² GFA;	N/A	N/A
Ancillary Dwelling	As per R-Codes	N/A	N/A
Animal Establishment	N/A	(1) bay per 1 staff	N/A
Animal Husbandry (intensive)	N/A	(1) bay per 1 staff;	N/A
Art Gallery	(1) bay per 30 m ² GFA;	N/A	(1) delivery bay per service/storage area;
Bed and Breakfast	(1) bay for every unit in addition to R-Codes;		
Betting Agency	(1) bay per 30 m ² GFA;	N/A	N/A
Brewery	1 bay per 50 m ² GFA of display and sales area; 1 bay per 4m ² restaurant;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Bulky Goods Showroom	(3) bays per 100m ² for first 500m ² and (1) bay for every 100m ² following	(1) bay per 1 staff	N/A
Car Park	N/A	(1) bay per 1 staff;	N/A
Caravan park	(1) bay per park site; and (1) visitor bay per 10 sites;	(1) bay per 2 staff;	N/A

Land use	Car parking	Staff parking	Delivery or queuing
Caretakers Dwelling	(1) bay per dwelling;	N/A	N/A
Child Care Premises	(1) bay per 10 children;	(1) bay per 1 staff;	N/A
Cinema/Theatre	(1) bay per 4 seats;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Civic Use	(1) bay in 20 m ² GFA	(1) bay per 2 staff;	
Club Premises	(1) bay in 40 m ² GFA	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Commercial Vehicle Parking	N/A	(1) bay per 1 staff;	N/A
Community Purpose	(1) bay in 20 m ² GFA	N/A	(1) delivery bay per service/storage area;
Consulting Rooms	(2) bays per consulting room;	(1) bay per 1 staff;	N/A
Container deposit recycling centre	Minimum of 5 bays or (1) bay per 50 m ² GFA, whichever is higher;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Convenience Store	(1) bay per 20 m ² GFA;	N/A	(1) delivery bay per service/storage area;
Corrective Institution	(1) visitor bay per 20 inmates;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Educational Establishment	3 bays per classroom;	(1) bay per 2 staff;	(5) queuing bay per car park area; (tertiary institutions exempt)
Exhibition Centre	(1) bay per 30 m ² GFA;	N/A	(1) delivery bay per service/storage area;
Family Day Care	As per the Residential Design Codes requirement for a dwelling	N/A	N/A
Fast Food Outlet/Lunch bar	(1) bay per 4 m ² of dining area;	(1) bay per 2 staff;	(1) bay per service/storage area; (3) queuing bays for any drive through facility;
Fuel Depot	A minimum of (3) bays required;	(1) bay per 2 staff;	N/A
Funeral Parlour	(1) bay per 10 m ² GFA (reception rooms);	N/A	N/A
Garden Centre	(1) bay per 50 m ² of retail; and (1) bay per 150 m ² display area;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;

Land use	Car parking	Staff parking	Delivery or queuing
Grouped Dwelling	As Per R-Codes	N/A	N/A
Holiday Accommodation	1 bay per bedroom or 2 bays per unit whichever is greater;	(1) bay per 1 staff;	N/A
Holiday House	2 bays per unit;	N/A	N/A
Home Business	2 bays for the occupants of the dwelling plus 1 bay for customers;	(1) bay per 2 staff;	N/A
Home Occupation	2 bays for the occupants of the dwelling plus 1 bay for customers;	N/A	N/A
Home Office	N/A	N/A	N/A
Home Store	(1) bay per 40 m ² GFA for commercial component;	N/A	(1) delivery bay per service/storage area;
Hospital	(1) bay per 4 beds;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Hotel	(1) bay per 4 room/units;	N/A	(1) delivery bay per service/storage area;
Industry	(1) bay per 200 m ² GFA;	N/A	N/A
Industry (extractive)	(1) bay per employee;	N/A	N/A
Industry (light)	(1) bay per 100m ² GFA;	N/A	N/A
Industry (primary production)	(1) bay per 40 m ² GFA;	N/A	N/A
Liquor Store (large)	(7) bays per 100 m ² GFA;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Liquor Store (small)	(1) bay per 30 m ² GFA;	N/A	(1) delivery bay per service/storage area;
Market	(3) bays per stall or 1 bay per 10m ² whichever is greater;	N/A	N/A
Medical Centre	(3) bays per consulting room;	(1) bay per 1 staff;	(1) bay suitable sized and located for emergency services;
Mining Operations	(1) per Employee	N/A	N/A
Motel	(1) bay per 4 units;	(1) bay per 2 staff;	N/A
Motor Vehicle Repair	(3) bays per work station;	(1) bay per 2 staff;	N/A

Land use	Car parking	Staff parking	Delivery or queuing
Motor Vehicle Wash	(1) bay per 1 wash bay;	(1) bay per 2 staff;	(1) queuing bay per motor vehicle wash bay;
Motor Vehicle, Boat or Caravan Sales	(1) bay per 200 m ² display area;	N/A	N/A
Multiple Dwelling	As Per R-Codes	N/A	N/A
Nightclub	(1) bay per 20 m ² GFA ;	N/A	N/A
Office	(1) bay per 40 m ² GFA;	N/A	N/A
Park Home Park	(1) bay per park site; and (1) visitor bay per 10 sites;	N/A	N/A
Place of Worship	(1) bay per 15 m ² of GFA;	N/A	N/A
Reception Centre	(1) bay per 12 m ² GFA;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Recreation (private)	1 bay per 2 persons accommodated;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Renewable Energy Facility	N/A	(1) bay per Staff;	N/A
Residential Aged Care Facility	(1) bay per 4 bedrooms;	(1) bay per 2 staff;	(1) bay suitable sized and located for emergency vehicles;
Residential Building	As per R-Codes	N/A	N/A
Resource Recovery Centre	1 per employee;	(1) bay per 1 staff;	N/A
Restaurant/Café	(1) bay for every 6 m ² dining area;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Restricted Premises	(1) bay per 40 m ² GFA;	N/A	N/A
Road House	1.5 bays per service bay plus 1 bay per 2 m ² GFA bar and lounge area	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Rural Pursuit/Hobby Farm	(2) bays for the occupants of the dwelling plus 1 bay for customers;	N/A	N/A
Service Station	(1) bay per 16 m ² GFA;	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Serviced Apartment	(1) Bay per unit	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Shop	(1) bay per 25 m ² GFA (<10,000m ²); (1) bay per 35 m ² GFA (>10,000m ²)	N/A	(1) delivery bay per 1,000 m ² GFA;

Land use	Car parking	Staff parking	Delivery or queuing
Single Bedroom Dwelling	As per R-Codes	N/A	N/A
Single House	As per R-Codes	N/A	N/A
Small Bar	(1) bay per 30 m ² GFA;	N/A	N/A
Tavern	(1) bay per 10 m ² bar, lounge, beer garden, and other public area;	N/A	(1) delivery bay per service/storage area;
Telecommunications Infrastructure	N/A	N/A	(1) Available Bay for a service vehicle
Tourist Development	<p><u>Short stay Units:</u> (1) bay for every two keyed units. Plus 1 visitor bay for every five keyed units.</p> <p><u>Back Packers:</u> (1) bay for every 6 beds.</p> <p><u>Long stay Units:</u> Provided in accordance with the Residential Design Codes. 1 accessible bay for every disabled keyed unit.</p>	(1) bay per 1 staff;	(1) delivery bay per service/storage area;
Transport Depot	A minimum of (3) bays required;	N/A	N/A
Tree Farm	N/A	(1) bay per 1 staff;	N/A
Veterinary Centre	(3) bays per consulting room;	(1) bay per 2 staff;	N/A
Warehouse/Storage	(1) bay per 5 storage units or (1) bay per 200 m ² GFA of warehouse storage;	N/A	N/A
Waste Disposal Facility	N/A	(1) bay per 1 staff;	N/A
Waste Storage Facility	(1) bay per 150 m ² GFA;	(1) bay per 1 staff;	N/A
Winery	(1) bay per 50 m ² GFA of display and sales area; (1) bay per 4m ² restaurant;	(1) bay per 2 staff;	(1) delivery bay per service/storage area;
Workforce Accommodation	(1) bay per 2 dwellings/units; and (1) oversized vehicle parking bay per 10 beds;	N/A	N/A
Any other use	To be determined by the local government based on similar uses and may require a detailed car parking submission.		

Schedule No 09: Bicycle parking Requirement

The bicycle parking rates detailed under Schedule No.09 are to be provided as part of any development proposal. The R-Codes guide bicycle parking provisions in residential developments. The listed land uses are for developments that are not covered by the R-Codes.

Land use	Employee Bicycle Parking	Visitor Bicycle Parking
Abattoir	1 space per 5 staff members	N/A
Agriculture (extensive/intensive)	N/A	N/A
Airfield	1 space per 5 staff members	1 space for every 30 people the building is designed to accommodate
Amusement parlour	N/A	1 space for every 30 people the building is designed to accommodate
Animal Establishment	N/A	N/A
Animal husbandry (intensive)	N/A	N/A
Art gallery	N/A	1 space for every 30 people the building is designed to accommodate
Bed and breakfast	N/A	1 space per 2 rooms
Betting agency	1 space per 500 m ² GFA	1 space per 300 m ² GFA
Brewery	1 space per 500 m ² GFA	1 space per 300 m ² GFA
Bulky Goods Showroom	1 space per 1,000m ² GFA	N/A
Car Park	N/A	N/A
Caravan Park	1 space per 5 staff members	1 space per 4 allocated sites
Caretakers Dwelling	N/A	N/A
Child Care Premises	1 space per 3 staff members	1 space per 6 staff members
Civic use	N/A	1 space for every 30 people the building is designed to accommodate
Cinema/Theatre	N/A	1 space for every 30 people the building is designed to accommodate

Land use	Employee Bicycle Parking	Visitor Bicycle Parking
Club Premises	N/A	1 space for every 30 people the building is designed to accommodate
Commercial Vehicle Parking	N/A	N/A
Community Purpose	N/A	1 space for every 30 people the building is designed to accommodate
Consulting Rooms	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
Container Deposit Recycling Centre	1 space per 3 staff members	A minimum of 1 space then, 1 space per 150m ² GFA
Convenience Store	N/A	1 space per 150 m ² GFA
Corrective Institution	1 space per 3 staff members	At least 4 spaces
Educational Establishment	1 space per 3 staff members	1 space per 4 students
Exhibition Centre	N/A	1 space for every 30 people the building is designed to accommodate
Family Day Care	1 space per 3 staff members	1 space for every 6 children
Fast Food Outlet	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Fuel Depot	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Funeral Parlour	1 space per 800 m ² GFA for premises greater than 300 m ² GFA	N/A
Garden Centre	1 space per 750 m ² GFA for premises greater than 300 m ²	1 space per 1,000 m ² GFA
Holiday Accommodation	N/A	1 space per 2 units
Holiday House	N/A	1 space per 2 units
Home Business	N/A	N/A
Home Occupation	N/A	N/A
Home Office	N/A	N/A
Home Store	N/A	1 space per 250 m ² GFA

Land use	Employee Bicycle Parking	Visitor Bicycle Parking
Hospital	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
Hotel	1 space per 20 bedrooms	1 space per 10 rooms
Industry	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Industry (Extractive)	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Industry (light)	1 space per 800 m ² GFA for premises greater than 300 m ² GFA	N/A
Industry (Primary Production)	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Liquor Store (large and small)	1 space per 500 m ² GFA	1 space per 300 m ² GFA
Market	1 space per 1000 m ² GFA	1 space per 300 m ² GFA
Medical Centre	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners
Mining Operations	N/A	N/A
Motel	1 space per 40 bedrooms	1 space per 10 rooms
Motor Vehicle Repairs	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Motor Vehicle Wash	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Motor Vehicle, Boat or Caravan Sales	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Nightclub	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Office	1 space per 200 m ² GFA	1 space per 500 m ² GFA
Place of Worship	N/A	1 space for every 30 people the building is designed to accommodate
Reception Centre	N/A	1 space for every 30 people the building is designed to accommodate

Land use	Employee Bicycle Parking	Visitor Bicycle Parking
Recreation (private)	1 space per 400 m ² GFA available to the public including swimming pools	1 space per 200 m ² GFA available to the public including swimming pools
Renewable Energy Facility	N/A	N/A
Residential aged care Facility	1 space per 5 staff members	1 space per 5 units
Resource Recovery Centre	1 space per 4 employees	N/A
Restaurant / Cafe	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Restricted premises	1 space per 250 m ² GFA	1 space per 150 m ² GFA
Road House	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Rural Pursuit/Hobby Farm	N/A	N/A
Service Station	N/A	1 space per 150 m ² GFA
Serviced Apartment	1 space per 4 employees	1 space per 5 units
Shop (less than 1,000 m ² GFA)	1 space per 250 m ² GFA	1 space per 150 m ² GFA
Shop (between 1,001 m ² - 4,999 m ² GFA)	1 space per 500 m ² GFA	1 space per 300 m ² GFA
Shop (greater than 5,000 m ² GFA)	1 space per 1,500 m ² GFA	1 space per 750 m ² GFA
Small Bar	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Tavern	1 space per 100 m ² of public area including lounges, beer gardens and dining areas.	1 space per 150 m ² of public area including lounges, beer gardens and dining areas.
Telecommunications Infrastructure	N/A	N/A
Tourist Development	1 space per 1000 m ² GFA	1 space per 300 m ² GFA
Transport Depot	1 space per 8 staff	N/A
Tree Farm	N/A	N/A
Veterinary Centre	1 space per 8 staff members including practitioners	1 space per 4 staff members including practitioners

Land use	Employee Bicycle Parking	Visitor Bicycle Parking
Warehouse/Storage	1 space per 1,000 m ² for premises greater than 300 m ² GFA	N/A
Waste Disposal Facility	1 space per 8 staff	N/A
Waste Storage Facility	1 space per 8 staff	N/A
Winery	1 space per 8 staff	N/A
Workforce Accommodation	1 space per 4 employees	1 space per 5 units
Other non-residential uses not listed above	At the discretion of the local government, having regard to similar uses and the existing availability of on-and-off site bicycle parking facilities.	At the discretion of the local government, having regard to similar uses and the existing availability of on-and-off site bicycle parking facilities

Schedule No 10: End of journey facility Requirements

Unisex shower and change rooms are to be provided based on the rates as per Schedule No.10

Lockers shall be provided and maintained for all developments at a rate of 1 locker per bicycle parking space required for employees as per Schedule 09.

Number of Long-term Bicycle Bays Provided	Number of Showers / Change Room Required
1 to 2 bicycles	No requirement
3 to 10 bicycles	1 male / 1 female
11 to 20 bicycles	2 male / 2 female
21 to 30 bicycles	3 male / 3 female
31 to 40 bicycles	4 male / 4 female
41 bicycles and over	5 male / 5 female

Schedule No 11: Advertising device exemptions

Note:

1. Schedule No.11 – ‘Advertising Device Exemptions’ are supplementary development exemptions to Schedule 2, Part 7; clause 61 of the Planning and Development (Local Planning Scheme) Regulations 2015;
2. The local government may ask the State authority for third party advice on applications for Advertising Devices fronting or visible from a State controlled road.

Zone	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Advertisement
All Zones	Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated.	Each sign shall not exceed an area of 10m ²
	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	
	Advertisement signs displayed at construction sites only for the duration of the construction.	10m ²
	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	
	One additional sign showing the name of the project builder.	5m ²
Commercial and Industrial Zones	Painted Advertisement Signs	Up to 30% of the total area of wall or window
	Temporary Banner Signs	For Banners: - 1 per street frontage up to 5m ² in size to be erected no more than 2 weeks prior to the event being held and to be removed within 48 hours of the event being held
Commercial Zones	Verandah Facia Signs	Width of existing facia, or if facia is wider than 2.0m a maximum width of 2.0m. If no facia is existing, a maximum of 1.0m wide. No part of any facia sign is to be closer to the footpath than 2.75m. There shall be no projections from any facia sign

Commercial Zones	Below Verandah Signs (where there is no verandah, the verandah line is taken to be 3.5m above the footpath)	1 per shop Minimum clearance of 2.75m above footpath Minimum setback of 750mm from the kerb
Public Places and Reserves	Signs (illuminated and non-illuminated) relating to the functions of Government, a responsible authority or the local government including those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	Not Applicable
	Signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such signs have been constructed or exhibited by or at the direction of Government, a responsible authority or the local government, and	Not Applicable
	Signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein	Not Applicable
Signs within Road Reserve	All signs (illuminated and non-illuminated) erected in Road Reserves	Not Applicable
Land Use	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Advertisement
All Uses	Temporary Advertisement Signs (illuminated and non-illuminated) announcing a local event of a religious, educational, cultural, political, social, or recreational character, except where the sign (illuminated and non-illuminated) fronts or is visible from a State controlled road or within 50m of a traffic light.	1 per street frontage up to 4m ² to be erected no more than 2 weeks prior to the event being held and to be removed within 48 hours of the end of the event.
	Illuminated and non-illuminated directional signs, street signs and other like signs erected by a public authority.	Not applicable
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed	Each sign not to exceed 5m ²
Display Home Centre	One sign for each dwelling on display	10m ²
Advertisement signs displayed for the period over which dwellings are on display for public inspection	One sign for each group of dwellings displayed by a single project builder and giving details of the project building company and details of the project building company and details of the range of dwellings on display	10m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m ²

Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	2.0m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	Not Applicable
Racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not designed to be visible from outside the complex or facility concerned either from adjacent private land or from public places and streets.	Not Applicable
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose	2m ²
Type of Development	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Advertisement
Dwellings	One professional name-plate as appropriate	0.2m ²
All classes of buildings other than a single house or two group dwellings	One sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
Industrial and Warehouse Premises	A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.	Total area of such advertisements is not to exceed 15m ² or 20% of the elevation of the building whichever is the lesser.
	A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.	Maximum permissible total area is not to exceed 10m ² and individual advertisement signs are not to exceed 6m ²
Advertisements within Buildings	All advertisements placed or displayed within buildings, which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
Railway Property	Advertisement signs exhibited on such land provided that such advertisement is directed only at persons at or upon the railway station.	No sign shall exceed 2m ² in area

Schedule No 12: Exemptions from development approval

Note:

1. Schedule No.12 – Exemptions from development approval' are supplementary development exemptions to Schedule 2, Part 7; clause 61 of the Planning and Development (Local Planning Scheme) Regulations 2015;
2. Supplementary 'advertising device' exemptions to those prescribed in Schedule 2, Part 7 of the Planning and Development (Local Planning Scheme) Regulations 2015 are located in Schedule No.11 of this Scheme;
3. In accordance with Part 1, Section 6 of the Planning and Development Act 2005, 'Public works' as defined by the Public Works Act 1902 are exempt from development approval; except when they are within a Special Control Area or have Heritage significance.

Exemption type	Approval not required where the development meets all of the following conditions
Advertising device	(a) The proposed advertising device is a 'like-for-like' replacement of a lawful advertising device, provided it meets the requirements of Schedule 7
Air Conditioning/ Evaporative Cooler	(a) Is designed to meet the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> ; (b) For non-residential development where located on a rooftop and/or facade, the units are screened from the effective frontage and/or adjoining buildings; (c) All equipment and discharge associated with the unit is contained within the property boundaries and not onto the street; (d) That no part of the unit is within 1.5 m of a side boundary or rear boundary of the block; (e) If mounted on the ground, no part of the service is between a front boundary and a building line for the block;
Boundary fence	(a) The erection of any side or rear boundary fence;
Demolition	The demolition of any building or structure except where the building or structure is: (a) located in a place that is entered in the Register of Heritage Places under <i>the Heritage Act 2018</i> ; or (b) the subject of an order under the <i>Heritage Act 2018</i> Part 4; or (c) included on a heritage list prepared in accordance with this Scheme; or (d) located within an area designated under this Scheme as a heritage area; or (e) the subject of a heritage agreement entered into under the <i>Heritage Act 2018</i> Part 4
Development on a Reserve	(a) Where the use of land is on a reserve, and the reserve is vested to the local government or a public authority; and (b) The use is consistent with the gazetted purpose of that reserve and the Scheme, and is consistent with the operation of that public authority;
End of trip facilities	(a) Are contained wholly within the property boundary; and (b) Does not alter the external appearance of the building;

Excavation and fill	(a) Excavation is not greater than 500 mm below natural ground level; and (b) That fill is not greater than 500 mm above natural ground level;
External building repairs	(a) Repairs do not materially change the external appearance of the building; and (b) The materials are 'like-for-like' where reasonable possible, or are of a similar nature;
Family day care	(a) The family day care is carried out within a single house, (excluding a single house on a battle-axe lot);
Flag pole	(a) One flagpole not exceeding 6 metres in height; and (b) The flags not used for commercial advertising;
Front Boundary fence	(a) The erection of a front boundary fence in a zone where the R Codes do not apply and that is constructed of a visually permeable material throughout;
Maintenance	(a) Replacement of rotted timber window frames to maintain appearance and weatherproofing; (b) Replacement of broken roof tiles to prevent water damage; (c) Repainting of a building; and (d) Repairing of a building's plant and equipment;
Parking of commercial vehicles in residential areas	(a) there is only one (1) commercial vehicle parked on a lot; and (b) the vehicle does not exceed 8 metres in length; and (c) the vehicle is obscured from view from the street
Retaining walls	(a) The retaining wall is no greater than 500 mm in height;
Satellite dishes	(a) If mounted on the ground, the dish diameter is not more than 1.55 m, and the height is not more than 3 m above natural ground level; (b) The dish is located at the rear of the property and screened from the primary street; (c) The dish it is contained wholly within the property boundary; (d) If externally mounted on a building in the Residential zone, the diameter is not more than 0.65 m; (e) If externally mounted on a building in a non-residential zone, the diameter is not more than 1.55 m;
Shipping Container	(a) Does not remain on a lot for more than seven (7) days; or (b) Used for the storage of materials and equipment associated with a construction site where a building permit is current, and construction is taking place, provided that the Shipping Container shall be removed within 14 days of a Notice of Completion being submitted to the local government; or (c) Used within a General Industry zone and Light Industry zone and meets the requirements of Schedule 7 (8.2).
Solar panels	(a) No part of a protruding panel restricts solar access of another premise; (b) part of a protruding panel is higher than 300 mm above the closest point of the roof; and (c) is not in a heritage precinct or on a heritage listed property.
Solar hot water system	(a) any roof mounted solar hot water system; and (b) is not in a heritage precinct or on a heritage listed property.

Street trading and outdoor eating facilities	(a) Street trading and outdoor eating facilities on public roads and reserves;
Surveillance Device	(a) Indoor or outdoor surveillance device; Note: The installation, use and maintenance of surveillance devices is regulated by the Western Australia <i>Surveillance Devices Act 1998</i> ;
Water Tanks	(a) The tank is buried under the natural ground level or not visible from the street; (b) Within the townsite boundary, the tank does not exceed a height of 3m from natural ground level, or a capacity of more than 5000 litres;

Schedule No 13 - Plans, maps, diagrams, or illustrations or materials in addition to the provisions set out in the Scheme as per Clause 7(c)

The following items form part of the Scheme

1. City of Kalgoorlie-Boulder Plant List

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

COUNCIL RESOLUTION TO ADVERTISE LOCAL PLANNING SCHEME

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

CHIEF EXECUTIVE OFFICER

MAYOR

COUNCIL RESOLUTION TO SUPPORT SCHEME FOR APPROVAL

Council resolved to support approval of the draft Scheme of the City of Kalgoorlie-Boulder at the

Ordinary Meeting of Council held on the []

The Common Seal of the City of Kalgoorlie-Boulder was

hereunto affixed by authority of a resolution

of the Council in the presence of:

CHIEF EXECUTIVE OFFICER

MAYOR

WAPC Recommended for Approval

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

Date: _____

Approval Granted

MINISTER FOR PLANNING

Date: _____