



## CITY OF SWAN

# LOCAL PLANNING SCHEME NO. 18

Updated to Include AMD

[Insert / Delete as NEEDED]

**Note:** The following colour coding system is used to distinguish between:

- **Model provisions & Deemed provisions** – blue text
- **Provisions carried across from Local Planning Scheme No. 17** – green text
- **New text** – purple text

## DISCLAIMER

This is a copy of the Local Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning of any errors or omissions in this document.

**LOCAL PLANNING SCHEME GAZETTAL DATE: [INSERT DATE]**

**CITY OF SWAN LOCAL PLANNING SCHEME NO. 18 – AMENDMENTS**

<b>AMDT NO.</b>	<b>GAZETTAL DATE</b>	<b>UPDATED</b>		<b>DETAILS</b>
		<b>WHEN</b>	<b>BY</b>	
				<i>[Insert as Needed]</i>

# SCHEME DETAILS

## CITY OF SWAN LOCAL PLANNING SCHEME NO. 18

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

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## Part 1 — Preliminary

### 1. Citation

This local planning scheme is the City of Swan Local Planning Scheme No.18.

### 2. Commencement

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

### 3. Scheme revoked

The following local planning scheme(s) is (are) revoked –

<b>Name</b>	<b>Gazettal date</b>
City of Swan Local Planning Scheme No. 17 (District Zoning Scheme)	18 February 2008

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

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

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

### 5. Responsibility for Scheme

The City of Swan is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be excluded under this Scheme.

### 6. Scheme area

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

*Note: The Scheme area (or part) is also subject to the Metropolitan Region Scheme (see clause 12) and other town planning schemes (see clause 11).*

### 7. Contents of Scheme

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

- (a) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) including any supplemental deemed provisions outlined in Schedule 1 of the scheme text;
- (b) the Scheme Map;
- (c) the following plans, maps, diagrams, illustrations or materials —
  - (i) supplementary maps illustrating Special Control Areas.

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

## **8. Purposes of Scheme**

The purpose 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 purpose; 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 aim of this Scheme are —

- (a) provide for a range of compatible housing and associated development, in neighbourhoods with a community identity and high levels of safety and amenity;
- (b) provide for safe, convenient, attractive and viable commercial centres, which serve the needs of the community and are accessible to pedestrian, cyclists and public transport users as well as motorists;
- (c) encourage development that will strengthen the economic base of the District and provide convenient and efficiently located employment for the community;
- (d) ensure coordinated and efficient use and development of land within the District, and to avoid ad hoc development that would result in land use conflicts, excessive travel and/or transport demand or adverse impacts on the environment;
- (e) protect and enhance the quality of the urban and rural living environments of the District, and to provide for such development as is consistent with the maintenance of efficient services and amenities within the District;
- (f) promote the health, safety, convenience and the economic and general welfare of the community, and to ensure the use and development of land does not result in significant adverse impacts on the physical and social environment;
- (g) promote the judicious management of natural resources of particular regional and local significance including bushland, water catchments, waterways, agricultural land and basic raw materials, and to promote the protection of air quality;
- (h) protect objects and places of particular natural, historic, architectural, scientific and cultural significance.

## **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

The following local planning schemes of the City of Swan also apply in the Scheme area —

<b>No:</b>	<b>Name</b>	<b>Gazettal date:</b>
2A	Beechboro Development	12 July 1974
6	Swan View	25 March 1977
7	Widgee Road, Malaga	10 March 1978
8	Malaga Industrial Area	22 January 1982
12	Midland Town Centre	10 January 1986
14	East Malaga Industrial Development	7 September 1990

*Note: Local Planning Scheme No. 18 does not apply to the Swan Valley Planning Scheme No. 1 area and does not apply to the METRONET East Redevelopment Scheme area.*

## 12. Relationship with region planning scheme

The Metropolitan Region Scheme made (or continued) under Part 4 of the Act in respect of part of all of the Scheme area.

*Note: The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission.*

## Part 2 — Reserves

### 13. Regional Reserves

- (1) Regional reserves are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The lands marked as regional reserves are lands reserved for a public purpose under the Metropolitan Region Scheme.

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

### 14. Local reserves

- (1) In this clause —

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

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

- (2) Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.
- (3) The objectives of each local reserve are as follows —

**Table 1 Reserve objectives**

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> <li>• To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 s. 152.</li> <li>• To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.</li> </ul>
Civic and Community	<ul style="list-style-type: none"> <li>• To provide for a range of community facilities which are compatible with surrounding development.</li> <li>• To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.</li> </ul>
Public Purposes	<ul style="list-style-type: none"> <li>• To provide for a range of essential physical and community infrastructure.</li> </ul>
Infrastructure Services	<ul style="list-style-type: none"> <li>• Public Purposes which specifically provide for a range of essential infrastructure services.</li> </ul>
Education	<ul style="list-style-type: none"> <li>• Public Purposes which specifically provide for a range of essential education facilities.</li> </ul>
Emergency Services	<ul style="list-style-type: none"> <li>• Public Purposes which specifically provide for a range of essential emergency services.</li> </ul>
Cemetery	<ul style="list-style-type: none"> <li>• To set aside land required for a cemetery.</li> </ul>
Car Park	<ul style="list-style-type: none"> <li>• To set aside land required for a car park.</li> </ul>

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

## 15. Additional uses for local reserves

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

## Part 3 — Zones and Use of land

### 16. Zones

- (1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.
- (2) The objectives of each zone are as follows —

**Table 2 Zone objectives**

Zone name	Objectives
Residential	<ul style="list-style-type: none"> <li>• To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>• To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>• To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>
Urban Development	<ul style="list-style-type: none"> <li>• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>• To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>• To provide for a progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>• To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul>
Rural	<ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>• To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>

Rural Smallholdings	<ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 4ha to 40ha.</li> <li>• To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>
Light Industry	<ul style="list-style-type: none"> <li>• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.</li> <li>• To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</li> </ul>
General Industry	<ul style="list-style-type: none"> <li>• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</li> <li>• To accommodate industry that would not otherwise comply with the performance standards of light industry.</li> <li>• Seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>
Industrial Development	<ul style="list-style-type: none"> <li>• To designate land for future industrial development.</li> <li>• To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.</li> </ul>
Commercial	<ul style="list-style-type: none"> <li>• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.</li> <li>• To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.</li> <li>• To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li> </ul>
Mixed Use	<ul style="list-style-type: none"> <li>• To provide for a wide variety of active uses on street level in defined townsites or activity centres which are compatible with residential and other non-active uses on upper levels.</li> <li>• To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> </ul>
Service Commercial	<ul style="list-style-type: none"> <li>• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</li> <li>• To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</li> </ul>
Centre	<ul style="list-style-type: none"> <li>• To designate land for future development as a town centre or activity centre.</li> <li>• To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.</li> </ul>

Private clubs, institutions and places of worship	<ul style="list-style-type: none"> <li>• To provide sites for privately owned and operated recreation, institutions and places of worship.</li> <li>• To integrate private recreation areas with public recreation areas wherever possible.</li> <li>• To separate potentially noisy engine sports from incompatible uses.</li> <li>• To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.</li> <li>• To ensure that the standard of development is in keeping with the surrounding development and protects the amenity of the area.</li> </ul>
Special Use Zone	<ul style="list-style-type: none"> <li>• To facilitate special categories of land uses which do not sit comfortably within any other zone.</li> <li>• To enable the Council to impose specific conditions associated with the special use.</li> </ul>
Resource Zone	<ul style="list-style-type: none"> <li>• To provide for the extraction of basic raw materials with proper environmental safeguards.</li> <li>• To protect resources of basic raw materials from inappropriate development.</li> </ul>

## 17. Zoning table

The zoning table for this Scheme is set out in Schedule 2 of this Scheme.

## 18. Interpreting zoning table

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

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

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

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

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

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

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

Notes for this clause:

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances 1 application is made for both the carrying out of works on, and the use of land.*

2. *Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.*

3. *Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.*

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

- (4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table —
- (a) determined that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
  - (b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
  - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- (5) If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in the zone but may require works that are to be undertaken in connection with that use to have development approval.
- (6) [deleted]
- (7) If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —
- (a) a structure plan;
  - (b) [deleted]
  - (c) a local development plan.

## **19. Additional uses**

- (1) The Table set out in Schedule 3 sets out —
- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
  - (b) the conditions that apply to that additional use.
- (2) Despite anything contained in the zoning table, land that is specified in Schedule 3 may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

## **20. Restricted uses**

- (1) The Table set out in Schedule 4 sets out —
- (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
  - (b) the conditions that apply to that restricted use.
- (2) Despite anything contained in the zoning table, land that is specified in Schedule 4 may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

## **21. Special use zones**

- (1) The Table set out in Schedule 5 sets out —
- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
  - (b) the classes of special use that are permissible in that zone; and
  - (c) the conditions that apply in respect of the special uses.

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

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

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

- (1) Unless specifically provided, this Scheme does not prevent —
- (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
  - (b) the carrying out of development on land if —
    - (i) before the commencement of this Scheme, the development was lawfully approved; and
    - (ii) the approval has not expired or been cancelled.
- (2) Subclause (1) does not apply if —
- (a) the non-conforming use of the land is discontinued; and
  - (b) a period of 6 months, or 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 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 non-conforming use that is destroyed to the extent of 75% or more of its value; or
  - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use —
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
  - (b) is closer to the intended purpose of the zone in which the land is situated.

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

- (1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- (2) A register prepared by the local government must set out the following —

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

## Part 4 — General development requirements

### 25. R-Codes

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.
- (2A) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if —
  - (a) the area has a coding number superimposed on it in accordance with subclause (3); or
  - (b) a provision of this Scheme provides that the R-Codes apply to the area.

### 26. Modification of R-Codes

- (1) Notwithstanding the provisions of the Residential Design Codes, within a dual coded area, when considering an application for approval of a residential development, or a residential built strata application, and when making recommendations to the Commission in respect of a subdivision for 'Residential' zoned land, within a dual coded area, the Council is to apply the base density code, but may increase the density in excess of the base code and up to the maximum of the highest code designated for the site after having regard to the provisions of subclause 26 (2).
- (2) In a dual coded area, when considering an application for development approval or a built strata approval which involves more than two grouped dwellings or more than two multiple dwellings on a lot, or when making recommendations to the Commission in respect of a subdivision application for 'Residential' zoned land that proposes more than two lots, in any of those cases, where there is a proposal to apply a density code above the base code as provided in subclause 26 (1), the following provisions shall apply —
  - (a) the lot the subject of the application must have a total lot area greater than 1300m<sup>2</sup>; and
  - (b) where the application proposes more than four grouped dwellings and/or four multiple dwellings or more than four strata lots, or where the subdivision or survey strata subdivision application proposes to create more than four lots, at least one dwelling or lot must be provided as a single bedroom dwelling or as an aged or dependant persons dwelling.
- (3) The Council may consider an application for the development within that part of the Guildford Conservation Precinct, with a *Residential Design Codes* designation of R5 of a single dwelling on a lot which does not comply with the requirements of the minimum land area per dwelling and may grant approval with or without conditions or may refuse the application.
- (4) The Council may consider an application for the reinstatement within any **Heritage Area** of any grouped dwelling development which has been accidentally destroyed, notwithstanding that the proposed works do not comply with the *Residential Design Codes* requirements for the minimum area of land per dwelling.

**27. Deleted**

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

(1) Development Contribution Areas are shown on the Scheme Map as special control areas and a DCA with a number and included in Schedule 11.

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

(3) **Interpretation**

In clause 28, unless the context otherwise requires:

**'Administrative Costs'** includes Administrative Items and such other costs as are reasonably incurred by the City for the preparation, maintenance and implementation of a Development Contribution Plan;

**'Administrative Items'** mean the administrative matters required to be carried out by or on behalf of the City in order to prepare, maintain and implement a Development Contribution Plan, including financing cost, accounting, planning, engineering, and any other professional services and all costs and expenses incurred by the City in relation to litigation in any Court, Tribunal or arbitration, whether incurred before or after the incorporation of the relevant DCP in Schedule 11;

**'Cost Apportionment Schedule'** means a schedule prepared and distributed in accordance with clause 28(12);

**'Cost Contribution'** means the contribution to the cost of infrastructure and administrative costs;

**'Development Contribution Area (DCA)'** means an area shown on the scheme map as DCA with a number and included in Schedule 11;

**'Development Contribution Plan (DCP)'** means a development contribution plan prepared in accordance with the provisions of the Commission's policy on development contributions and the provisions of this clause 28 of the scheme and incorporated in Schedule 11 to this scheme;

**'Development Contribution Plan Report'** means a report prepared and distributed in accordance with clause 28(12) of the Scheme;

**'Infrastructure'** means the standard infrastructure items (services and facilities set out in the Commission's policy on development contributions) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of the Commission's policy;

**'Infrastructure Cost'** means such costs as are reasonably incurred for the acquisition and/or construction of infrastructure; and

**'Owner'** means an owner of land that is located within a Development Contribution Area.

(4) **Purpose**

The purpose of having Development Contribution Areas is to:

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the Development Contribution Area; and
- (c) coordinate the timely provision of Infrastructure.

(5) **Development Contribution Plan Required**

- (a) A Development Contribution Plan is required to be prepared for each Development Contribution Area.
- (b) Where a Development Contribution Area is prescribed in the Scheme, all owners within that Development Contribution Area are required to make a Cost Contribution in accordance with the applicable Development Contribution Plan contained in [Schedule 11](#).

(6) **When a Development Contribution Plan has effect**

A Development Contribution Plan does not have effect under this Scheme until it has been incorporated in [Schedule 11](#) as part of the Scheme.

(7) **Subdivision, Strata Subdivision, Survey Strata Subdivision and Development**

- (a) The City shall not withhold its support for subdivision, strata subdivision or survey strata subdivision or refuse to approve a development solely for the reason that a development contribution plan is not in effect, there is no approval to advertise a development contribution plan or that there is no other arrangement with respect to an owner's contribution towards the provision of community infrastructure.
- (b) Notwithstanding clause [28\(6\)](#), the Commission or the City by a condition of subdivision or development approval or otherwise, may require an owner to make a Cost Contribution in accordance with a draft or proposed DCP or to enter into an agreement with the City for that purpose and such a condition or agreement may give effect to a draft or proposed DCP before it has been incorporated in [Schedule 11](#) of the Scheme.

(8) **Guiding Principles for Development Contribution Plans**

The Development Contribution Plan for any Development Contribution Area is to be prepared in accordance with the following principles:

- (a) Need and nexus  
The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).
- (b) Transparency  
Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.
- (c) Equity

Development contributions should be levied from all developments within a Development Contribution Area, based on their relative contribution to need.

(d) **Certainty**

All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.

(e) **Efficiency**

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery costs.

(f) **Consistency**

Development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

(g) **Right of consultation and review**

Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.

(h) **Accountable**

There must be accountability in the manner in which development contributions are determined and expended.

(9) **Recommended content of Development Contribution Plans**

The Development Contribution Plan is to specify:

- (a) the Development Contribution Area to which the Development Contribution Plan applies;
- (b) the infrastructure and administrative items to be funded through the Development Contribution Plan;
- (c) the Development Contribution Area to which the Development Contribution Plan applies;
- (d) the infrastructure and administrative items to be funded through the Development Contribution Plan;

(10) **Period of Development Contribution Plan**

A Development Contribution Plan shall specify the period during which it is to operate.

(11) **Land Excluded**

In calculating both the area of an owner's land and the total area of land in a Development Contribution Area, the area of land provided in that Development Contribution Area for:

- (a) roads designated under the Metropolitan Region Scheme as Primary Regional Roads and Other Regional Roads;
- (b) existing public open space;
- (c) government primary and secondary schools; and

- (d) such other land as is set out for this purpose in the Development Contribution Plan;

is to be excluded.

**(12) Development Contribution Plan Report and Cost Apportionment Schedule**

- (a) Within 90 days of the Development Contribution Plan coming into effect, the City is to adopt and make available a Development Contribution Plan Report and Cost Apportionment Schedule to all owners in the Development Contribution Area.
- (b) The development contribution plan report and the cost apportionment schedule shall set out in detail the calculation of the cost contribution for each owner in the development contribution area, based on the methodology provided in the development contribution plan, and shall take into account any proposed staging of the development.
- (c) The Development Contribution Plan Report and Cost Apportionment Schedule do not form part of the Scheme, but once adopted by the City they are subject to review as provided for under clause 28(13)(b).

**(13) Cost Contributions based on estimates**

- (a) The determination of infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.
- (b) Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government:
  - i. in the case of land to be acquired, in accordance with clause 28(14); AND
  - ii. in all other cases, in accordance with the best and latest information available to the local government, until the expenditure or liability on the relevant item of infrastructure or administrative costs has occurred.
- (c) The City is to have such estimated costs independently certified by an appropriately qualified person whenever any estimate is first proposed or is amended and must make available such independent certification where requested to do so by an owner.
- (d) Where any cost contribution has been calculated on the basis of an estimated cost, the local government:
  - i. is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and
  - ii. may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly. Such an agreement may stipulate that a Cost Contribution based on estimated costs may be revised when the costs are finally determined.
- (e) Where an owner's cost contribution is adjusted under clause 28(13)(d), the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.
- (f) If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriately qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.

- (g) If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined:
  - i. by any method agreed between the local government and the owner; or
  - ii. if the local government and the owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with the Commercial Arbitration Act 1985, with the costs to be shared equally between the local government and owner.

(14) **Valuation of land**

(a) Clause 28(14) applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure under the Development Contribution Plan.

(b) In clause 28(14):

**‘Value’** means the fair market value of land, at a specified date, which is defined as the capital sum that would be negotiated in an arms length transaction in an open and unrestricted market, assuming the highest and best use of the land with all its potential and limitations (other than the limitation arising from the transaction for which the land is being valued), wherein the parties act knowledgeably, prudently and without compulsion to buy or sell.

**‘Valuer’** means a licensed Valuer as defined in the Land Valuers Licensing Act 1978 agreed by the City and the owner, or where the City and the owner are unable to reach agreement, a Valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

(c) If an owner objects to a valuation made by the Valuer, the owner may give notice to the City requesting a review of the amount of the Value, at the owner’s expense, within 28 days after being informed of the Value.

(d) If, following an initial valuation or a review, the Valuer’s determination of the Value of the land is still not a figure acceptable to the owner, the Value is to be determined:

- i. by any method agreed between the City and the owner; or
- ii. if the City and the owner cannot agree, either may apply to the State Administrative Tribunal for a review of the matter under part 14 of the *Planning and Development Act 2005*.

(15) **Liability for Cost Contributions**

(a) An owner is required to make a Cost Contribution in accordance with the applicable Development Contribution Plan and the provisions of clause 28.

(b) An owner’s liability to pay the owner’s Cost Contribution to the City arises on the earlier of:

- i. the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the Owner’s land within the Development Contribution Area;
- ii. the commencement of any development on the owner’s land within the Development Contribution Area;
- iii. the approval of any strata plan by the City or Western Australian Planning Commission on the owner’s land within the Development Contribution Area; or
- iv. the approval of a change or extension of use by the City on the owner’s land within the Development Contribution Area.

- (c) Notwithstanding clause 28(15), an owner's liability to pay the owner's cost contribution does not arise if the owner commences:
- i. development of the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the Development Contribution Plan;
  - ii. a change of use where no development is proposed;
  - iii. a subdivision and/or development which is defined as 'public works' under the Public Works Act;
  - iv. development of Fencing and Retaining Walls;
  - v. development of a Home Business, Home Occupation or a Home Office;
  - vi. development of Advertisement or Signage;
  - vii. the Parking of a Commercial Vehicle;
  - viii. development of a Land Sales Office;
  - ix. the Stock-piling or storing of earthwork material;
  - x. development of Water Storage Tanks;
  - xi. Subdivision and Development solely within the portion of land that for whatever reason is outside a DCA boundary;
  - xii. Subdivision solely for the purpose of acquiring a truncation and/or to widen a road;
  - xiii. Subdivision and Development solely for the purpose of acquiring and/or developing infrastructure listed in an approved Development Contribution Plan, or;
  - xiv. any other forms of subdivision or minor or incidental development that does not have a connection (nexus) between the subdivision or development and the demand for the infrastructure included in the Development Contribution Plan.
- (d) Where a Development Contribution Plan expires in circumstances contemplated by clause 28(10), an owner's liability to pay the owner's Cost Contribution under that Development Contribution Plan shall never the less continue in effect and in the event that no subsequent Development Contribution Plan comes into operation, an outstanding contribution of any owner shall be carried over by the City and be recovered at one of the times and in accordance with one of the processes provided in clause 28(15)(b).

(16) **Payment of Cost Contribution**

- (a) The Owner, with the agreement of the City, is to pay the owner's Cost Contribution by:
- i. cheque or cash;
  - ii. transferring to the City or a public authority land in satisfaction of the Cost Contribution;
  - iii. transferring or providing to the City or a public authority infrastructure works in satisfaction of the Cost Contribution;
  - iv. some other method acceptable to the local government; or
  - v. any combination of these methods.

- (b) The owner, with the agreement of the City, may pay the owner's Cost Contribution in a lump sum, by instalments or in such other manner acceptable to the City.
- (c) Payment by an owner of the Cost Contribution, including a Cost Contribution based upon estimated costs in a manner acceptable to the City, constitutes full and final discharge of the owner's liability under the Development Contribution Plan and the City shall provide certification in writing to the owner of such discharge if requested by the owner.

**(17) Charge of land**

- (a) The amount of any Cost Contribution for which an owner is liable under clause 28(15), but has not paid, is a charge on the owner's land to which the Cost Contribution relates, and the City may lodge a caveat, at the owner's expense, against the owner's certificate of title to that land.
- (b) The City, at the owner's expense and subject to such other conditions as the City thinks fit, can withdraw a caveat lodged under clause 28(17)(a) to permit a dealing and may then re-lodge the caveat to prevent further dealings.
- (c) If the Cost Contribution is paid in full, the City, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under clause 28(17)(a).

**(18) Administration of Funds**

- (a) The City is to establish and maintain a reserve account(s) in accordance with the Local Government Act 1995 for each Development Contribution Area into which cost contributions for that Development Contribution Area will be credited and from which all payments for the infrastructure costs and administrative costs within that Development Contribution Area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that Development Contribution Area.
- (b) Interest earned on Cost Contributions credited to a reserve account, is to be applied to expenses for the Development Contribution Area to which the reserve account relates.
- (c) The City is to publish an audited annual statement of accounts for that Development Contribution Area as soon as practicable after the audited annual statement of accounts becomes available.

**(19) Shortfall or Excess in Cost Contributions**

- (a) If there is a shortfall in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the City may:
  - i. make good the shortfall from its municipal fund;
  - ii. enter into agreements with owners to fund the shortfall; or
  - iii. raise loans or borrow from a financial institution;
- (b) Nothing in clause 28(19)(a) restricts the right or power of the City to impose a differential rate or specified area rate to a specified Development Contribution Area in that regard.
- (c) If there is an excess in funds available to the Development Contribution Area when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the City is to refund the excess funds to

contributing owners for that Development Contribution Area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that Development Contribution Area.

**(20) Powers of the City**

The City in implementing the Development Contribution Plan has the power to:

- (a) acquire any land or buildings within the Scheme area under the provisions of the Planning Act; and
- (b) deal with or dispose of any land which it has acquired under the provisions of the Planning Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

**(21) Arbitration**

Subject to clauses 28(14)(c) and (28)(14)(d), any dispute between an owner and the City in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the Commercial Arbitration Act 1985.

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

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

**30. Modification of State planning policies**

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

**31. Environmental conditions**

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

*Note: Environmental conditions are those required to be incorporated into a Scheme or an amendment to a Scheme following assessment under the Environmental Protection Act 1986.*

**32. Additional site and development requirements**

- (1) The Table set out in Schedule 6 sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.
- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

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

- (1) Table 3 sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

**Table 3 – Additional requirements that apply to land covered by structure plan, activity centre plan or local development plan**

No.	Description of Land	Requirements
1.	Land set out in Schedule 8A, 8B and 8C of this Scheme.	Development shall comply with any site or development requirement set out in Schedules 8A, 8B and 8C of this Scheme.

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

- (1) In this clause —
  - additional site and development requirements** means requirements set out in clauses 32 and 33.
- (2) The local government may approve an application for a development approval that does not comply with an additional site and development requirement(s).
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (4) If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must —
  - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64(4) of the deemed provisions; and
  - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The local government may only approve an application for development approval under this clause if the local government is satisfied that —
  - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and
  - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

### **35. Restrictive covenants**

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

## Part 5 — Special control areas

### 36. Special control areas

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

**Table 4 – Special control areas in Scheme area**

Name of area	Purpose	Objectives	Additional provisions
Aircraft Noise Exposure Areas	To promote the long term viability of Perth Airport and RAAF Pearce Base so as to enable their ongoing development and operation.	<ol style="list-style-type: none"> <li>(1) To guide the use and development of Aircraft Noise Exposure Areas as identified on the Scheme Map.</li> <li>(2) To promote the long term viability of the Perth Airport so as to enable it on-going development and operation.</li> <li>(3) To prevent unreasonable encroachment of incompatible (noise sensitive) land uses and those activities affected or potentially impacted upon by aircraft noise.</li> <li>(4) To provide for appropriately designed and constructed development of low to medium density residential uses within suitable location within the Special Control Area.</li> <li>(5) To minimise the impact of aircraft noise on existing and future communities within the Special Control Area.</li> </ol>	<ol style="list-style-type: none"> <li>(1) Aircraft Noise Exposure Areas are defined on the Scheme Map in accordance with the WA Planning Commission's Statement of Planning Policy "<i>Land Use Planning in the Vicinity of Perth Airport</i>", and the Australian Noise Exposure Forecast referred to in the Commission's policy and the most recent Australian Noise Exposure Forecast prepared for RAAF Pearce.</li> <li>(2) In addition to the development which otherwise require approval under the Scheme, planning approval is required for any development involving building types identified as either 'conditionally acceptable' or 'unacceptable' for the relevant noise exposure zone in Australian Standard AS 2021.  Notwithstanding the above, planning approval is not required under this clause of the Scheme for single dwelling/addition to an existing single or grouped dwelling where the single or grouped dwelling will be the only development on the lot for all land within the Special Control Area, where it complies with conditions 2 and 3 of this zone.</li> <li>(3) Such development is to be subject to the discretion of the local government, notwithstanding that the use may be designated a "P" use under the Scheme. The local government may exercise discretion as to approval of the use.</li> <li>(4) The local government may</li> </ol>

Name of area	Purpose	Objectives	Additional provisions
			<p>refuse any application for planning approval or impose conditions on any planning approval so as to:</p> <ul style="list-style-type: none"> <li>(a) require noise attenuation measures to be incorporated into the design of buildings;</li> <li>(b) require the registration of notification on title advising of the potential for aircraft noise nuisance.</li> </ul> <p>Note 1: The designation of particular parts of the district as Aircraft Noise Exposure Areas should not be interpreted to imply that areas outside the respective noise exposure contours are un-affected by aircraft noise.</p> <p>Note 2: The local government may require registration of notification on title under the provisions of section 75A of the <i>Transfer of Land Act</i>.</p> <p>Note 3: Noise attenuation (insulation) is to be mandatory for all new residential development subject to forecast noise exposure levels above 25 ANEF (350,000) but is advisory for such development in the ANEF 20-25 noise exposure zone. All development, to which this clause applies, will be subject to a condition requiring the registration of a notice on title advising of the potential for aircraft noise nuisance.</p>
Flood Prone Areas	To minimise the potential for flood damage resulting from decisions relating to land use and development on defined river floodplains.	<ul style="list-style-type: none"> <li>(1) To identify land within the Scheme area at risk of affected by flooding consistent with the 1 in 100 year flood levels defined by the Department of Water and Environmental Regulation.</li> <li>(2) To assist in the protection of life, property and community infrastructure from flood hazard.</li> <li>(3) To assist the natural flood carrying capacity of floodplains by ensuring any use or development maintains the free passage and temporary storage of flood waters.</li> </ul>	<ul style="list-style-type: none"> <li>(1) The Flood Prone Areas are defined on the Scheme Map in accordance with the 1 in 100 year flood levels defined by the Department of Water and Environmental Regulation.</li> <li>(2) In addition to the development which otherwise require planning approval under the Scheme, planning approval is required for any development within a Flood Prone Area, which involves the construction or extension of any building or earth work. Such development is to be subject to the discretion of the local government, notwithstanding that the use may be designated as 'P' use under the Scheme.</li> </ul>

Name of area	Purpose	Objectives	Additional provisions
		<p>(4) To protect water quality and waterways as natural resources in accordance with State Planning Policy No. 2 – Environment and Natural Resources Policy.</p>	<p>(3) The local government may refuse any application for planning approval or impose conditions on any planning approval so as to:</p> <p>(a) constrain the location or level of development;</p> <p>(b) require the registration of notification on title advising of the potential risk associated with flood events.</p> <p>Note 1: The local government may require registration of notification on title under the provisions of section 75A of the <i>Transfer of Land Act 1893</i>.</p> <p>Note 2: The designation of particular parts of the district as Flood Prone Areas should not be interpreted to imply that areas outside the designated areas are necessarily free from risk associated with floor or extreme rainfall events.</p>
<p>Brabham (Albion) Development Contribution Area identified as DCA1 on the Scheme Map</p>	<p>To guide the future use and development of Brabham (Albion) Development Contribution Area as specified in Schedule 11.</p>	<p>To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the Brabham (Albion) Development Contribution Area.</p>	<p>The Brabham (Albion) Development Contribution Area is subject to the relevant provisions contained in Schedule 11.</p>
<p>Dayton (West Swan East) Development Contribution Area identified as DCA2 on the Scheme Map</p>	<p>To guide the future use and development of Dayton (West Swan East) Development Contribution Area as specified in Schedule 11.</p>	<p>To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the Dayton (West Swan East) Development Contribution Area.</p>	<p>The Dayton (West Swan Area) Development Contribution Area is subject to the relevant provisions contained in Schedule 11.</p>
<p>Caversham Development Contribution Area identified as DCA3 on the Scheme Map</p>	<p>To guide the future use and development of Caversham Development Contribution Area as specified in Schedule 11.</p>	<p>To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the Caversham Development Contribution Area.</p>	<p>The Caversham Development Contribution Area is subject to the relevant provisions contained in Schedule 11.</p>
<p>South Bullsbrook Industrial Development Contribution Area identified as DCA4 on the Scheme Map</p>	<p>To guide the future use and development of South Bullsbrook Industrial Development Contribution Area as specified in Schedule 11.</p>	<p>To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the South Bullsbrook Industrial Development Contribution Area.</p>	<p>The South Bullsbrook Industrial Development Contribution Area is subject to the relevant provisions contained in Schedule 11</p>
<p>Ellenbrook Village 7B, Lot 9000 Railway</p>	<p>To guide the future use and development of Ellenbrook Village</p>	<p>To provide for development contributions in respect to infrastructure and administrative</p>	<p>The Ellenbrook Village 7B, Lot 9000 Railway Parade &amp; Oakover land, Upper Swan Development</p>

Name of area	Purpose	Objectives	Additional provisions
Parade & Oakover land, Upper Swan Development Contribution Area identified as DCA5 on the Scheme Map	7B, Lot 9000 Railway Parade & Oakover land, Upper Swan Development Contribution Area as specified in Schedule 11.	items specified in Schedule 11 for the Ellenbrook Village 7B, Lot 9000 Railway Parade & Oakover land, Upper Swan Development Contribution Area.	Contribution Area is subject to the relevant provisions contained in Schedule 11.
Bullsbrook Residential Townsite Development Contribution Area identified as DCA7 on the Scheme Map	To guide the future use and development of Bullsbrook Residential Townsite Development Contribution Area as specified in Schedule 11.	To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the Bullsbrook Residential Townsite Development Contribution Area.	The Bullsbrook Residential Townsite Development Contribution Area is subject to the relevant provisions contained in Schedule 11.
Henley Brook Urban Precinct Development Contribution Area identified as DCA8 on the Scheme Map	To guide the future use and development of Henley Brook Urban Precinct Development Contribution Area as specified in Schedule 11.	To provide for development contributions in respect to infrastructure and administrative items specified in Schedule 11 for the Henley Brook Urban Precinct Development Contribution Area.	The Henley Brook Urban Precinct Development Contribution Area is subject to the relevant provisions contained in Schedule 11.

## Part 6 — Terms referred to in Scheme

### Division 1 – General definitions used in Scheme

#### 37. Terms used

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

<b>building envelope</b>	means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.
<b>cabin</b>	means a dwelling forming part of a tourist development or caravan park that is — (a) an individual unit other than a chalet; and (b) designed to provide short-term accommodation for guests.
<b>chalet</b>	means a dwelling forming part of a tourist development or caravan park that is — (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and (b) designed to provide short-term accommodation for guests.
<b>commercial vehicle</b>	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including — (a) a utility, van, truck, bus, earthmoving equipment, tractor, prime mover, or similar; and (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).
<b>dry industry</b>	means any industrial use permitted by the this Scheme and where — (a) it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising effluent disposal systems approved by the relevant Government agency; and (b) the development is of a type which is predicted to generate waste water intended for disposal on site at a daily volume not exceeding 540 litres per 2000m <sup>2</sup> of site area.
<b>floor area</b>	has meaning given in the Building Code.
<b>Gross Leasable Area (GLA)</b>	means the area in square metres derived from measuring all floors occupied by an owner occupied by an owner occupier or a tenant for exclusive use from the centre line of inter-tenancy walls or partitions and from the outside faces of external walls of the building alignment including shop fronts.
<b>incidental domestic structure</b>	means a structure or apparatus that is associated with but is incidental and subservient to the domestic environment of a residence, and includes structures such as letter boxes, hot water heating systems, air-condition units, clothes-lines and

	under-eave water tanks.
<b>minerals</b>	has the meaning given in the <i>Mining Act 1978</i> section 8(1).
<b>plot ratio</b>	means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.
<b>precinct</b>	means a definable area where particular planning policies, guidelines or standards apply.
<b>predominant use</b>	means primary use of premises to which all other uses carried out on the premises are incidental.
<b>public utility</b>	means any work or undertaking constructed or maintained by a public authority or the local government as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
<b>pylon sign</b>	means a sign, greater than three metres in height, supported by one or more piers and not attached to a building and includes an attached frame supported on one or more piers to which sign in-fills can be added.
<b>residential outbuilding</b>	means any building incidental to a dwelling and includes a cubby house, bird aviary, green house, hot house, gazebo and garden shed, but does not include an incidental domestic structure.
<b>retail</b>	means sale or hire of goods or services to the public.
<b>retaining wall</b>	means a walled structure erected for the purpose of supporting land at a level higher than land immediately adjacent to it.
<b>Scheme commencement day</b>	means the day on which this Scheme comes into effect under section 87(4) of the Act.
<b>shade structure</b>	means a roofed structure that is incidental to a commercial or industrial building on a site, and is either freestanding or fixed to such building for the purpose of providing shade or shelter from the weather over entrances to the building, external entertaining areas, vehicles, loading/unloading areas, or the like, but does not include the use of land under that structure, which would otherwise require a separate development approval.
<b>short-term accommodation</b>	means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.
<b>water storage tank</b>	means a structure constructed to store water.
<b>wholesale</b>	means the sale of goods or materials to be sold by others.

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

## Division 2 – Land use terms used in Scheme

### 38. Land use terms used

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

<b>abattoir</b>	means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
<b>agriculture – extensive</b>	means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture – intensive or animal husbandry – intensive.
<b>agriculture – intensive</b>	means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following — (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); (d) aquaculture.
<b>amusement parlour</b>	means premises — (a) that are open to the public; and (b) that are used predominantly for amusement by means of amusement machines including computers; and (c) where there are 2 or more amusement machines.
<b>animal establishment</b>	means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre.
<b>animal husbandry – intensive</b>	means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.
<b>art gallery</b>	means premises — (a) that are open to the public; and (b) where artworks are displayed for viewing or sale.
<b>bed and breakfast</b>	means a dwelling — (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and (b) contains not more than 2 guest bedrooms.
<b>betting agency</b>	means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i> .
<b>brewery</b>	means premises the subject of a producer’s licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i> .

<b>bulky goods showroom</b>	<p>means premises —</p> <p>(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —</p> <ul style="list-style-type: none"> <li>(i) automotive parts and accessories;</li> <li>(ii) camping, outdoor and recreation goods;</li> <li>(iii) electric light fittings;</li> <li>(iv) animal supplies including equestrian and pet goods;</li> <li>(v) floor and window coverings;</li> <li>(vi) furniture, bedding, furnishings, fabrics, manchester and homewares;</li> <li>(vii) household appliances, electrical goods and home entertainment goods;</li> <li>(viii) party supplies;</li> <li>(ix) office equipment and supplies;</li> <li>(x) babies' and children's goods, including play equipment and accessories;</li> <li>(xi) sporting, cycling, leisure, fitness goods and accessories;</li> <li>(xii) swimming pools;</li> </ul> <p>or</p> <p>(b) used to sell goods and accessories by retail if —</p> <ul style="list-style-type: none"> <li>(i) a large area is required for the handling, display or storage of the goods; or</li> <li>(ii) vehicular access is required to the premises for the purpose of collection of purchased goods;</li> </ul>
<b>camping area</b>	<p>means land set aside for the erection of tents and other similar structures for temporary accommodation.</p>
<b>caravan park</b>	<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>
<b>caretaker's dwelling</b>	<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>
<b>car park</b>	<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"> <li>(a) any part of a public road used for parking or for a taxi rank; or</li> <li>(b) any premises in which cars are displayed for sale.</li> </ul>
<b>child care premises</b>	<p>means premises where —</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) a child care service as defined in the <i>Child Care Services Act 2007</i> section 4 is provided.</li> </ul>

<b>cinema/theatre</b>	means premises where the public may view a motion picture or theatrical production.
<b>civic use</b>	means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.
<b>club premises</b>	means premises used by a legally constituted club or association or other body of persons united by a common interest.
<b>commercial vehicle parking</b>	means premises used for parking of one or 2 commercial vehicles but does not include — (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
<b>community purpose</b>	means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
<b>consulting rooms</b>	means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>convenience store</b>	means premises — (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300 m <sup>2</sup> net lettable area.
<b>corrective institution</b>	means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
<b>educational establishment</b>	means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
<b>equestrian facility</b>	means land and or equipment used or intended to be used for private or commercial purposes for the training or exercising of horses or the training of riders, drivers or jockeys in the art of horsemanship or in the care of horses, and which may include as an incidental use, with the approval of the local government, the accommodation of patrons.
<b>exhibition centre</b>	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.

<b>family day care</b>	means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided.
<b>fast food outlet</b>	means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten — (a) without further preparation; and (b) primarily off the premises.
<b>food and beverage production</b>	means a building in which food and beverages are manufactured or processed, and which in the opinion of the local government does not affect the amenity of the locality by the emission of noise, odours or other waste, the generation of vehicular traffic or visual intrusion.
<b>fuel depot</b>	means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used — (a) as a service station; or (b) for the sale of fuel by retail into a vehicle for use by the vehicle.
<b>funeral parlour</b>	means premises used — (a) to prepare and store bodies for burial or cremation; (b) to conduct funeral services.
<b>garden centre</b>	means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.
<b>holiday accommodation</b>	means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.
<b>holiday house</b>	means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
<b>home business</b>	means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession — (a) does not involve employing more than 2 people who are not members of the occupier's household; and (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and (c) does not occupy an area greater than 50 m <sup>2</sup> ; and (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and (g) does not involve the use of an essential service that

	is greater than the use normally required in the zone in which the dwelling is located.
<b>home occupation</b>	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 — <ul style="list-style-type: none"> <li>(a) does not involve employing a person who is not a member of the occupier’s household; and</li> <li>(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and</li> <li>(c) does not occupy an area greater than 20 m<sup>2</sup>; and</li> <li>(d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and</li> <li>(e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and</li> <li>(f) does not — <ul style="list-style-type: none"> <li>(i) require a greater number of parking spaces than normally required for a single dwelling; or</li> <li>(ii) result in an increase in traffic volume in the neighbourhood;</li> </ul> </li> <li>and</li> <li>(g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and</li> <li>(h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and</li> <li>(i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.</li> </ul>
<b>home office</b>	means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation — <ul style="list-style-type: none"> <li>(a) is solely within the dwelling; and</li> <li>(b) does not entail clients or customers traveling to and from the dwelling; and</li> <li>(c) does involve the display of a sign on the premises; and</li> <li>(d) does not require any change to the external appearance of the dwelling.</li> </ul>
<b>home store</b>	means a shop attached to a dwelling that — <ul style="list-style-type: none"> <li>(a) has a net lettable area not exceeding 100 m<sup>2</sup>; and</li> <li>(b) is operated by a person residing in the dwelling.</li> </ul>
<b>hospital</b>	means premises used as a hospital as defined in the <i>Health Services Act 2016</i> section 8(4).
<b>hotel</b>	means premises the subject of a hotel licence other than a small bar or tavern licence granted under the <i>Liquor Control Act 1988</i> including any betting agency on the premises.
<b>industry</b>	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 —

	<ul style="list-style-type: none"> <li>(a) the storage of goods;</li> <li>(b) the work of administration or accounting;</li> <li>(c) the selling of goods by wholesale or retail;</li> <li>(d) the provision of amenities for employees;</li> <li>(e) incidental purposes.</li> </ul>
<b>industry – cottage</b>	<p>means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which —</p> <ul style="list-style-type: none"> <li>(a) does not cause injury to or adversely affect the amenity of the neighbourhood;</li> <li>(b) where operated in a residential zone, does not employ any person other than a member of the occupier’s household;</li> <li>(c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;</li> <li>(d) does not occupy an area in excess of 50 m<sup>2</sup>; and</li> <li>(e) does not display a sign exceeding 0.2 m<sup>2</sup> in area.</li> </ul>
<b>industry – extractive</b>	<p>means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —</p> <ul style="list-style-type: none"> <li>(a) the processing of raw materials including crushing, screening, washing, blending or grading;</li> <li>(b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.</li> </ul>
<b>industry – light</b>	<p>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.</p>
<b>industry – primary production</b>	<p>means premises used —</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) for a workshop servicing plant or equipment used in primary production businesses.</li> </ul>
<b>industry – noxious</b>	<p>means an industry in which the processes involved constitutes an offensive trade within the meaning of the Health Act 1911 (as amended) but does not include wet fish shops or piggeries or a waste disposal process operation carried out by or under the direct management and supervision of the City.</p>
<b>industry – service</b>	<p>means —</p> <ul style="list-style-type: none"> <li>(a) an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or</li> <li>(b) premises having a retail shop front and used as a depot for receiving goods to be serviced;</li> </ul>

<b>liquor store – large</b>	means premises the subject of a liquor store licence granted under the <i>Liquor Control Act 1988</i> with a net lettable area of more than 300 m <sup>2</sup> .
<b>liquor store – small</b>	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 300 m <sup>2</sup> .
<b>lunch bar</b>	means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.
<b>marine filling station</b>	means premises used for the storage and supply of liquid fuels and lubricants for marine craft.
<b>market</b>	means premises used for the display and sale of goods from stalls by independent vendors.
<b>medical centre</b>	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<b>mining operations</b>	means premises where mining operations, as that term is defined in the <i>Mining Act 1978</i> section 8(1) is carried out.
<b>motel</b>	means premises, 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.
<b>motor vehicle, boat or caravan sales</b>	means premises used to sell or hire motor vehicles, boats or caravans.
<b>motor vehicle repair</b>	means premises used for or in connection with — (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or (b) repairs to tyres other than recapping or re-treading of tyres.
<b>motor vehicle wash</b>	means premises primarily used to wash motor vehicles.
<b>nightclub</b>	means premises the subject of a nightclub licence granted under the <i>Liquor Control Act 1988</i> .
<b>office</b>	means premises used for administration, clerical, technical, professional or similar business activities.
<b>park home park</b>	means premises used as a park home park as defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> Schedule 8.
<b>place of assembly</b>	means premises provided for people to assemble for a public activity.

<b>place of worship</b>	means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.
<b>radio &amp; TV installation private</b>	means masts, aerials, satellite dishes and other associated equipment used for the transmission and reception of radio or television signals for personal or hobby purposes only, associated with a dwelling on the lot, but does not include similar equipment used for business purposes or for gain.
<b>reception centre</b>	means premises used for hosted functions on formal or ceremonial occasions.
<b>recreation – private</b>	means premises that are — (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
<b>recreation – public</b>	means premises used for indoor or outdoor leisure, recreation or sport which are generally open to the public without charge.
<b>resource recovery centre</b>	means premises other than a waste disposal facility used for the recovery of resources from waste.
<b>restaurant/café</b>	means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the <i>Liquor Control Act 1988</i> .
<b>restricted premises</b>	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of — (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth)</i> ; or (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking-related implements.
<b>road house</b>	means premises that has direct access to a State road other than a freeway and which provides the services of facilities provided by a freeway service centre and may provide any of the following facilities or services — (a) a full range of automotive repair services; (b) wrecking, panel beating and spray painting services; (c) transport depot facilities; (d) short-term accommodation for guests; (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.
<b>rural home business</b>	means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or

	<p>occupation —</p> <ul style="list-style-type: none"> <li>(a) does not involve employing more than 2 people who are not members of the occupier's household; and</li> <li>(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and</li> <li>(c) does not occupy an area greater than 200 m<sup>2</sup>; and</li> <li>(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</li> <li>(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and</li> <li>(f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.</li> </ul>
<b>rural pursuit/hobby farm</b>	<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"> <li>(a) the rearing, agistment, stabling or training of animals;</li> <li>(b) the keeping of bees;</li> <li>(c) the sale of produce grown solely on the premises.</li> </ul>
<b>serviced apartment</b>	<p>means a group of units or apartments providing —</p> <ul style="list-style-type: none"> <li>(a) self-contained short stay accommodation for guests; and</li> <li>(b) any associated reception or recreational facilities.</li> </ul>
<b>service station</b>	<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"> <li>(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature;</li> <li>or</li> <li>(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.</li> </ul>
<b>shop</b>	<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>
<b>small bar</b>	<p>means premises the subject of a small bar licence granted under the <i>Liquor Control Act 1988</i>.</p>
<b>tavern</b>	<p>means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i>.</p>
<b>telecommunications infrastructure</b>	<p>means premises used to accommodate the infrastructure used by or in connection with telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the</p>

	network.
<b>tourist development</b>	means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide — (a) short-term accommodation for guests; and (b) onsite facilities for the use of guests; and (c) facilities for the management of the development.
<b>trade display</b>	means premises used for the display of trade goods and equipment for the purpose of advertisement.
<b>trade supplies</b>	means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises — (a) automotive repairs and servicing; (b) building including repair and maintenance; (c) industry; (d) landscape gardening; (e) provision of medical services; (f) primary production; (g) use by government departments or agencies, including local government.
<b>transport depot</b>	means premises used primarily for the parking or garaging of 3 or more commercial vehicles including — (a) any ancillary maintenance or refuelling of those vehicles; and (b) any ancillary storage of goods brought to the premises by those vehicles; and (c) the transfer of goods or persons from one vehicle to another.
<b>tree farm</b>	means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the <i>Carbon Rights Act 2003</i> section 5.
<b>vehicle wrecking</b>	means the use of any land or building for dismantling of motor vehicles and the sale of spare parts derived from such dismantling.
<b>veterinary centre</b>	means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.
<b>warehouse / storage</b>	means premises including indoor or outdoor facilities used for — (a) the storage of goods, equipment, plant or materials; or (b) the display or sale by wholesale of goods.
<b>waste disposal facility</b>	means premises used — (a) for the disposal of waste by landfill; or (b) the incineration of hazardous, clinical or biomedical

	waste.
<b>waste storage facility</b>	means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale.
<b>wind farm</b>	means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.
<b>winery</b>	means premises used for the production of viticultural produce and associated sale of the produce.

## SCHEDULES

- Schedule 1 Supplemental provisions to the deemed provisions
- Schedule 2 Zoning Table
- Schedule 3 Specified additional uses for zoned land in Scheme area
- Schedule 4 Restricted uses for land in Scheme area
- Schedule 5 Special use zones in Scheme area
- Schedule 6 Additional requirements that apply to land in Scheme area
- Schedule 7A Ellenbrook Town Centre Map
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- Schedule 8A Midland Strategic Regional Centre Zoning Table
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- Schedule 8C Midland Strategic Regional Centre Maps
- Schedule 9A Exempted Development (Works)
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- Schedule 10 Parking of Commercial Vehicle(s)
- Schedule 11 Development Contribution Areas

## Schedule 1 — Supplemental provisions to the deemed provisions

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

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|------------------------------|--|
| <b>Clause 61(1)(item 21)</b> | <b>Development for which development approval is not required</b><br><br>The works of a class specified in Schedule 9A of this Scheme do not require development approval.           |
| <b>Clause 61(2)(h)</b>       | <b>Development for which development approval is not required</b><br><br>The use of a type specified in Schedule 9B of this Scheme do not require development approval.              |
| <b>Clause 61(1)(item 21)</b> | <b>Development for which development approval is not required</b><br><br>The signage and advertisements contained in Schedule 9C of this Scheme do not require development approval. |
| <b>Clause 67(zc)</b>         | <b>Matters to be considered by local government</b><br><br>any relevant advice of an Advisory Committee.   |

## Schedule 2 — Zoning Table

ZONES USE CLASSES	Residential	Urban Development*	Commercial	Service Commercial	Mixed Use	Centre*	Light Industry	General Industry	Industrial Development*	Rural	Rural Smallholdings	Rural Residential	Resource	Private clubs, institutions and places of worship	Special Use
Abattoir	X	Development and use of land is to be in accordance with an approved Structure Plan	X	X	X	Development and use of land is to be in accordance with an approved Structure Plan	X	A	Development and use of land is to be in accordance with an approved Structure Plan	X	X	X	X	X	
Aged or dependent persons dwelling	D		X	X	D		X	X		X	X	D			
Agriculture – extensive	X		X	X	X		X	X		P	D	D	P	X	
Agriculture – intensive	X		X	X	X		X	X		P	A	D	D	X	
Amusement parlour	X		D	X	D		X	X		X	X	X	X	X	
Ancillary accommodation	D		X	X	A		X	X		D	D	D	D	X	
Animal establishment	X		X	X	X		D	P		D	X	X	D	X	
Animal husbandry – intensive	X		X	X	X		X	X		D	X	X	X	X	
Art gallery	X		P	A	D		X	X		A	A	A	X	P	
Bed and breakfast	P		X	X	P		X	X		P	P	P	P	P	
Betting agency	X		P	X	D		D	D		X	X	X	X	X	
Brewery	X		D	D	A		D	A		A	A	A	X	A	
Bulky goods showroom	X		A	P	A		X	X		X	X	X	X	X	
Camping area	X		X	X	X		X	X		D	D	D	X	X	
Caravan park	X		X	X	X		X	X		X	X	X	X	X	
Caretaker's dwelling	I		I	I	I		I	I		I	I	I	I	I	
Car park	X		P	D	D		D	D		X	X	X	X	D	
Child care premises	D		P	X	D		X	X		X	X	X	X	D	
Cinema/theatre	X		P	X	X		X	X		X	X	X	X	X	
Civic use	D		X	X	D		X	X		D	X	X	X	D	
Club premises	X	P	X	D	X	X	D	X	A	X	D				
Commercial vehicle parking	I	I	I	I	I	I	I	I	I	I	I				
Community purpose	D	P	D	P	X	X	D	A	A	X	D				
Consulting rooms	D	P	D	P	X	X	X	X	X	X	X				
Convenience store	X	D	X	D	X	X	X	X	X	X	X				
Corrective institution	X	X	X	X	X	A	A	X	X	X	X				
Educational establishment	D	D	D	D	D	D	D	X	X	X	A				
Equestrian facility	X	X	X	X	X	X	A	A	A	X	A				
Exhibition centre	X	P	X	X	X	X	D	X	X	X	A				
Family day care	P	X	X	X	X	X	P	P	P	P	P				
Fast food outlet	X	P	D	D	X	X	X	X	X	X	X				
Food and Beverage Production	X	D	X	X	D	X	D	A	A	X	X				
Fuel depot	X	X	X	X	D	P	X	X	X	D	X				
Funeral parlour	X	P	P	P	P	P	X	X	X	X	X				
Garden centre	X	D	D	D	D	D	D	X	D	D	X				
Grouped dwelling	D	X	X	D	X	X	A	X	A	X	D				
Holiday accommodation	A	X	X	A	X	X	A	A	A	X	D				
Holiday house	X	X	X	A	X	X	A	A	A	X	D				
Home business	D	X	X	D	X	X	D	D	D	D	D				
Home occupation	P	X	X	P	X	X	P	P	P	P	P				
Home office	P	X	X	P	X	X	P	P	P	P	P				
Home store	A	X	X	A	X	X	X	X	X	X	X				
Hospital	X	X	X	X	X	X	A	X	X	X	A				

Refer to Schedule 5

ZONES USE CLASSES	Residential	Urban Development*	Commercial	Service Commercial	Mixed Use	Centre*	Light Industry	General Industry	Industrial Development*	Rural	Rural Smallholdings	Rural Residential	Resource	Private clubs, institutions and places of worship	Special Use
	Hotel	X		A	X	X		X	X		X	X	X	X	X
Industry	X		X	X	X		X	P		X	X	X	X	X	
Industry - cottage	X		X	P	X		P	D		D	D	D	D	X	
Industry – extractive	X		X	X	X		X	X		D	X	X	P	X	
Industry – light	X		X	D	X		P	D		X	X	X	X	X	
Industry – primary production	X		X	X	X		X	D		D	X	X	D	X	
Industry - noxious	X		X	X	X		X	X		X	X	X	X	X	
Industry - service	X		X	P	X		P	D		X	X	X	X	X	
Liquor store – large	X		A	A	D		X	X		X	X	X	X	X	
Liquor store – small	X		P	X	D		X	X		X	X	X	X	X	
Lunch bar	X		P	X	D		D	D		X	X	X	X	X	
Marine filling station	X		X	X	X		D	D		X	X	X	X	X	
Market	X		D	X	X		X	X		X	X	X	X	A	
Medical centre	X		P	D	P		X	X		X	X	X	X	X	
Mining operations	X		X	X	X		X	X		A	A	X	D	X	
Motel	X		X	X	X		X	X		X	X	X	X	X	
Motor vehicle, boat or caravan sales	X		P	P	D		P	P		X	X	X	X	X	
Motor vehicle repair	X		X	X	X		D	P		X	X	X	X	X	
Motor vehicle wash	X		P	P	D		P	P		X	X	X	X	X	
Multiple dwelling	D		X	X	D		X	X		X	X	X	X	D	
Nightclub	X		P	X	X		X	X		X	X	X	X	X	
Office	X		P	X	P		X	X		X	X	X	X	D	
Park home park	A		X	X	X		X	X		X	X	X	X	A	
Place of assembly	X		D	X	D		X	D		D	X	D	X	D	
Place of worship	D		X	X	D		D	D		D	X	A	X	D	
Radio & TV installation private	P		P	P	P		P	P		P	P	P	P	P	
Reception centre	X		P	X	D		X	X		X	A	X	X	A	
Recreation – private	X		D	D	D		D	D		D	X	D	X	D	
Recreation - public	D		P	P	D		P	P		P	X	D	A	P	
Residential building	A		X	X	D		X	X		X	X	X	X	X	
Resource recovery centre	X		X	X	X		X	D		X	X	X	A	X	
Restaurant/café	X		P	X	D		X	X		D	A	A	X	A	
Restricted premises	X		A	X	X		X	X		X	X	X	X	X	
Road house	X		X	X	X		X	X		D	X	X	X	X	
Rural home business	X		X	X	X		X	X		P	P	P	D	X	
Rural pursuit/hobby farm	X		X	X	X		X	X		P	A	D	P	X	
Serviced apartment	X		D	D	D		X	X		X	X	X	X	X	
Service station	X		A	A	D		X	X		X	X	X	X	X	
Shop	X		P	X	D		X	X		X	X	X	X	X	
Single bedroom dwelling	D		X	X	X		X	X		X	X	X	X	X	
Single house	P		X	X	X		X	X		P	P	P	P	P	
Small bar	X		D	X	D		X	X		X	X	X	X	A	
Tavern	X		A	A	A		A	A		X	X	X	X	X	
Telecommunications infrastructure	A		A	A	A		A	A		A	A	A	A	A	
Tourist development	X		A	X	A		X	X		A	A	A	X	A	
Trade display	X		D	P	X		P	P		D	X	X	X	X	
Trade supplies	X		X	D	X		D	D		X	X	X	X	X	

ZONES USE CLASSES	Residential	Urban Development*	Commercial	Service Commercial	Mixed Use	Centre*	Light Industry	General Industry	Industrial Development*	Rural	Rural Smallholdings	Rural Residential	Resource	Private clubs, institutions and places of worship	Special Use
	Transport depot	X		D	D	X		X	P		X	X	X	A	X
Tree farm	X		X	X	X		X	X		P	D	D	P	X	
Vehicle wrecking	X		X	X	X		X	P		X	X	X	X	X	
Veterinary centre	X		D	D	D		D	P		D	X	D	X	X	
Warehouse / storage	X		P	P	X		P	P		X	X	X	X	X	
Waste disposal facility	X		X	X	X		X	A		X	X	X	X	X	
Waste storage facility	X		X	X	X		X	A		X	X	X	A	X	
Wind farm	X		X	X	X		X	X		A	X	X	D	X	
Winery	X		X	X	X		X	A		A	A	A	X	A	

\* - Denotes that Part 4, Schedule 2 – Deemed provisions for local planning schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015* applies to land in these zones.

### Schedule 3 — Specified additional uses for zoned land in Scheme area

No.	Description of land	Additional use	Conditions
A1	Lot 190 on P4804 (No. 2299) Great Northern Highway (cnr Warren Road) Bullsbrook	"P" -Local Shop	Gross leasable area restricted to the 70m <sup>2</sup>
A2	Part of Lot 102 (No. 2507) Toodyay Road Gidgegannup	"P" -Local Shop with Retail Fuel Sales.	Restricted to the area of approximately 7500m <sup>2</sup> shown on the approved plan.
A3	Part of Lot 19 on P9452 (No. 1686) Great Northern Highway Upper Swan	"P" -Salvage Yard.	Development to be restricted to an area depicted on a feature survey plan to be approved by Council.
A4	Land generally bounded by Beach Road to the north, Camboon Road to the west, Malaga Drive to the East and located to the north of the intersection of Malaga Drive and Mulgul Road, in the locality of Malaga, as indicated on the Planning Scheme Maps  <i>Note: Reference should be made to the scheme maps to determine the precise extent of the subject area.</i>	"P" -Industry - General	The Council shall refer any application to commence development to the Department of Environment for any use which has the potential to cause pollution to the groundwater and may, notwithstanding that a use is permitted, refuse such application on the recommendation of the Department of Environment.
A5	Lot 93 on P18594 (No. 2-6) Capital Road Lot 94 on P18594 (No. 27) Bonner Drive Lot 1 on D85499 (No. 23) Bonner Drive Lot 2 on S35683 (No. 15) Bonner Drive Lot 3 on S29476 (No. 9) Bonner Drive Lot 97 on D83390 (No. 7) Bonner Drive Malaga	"P" -Office; -Market; -Restaurant; -Occupational Health Centre; -Amusement Parlour;	Development to be generally in accordance with the approved plans and subject to the following conditions: 1. The office component not to exceed 3000m <sup>2</sup> (GLA) Gross Leasable Area; 2. The market stalls and associated activities, (excluding food hall) hours of operation to be limited to weekends and public holidays only; 3. The food hall to be in accordance with the provisions of Council's Local Laws Related to Eating Houses and the Health Act and Regulations made thereafter; 4. Application for development approval to be made to Council for each specific use listed above, to be assessed in accordance with Scheme requirements; 5. The additional use, Amusement Parlour, is restricted to Unit 5 facing Bonner Drive, Malaga and is limited to 200m <sup>2</sup> Gross Leasable Area.
A6	Lot 1 on P16113 (No. 1904) Beach Road, Malaga	"P" -Office	Offices - are limited to operate from the first floor floorspace only.  Application be made to Council to use each unit for Office purposes.
A7	Lot 46 on S20583 (No. 16) Stanford Way Malaga	"P" - Liquor Retail	Liquor sales from the premises to be in an aggregate quantity per person of no less than 9 litres, and to be for consumption off the premises.

No.	Description of land	Additional use	Conditions
A8	Lot 1 on D29455 (No. 2125) Toodyay Road Gidgegannup	"D" -Real Estate; -Financial Management; -Second-hand furniture sale; -Domestic Appliance Maintenance; -Medical practice	The additional uses are restricted to the existing buildings as indicated on the approved site plan.
A9	Lot 1 on D98336 (No. 1) Vale Road Hazelmere	"P" -Agricultural Machinery Sales and Services	
A10	Lot 26 on P2112 (No. 67) Great Northern Highway, Midland	"D" -Office	
A11	Lot 43 on D50366 and Lots 1, 2, 3, 6 (Plan 1265) and Lots 25-41 (Plan 2658) (No.7) Clayton Street, Bellevue	"P" -Markets -Public Amusement "D" -Showrooms	
A12	Portion of Lot 40 on D93909 (No. 40) Rutland Road, Bullsbrook	"P" -LPG Storage Depot (above ground tanks only); "D" -Office	Limited to the 4 hectares as indicated on the approved plan
A13	Lot 102 on S38735 (No. 8) Exchange Road Lot 103 on D90446 (No. 2) Exchange Road, Lot 306 on S40293 (No. 11) Exchange Road Portion of Lot 303 on D90796 (No. 7) Capital Road, Malaga	"P" -Office;	Offices are limited to 300m <sup>2</sup> GLA.
A14	Lot 72 on P17782 (No. 3) Exhibition Drive, Malaga	"P" -Office	Limited to a bank and restricted to 400m <sup>2</sup> on the eastern side of Lot 72.
A15	Lot 377 on P22671 (No. 746) Marshall Road, Malaga	"D" -Shop	
A16	Lot 324 on P20784 (No. 15) Action Road Malaga	"P" -Continental Smallgoods Shop	Limited to a maximum floor area of 70m <sup>2</sup> as shown on the approved plan and is restricted to the sale of goods manufactured on-site.
A17	Lot 2 on D5887 (No. 2529) Great Northern Highway Bullsbrook	"P" -Shop; -Shopping Centre	
A18	Portion of Swan Loc K (cnr Marshall Road and Malaga Drive) Malaga	"P" -Shop; -Offices; -Restaurant "D" -Retail Establishment	Maximum floor space of the respective additional uses are as follows: Shop: 750m <sup>2</sup> GLA Offices: 1100m <sup>2</sup> GLA Restaurant: 400m <sup>2</sup> GLA Retail Establishment: 5000m <sup>2</sup> GLA

No.	Description of land	Additional use	Conditions
A19	Lot 100 on P21707 (No. 1) Mulgul Road Lot 101 on P21707 (No. 2) Commerce Street Lot 102 on P21707 (No. 8) Commerce Street Lot 103 on P21707 (No. 12) Commerce Street Lot 104 on P21707 (No. 16) Commerce Street Lot 105 on S37520 (No. 20) Commerce Street Lot 106 on P21707 (No. 24) Commerce Street Lot 107 on P21707 (No. 28) Commerce Street Malaga	"P" -Restaurant "D" -Retail Establishment	
A20	Lots 116 on P21707 (No. 25) Trade Road Lot 117 on P21707 (No. 23) Trade Road Lot 118 on P21707 (No. 21) Trade Road Lot 119 on P21707 (No. 19) Trade Road Lot 120 on P21707 (No. 15) Trade Road Lot 121 on P21707 (No. 9) Trade Road Lot 122 on P21707 (No. 5) Trade Road Lot 123 on P21707 (No. 5) Mulgul Road Malaga	"D" -Retail Establishment -General Industry	
A21	Portion of Swan Location K fronting Marshall Road affected by Western Power easement, Malaga	"P" -Stable -Horticultural Pursuit; -Rural Pursuit	The Council shall refer any application for development to Western Power and notwithstanding that a use is permitted, may refuse such applications on the recommendations of Western Power.
A22	Lot 49 on D90404 (No. 49) Jenkins Road Bullsbrook	"P" -Animal Establishment: Cattery Only	<ol style="list-style-type: none"> <li>The sign for the cattery shall not exceed 0.64m<sup>2</sup> and shall be sympathetic to the area.</li> <li>All buildings shall be located within the building envelope depicted on the approved Annotated Building Envelope Plan.</li> </ol>
A23	Lot 3 on D22957 (No. 3) Adelaide Street Hazelmere	"D" -Light Industry and Warehouse	
A24	Lot 11 on P28606 (No. 831) Chittering Road Bullsbrook	"D" -Private Recreation; -Shop (Tourist)	The "Shop" shall be limited to the sale of packaged food, drinks and goods of an arts and craft nature.
A25	Lot 26 on D80839 (No. 26) Copley Road (cnr Great	"P" -Sales and Assembly of Transportable	

No.	Description of land	Additional use	Conditions
	Northern Highway) Upper Swan	Buildings.	
A26	Lots 16 on D44943 (No. 1392) & Lot 32 on D82609 (No. 1398) Great Northern Highway, Upper Swan	"P" -Machinery and Vehicle Sales and Service.	The owner shall prepare a site audit and management plan relating to soil contamination to the satisfaction of the Principal Planner in consultation with the Department of Environment prior to the approval of any development application on site.
A27	Lot 70 on D97924 (No. 252) Benara Road Beechboro	"P" -Medical Centre;  -Office;  -Convenience Store	The Convenience Store is to be restricted to a maximum floor area of 101m <sup>2</sup> .
A28	Lot 2 on P5881 (No. 10) Mellar Court, Midland	"P" -Office	
A29	Lot 800 Morrissey Road, Bullsbrook	"D" -Construction Yard;          "D" -Caravan Park;	<ol style="list-style-type: none"> <li>1. The use is limited to an area of 4000m<sup>2</sup>; and</li> <li>2. Is not permitted in the area where the use of Caravan Park is a discretionary use, depicted on the Scheme Map as 'A29'.</li> </ol> <ol style="list-style-type: none"> <li>1. The use is permitted to an area of approximately 22ha in the South West Corner of the lot, depicted on the Scheme Map as 'A29'.</li> </ol>
A30	Portion of Lot 6 on P3220 (No. 220) Almeria Parade  Upper Swan	"P" -Stockfeed Manufacturing and Wholesale Activity  (defined as "any land or buildings used for the manufacturing, cleaning, processing, packing, storage, wholesaling and incidental administration of any rural primary products intended for animal consumption.)	<ol style="list-style-type: none"> <li>1. The Stockfeed Manufacturing and Wholesale Activity is permitted only on the area of 1 hectare of land which is, on the date of gazettal, being used for stockfeed manufacturing and wholesale activities, and not the whole of Lot 6 Almeria Parade, Upper Swan.</li> <li>2. The Stockfeed Manufacturing and Wholesale Activity shall be restricted to the following hours of operation: <ul style="list-style-type: none"> <li>• Monday to Friday (7.00am to 6.00pm)</li> <li>• Saturday (8.00am to 1.00pm)</li> <li>• Sunday and Public Holidays (not permitted)</li> </ul> </li> <li>3. No stock shall be kept within the area used for the Stockfeed Manufacturing and Wholesale Activity.</li> <li>4. The Stockfeed Manufacturing and Wholesale Activity shall not involve the processing of animal based products.</li> <li>5. As part of development application and approval, the City of Swan will require: <ul style="list-style-type: none"> <li>• The monitoring and reporting by the applicant to demonstrate the compliance with conditions of approval.</li> <li>• A minimum building floor level of 0.5 metres above the 100 year flood level and development (e.g. filling, building etc.) located outside the floodway for Ellen Brook.</li> <li>• A licence being obtained from the Department of Environment for the</li> </ul> </li> </ol>

No.	Description of land	Additional use	Conditions
			<p>manufacturing operation.</p> <ul style="list-style-type: none"> <li>The introduction of dust suppression, unloading and processing techniques to prevent the movement of material blown off-site to the satisfaction of Council in consultation with the Department of Primary Industry and Regional Development (Agriculture and Food).</li> <li>The implementation of noise suppression measures as required, to ensure compliance with the Environmental Protection (Noise) Regulations.</li> <li>The implementation of noise suppression measures as outlined in the report of N.D. Engineering, and other measures as required, to ensure compliance with the Environmental Protection (Noise) Regulations.</li> <li>The planting and continual maintenance of a wind net of appropriate density to surround the site to reduce movement of wind borne material off-site to the satisfaction of Council in consultation with the Department of Primary Industry and Regional Development (Agriculture and Food).</li> </ul>
A31	Lot 800 on D98651 (No. 1915) Beach Road (cnr Oxleigh Drive) Malaga	"P" -Shop  -Office	<ol style="list-style-type: none"> <li>The Shop is restricted to a maximum size of 1500m<sup>2</sup> GLA with individual tenancies limited to 300m<sup>2</sup> GLA.</li> <li>The site shall be developed generally in accordance with an approved Indicative Development Plan.</li> </ol>
A32	Lot 134 on D85619 (No. 6) and Lot 133 on D7402 (No.2) Toodyay Road Middle Swan	"D" -Caravan Park	In accordance with the development approval.
A33	Lot 307 on D94779 (No. 2672) Toodyay Road Gidgegannup	"P" -Hotel	
A34	Pt Lot 498, Lot 499, 500, 501 & 511 on P2505 Blackburn Street Bellevue	"P" -Motel	
A35	Lot 228 on P6061 (No. 2081) Toodyay Road Gidgegannup	"P" -Antique Furniture Reproduction and Residence	The use is limited to a maximum factory floor space of 120m <sup>2</sup> .
A36	Part of Lot 50 on D65225 (No. 189) Midland Road Hazelmere	"P" -Rural Tavern and Restaurants	
A37	Lot 21 (No.36) and Lot 515 (No. 40) Great Northern Hwy (cnr North Street) Midland	"P" -Consulting Rooms and Pharmacy  "D" -Medical Centre	
A38	Lot 300 on P632 (No. 105) Terrace Road  Lot E1 on P632 (No. 103) Terrace Road Guildford	"P" -Dwelling (Single House) (R20);  Grouped Dwellings (2 only) (R20);	

No.	Description of land	Additional use	Conditions
		<p>"D"</p> <ul style="list-style-type: none"> <li>-Museum;</li> <li>-Restaurant;</li> <li>-Shop: Local;</li> <li>-Shop: Tourism</li> </ul>	
A39	Lot 194 on P222550 (No. 24) Stirling Street Guildford	<p>"D"</p> <ul style="list-style-type: none"> <li>-Cultural Use;</li> <li>-Civic Building;</li> <li>-Museum;</li> <li>-Restaurant;</li> <li>-Shop (Restricted to cultural/heritage and tourism sale of goods)</li> <li>-Garden Centre</li> </ul>	<ol style="list-style-type: none"> <li>1. The operation of a Garden Centre shall be subject to an operational management plan approved by the City and shall cover matters such as (but not limited to) parking and access, heritage impacts, noise and odour.</li> </ol>
A40	Lot 24 on D74543 Cathedral Ave Brigadoon	<p>"P"</p> <ul style="list-style-type: none"> <li>-Shop</li> <li>-Service Station</li> </ul> <p>"D"</p> <ul style="list-style-type: none"> <li>-Veterinary Consulting Rooms;</li> <li>-Veterinary Hospital;</li> <li>-Produce Store;</li> <li>-Nursery;</li> <li>-Fast Food Outlet;</li> <li>-Boarding House;</li> <li>-Consulting Rooms;</li> <li>-Farrier;</li> <li>-Office;</li> <li>-Restaurant</li> </ul>	<ol style="list-style-type: none"> <li>1. Shop is restricted to 300m<sup>2</sup> maximum floor area.</li> <li>2. No development shall be permitted on the site unless the Council is satisfied that the development will be connected to a suitable effluent disposal system to the satisfaction of both the Health Department of Western Australia and Council.</li> <li>3. The total development on the site shall not exceed 2,500m<sup>2</sup> GLA.</li> <li>4. The total area used for Office shall not exceed 100m<sup>2</sup>.</li> </ol>
A41	Lots 105 & 106 on P7340 (No. 380) Clenton Road Gidgegannup	<p>"D"</p> <ul style="list-style-type: none"> <li>-Cultural use;</li> <li>-Education establishment;</li> <li>-Industry: Rural;</li> <li>-Nursery;</li> </ul>	<ol style="list-style-type: none"> <li>1. The development of the subject land to be generally in accordance with an approved site plan.</li> <li>2. No dwelling may be constructed with a roof area of less than 190 square metres.</li> <li>3. No building on the lot shall be constructed closer to any boundary of the lot than a distance of 40 metres except that the Council may approve a lesser distance if it can be shown to be necessary or desirable for reasons of topography or other site</li> </ol>

No.	Description of land	Additional use	Conditions
			<p>conditions.</p> <ol style="list-style-type: none"> <li>4. No more than 18 dwellings and associated community facilities to be constructed on the lots.</li> <li>5. A secondary water supply shall be provided by a dam or bore.</li> <li>6. No septic tank or leach drain shall be located within 100 metres of any watercourse.</li> <li>7. A Bushfire Management Plan shall be prepared to the satisfaction of the City of Swan and the Bushfires Board and reviewed annually.</li> <li>8. The access road and strategic firebreaks will have a six metre wide clearing and a four metre wide trafficable surface.</li> </ol>
A42	Lot 38 on S26082 (No. 57) Great Eastern Highway, Bellevue	"P" -Drive-In Bottle Shop and Restaurant	
A43	Lot 50 on D90849 (No. 1383) Great Northern Hwy, Upper Swan	"P" -Service Station and Roadhouse	<ol style="list-style-type: none"> <li>1. Development to be in accordance with Ultimate Development Concept Plan A8906-120-1A which forms part of this amendment document.</li> <li>2. The retail area comprises two stages to a maximum gross leasable floor space of 560 sqm: <ul style="list-style-type: none"> <li>- Stage 1 - 360 sq.m</li> <li>- Stage 2 - 200 sq.m</li> </ul> </li> <li>3. The restaurant comprises two stages to a maximum of 175 seats: <ul style="list-style-type: none"> <li>- Stage 1 - 25 seats</li> <li>- Stage 2 - 150 seats</li> </ul> </li> <li>4. The approval of the Health Department of Western Australia is required for the establishment of any retail activity on the site which in the opinion of Council may discharge large amounts of waste water.</li> <li>5. To enable the development of Stage 2 of the retail and restaurant areas the following special condition must be complied with: <ul style="list-style-type: none"> <li>- the site is to be provided with an effluent disposal system designed and installed to the requirements of the Environmental Protection Authority, Health Department of Western Australia, the City of Swan and other relevant Government Authorities or Departments and/or on the provision of a reticulated sewer and immediate</li> </ul> </li> </ol>

No.	Description of land	Additional use	Conditions
			connection to that service.
A44	Lot 612 on S23932 (No. 110) Lot 613 on S15405 (No. 114) Lot 614 on D73269 (No. 118) Illawarra Crescent Ballajura	"P" -Restaurant "P" -Post Office "P" -Chiropractor "P" -Veterinary Hospital "P" -Medical Centre "P" -Real Estate Office	
A45	Lot 72 on P24287 (No. 181) Great Eastern Highway Midland	"P" -Motor Vehicle Repair	
A46	Lot 123 on D1590 (No. 50) East Street Guildford	"P" -Hotel	
A47	Lot 1 on D9938 (No. 2532) Great Northern Highway Bullsbrook	"P" -Service Station	
A48	Lot 9 & 10 on P1510 (No. 22) Johnson Street Guildford	"P" -Service Station	
A49	Lot 550 on D68616 (No. 35) Great Eastern Highway Bellevue	"P" -Place of Public Assembly	
A50	Lots 18 & 19 on P1859 (No. 305) Morrison Road Swan View	"P" -Tavern	
A51	Lot 400 (No. 107) on DP 24718 Clayton Street, Bellevue	"D" -Industry - Light  -Industry - Cottage  -Lunch Bar  -Warehouse	
A52	Lot 1 on P21618 (No.1) Bingham Road Bullsbrook	"P" -Composting Greenwaste and Chicken Manure	<ol style="list-style-type: none"> <li>1. In considering an application for Approval to Commence Development, Council may at its discretion determine the most appropriate location for the listed additional uses.</li> <li>2. At the time of Approval to Commence Development, the Council shall require, as a condition to pay a contribution towards the upgrading and/or construction of Bingham Road, or alternatively upgrade or construct Bingham Road to the satisfaction of the Council.</li> <li>3. As the time of Approval to Commence Development, the Council shall require, as a condition of Development Approval, the preparation and implementation of a Conservation and Management Plan for the Bush Forever Site No. 97 area on the site. The Conservation and Management plan shall include a detailed report addressing: <ul style="list-style-type: none"> <li>• protection of regionally significant</li> </ul> </li> </ol>

No.	Description of land	Additional use	Conditions
			<p>vegetation;</p> <ul style="list-style-type: none"> <li>• provision for initial and ongoing weed control being undertaken within the areas where regionally significant vegetation exists which are primarily to the north, west and south of the land identified for the compost facility;</li> <li>• rehabilitation of degraded areas with local native species to the north, west and south of the land identified for compost facility;</li> <li>• no stock is permitted on the lot, unless appropriate fencing is implemented to restrict stock movement and access into areas of regionally significant vegetation;</li> </ul> <p>and shall be to the satisfaction of the Commission and the Council prior to any development commencing on the site.</p> <p>4. At the time of Approval to Commence Development, the Council shall, as a condition of Development Approval, require the applicant to prepare and implement a detailed Bushfire Management Plan for the subject land which is to be to the satisfaction of the Department of Fire and Emergency Services and Council.</p> <p>5. Council shall require, as a condition of Approval to Commence Development, that the proponent prepare and implement a conservation covenant to ensure the protection and enhancement of the natural environment and the long term management of the land. The conservation covenant should have regard for:</p> <ul style="list-style-type: none"> <li>• the protection of natural values from the presence of weeds, pests and diseases;</li> <li>• the value of protecting the regionally significant vegetation; and</li> <li>• restricting the type, number and movement of livestock on the property.</li> </ul>
A53	Lot 198 Midland Road, Hazelmere and Lot 197 Adelaide Street, Hazelmere and Part of Part Lot 6 Adelaide Street, Hazelmere	"P" - Caravan Park	<ol style="list-style-type: none"> <li>1. In accordance with planning approval.</li> <li>2. All new park homes, caravans and ablution facilities being connected to deep sewer prior to the Caravan Park development being occupied.</li> <li>3. Access to Pt Lot 6 (the subject of this amendment) to Midland shall be constructed to Council's satisfaction as part of the caravan park extension.</li> <li>4. The portion of Part Lot 6, the subject of this application being amalgamated with Lot 97 (399) Adelaide Street Hazelmere prior to the</li> </ol>

No.	Description of land	Additional use	Conditions
			Caravan Park development being occupied.
A54	Lot 467 (SN 110) Terrace Road, Guildford	'D' - Residential (Multiple Dwellings)	
A55	Lot 178 (No. 4) Mathoura Street, Midland	"P" -Carpark	1. Landscaping strip of 3 metres wide along the western (street) boundary of the site, excluding points of access (driveways) to the site.
A56	Lots 1 (No.2), 150 (No.6), 149 (No.8), 148 (No.10),  147 (No.12), 146 (No.14), 145 (No.16) Lloyd Street,  Midland	"D"- Showroom	1. In accordance with the respective planning approval.
A57	Lot 14 (No.1527) Great Northern Highway, Upper Swan	"P" - Storage	1. The use class of 'Storage' is only permitted within the existing shed that was approved on the subject site under planning approval dated 21 February 1992 and building licence dated 24 February 1992.
A58	Lot 71 (No.1) Penn Place, Koongamia	"D" - Recreation - Private (Personal Training)	1. In accordance with development approval.  2. Any development approval will be personal to Mr Alan David Pond, and will not be granted to any subsequent landowner.
A59	Lot 900 on Diagram 74243 (No. 76) Malaga Drive, Malaga.	"P" - Service Station  "D" - Convenience Store	1. A Convenience Store may only be developed on the site when it is part of an integrated development with the Service Station.
A60	Lot 301 (D96440) Arum Lily Place, Hazelmere	"P" - Transport Depot	1. A maximum of -  a. Six motorised commercial vehicles; and  b. Six trailers/attachments.  2. Any development approval for a "Transport Depot" shall be personal to Leon Noel Pietersen and will not be granted to any subsequent owner or lessee of the subject land.  3. A Stormwater Drainage Management Plan is to be lodged and approved by the City prior to any development approval being granted on the subject lot. The Drainage Plan is to demonstrate that stormwater can be disposed of without unacceptable impact on the Hazelmere Lakes.
A61	Lot 304 (No.63) and Lot 303 (No.65) Great Northern Highway, Midland	"D" - Local Shop  - Fast Food Outlet  - Restaurant	1. Subject to development approval.
A62	Lot 1 (No. 1263) Toodyay Road, Gidgegannup	'A' - Animal Establishment	The Additional Use is restricted to the following:  1. The keeping of dogs as a component of an approved Kennel; and  2. The keeping on site of no more than two

No.	Description of land	Additional use	Conditions
			<p>horses as a component of an approved agistment.</p> <p>3. Kennels constructed on the subject lot are to incorporate all of the kennel layout and noise management measures contained in the Environmental Noise Assessment report prepared by Lloyd George Acoustics (January 2015).</p>
A63	Lot 121 on D40221 (No.3241), Great Northern Highway, Bullsbrook	<p>"P" - Transport Depot</p> <p>"D" - Storage</p>	
A64	Lot 6 on D55166 Stock West Road Bullsbrook	"P" - waste transfer station	<p>1. The additional use referred to is subject to the following conditions:</p> <p>a. No more than 200 tonnes of waste material (total) can be on the site at any one time.</p> <p>b. No hazardous material, bio-solids, manures or mulching is to be produced or stored on site.</p> <p>c. The management of leachate is to be to the satisfaction of the relevant State Authorities.</p>
A65	<p>Lot 3537 on DP 57169 Ponte Vecchio Boulevard Ellenbrook</p> <p>Lot 3675 on DP 57169 Ponte Vecchio Boulevard Ellenbrook</p>	<p>'D' - Single House</p> <p>- Grouped Dwelling</p> <p>- Multiple Dwelling</p> <p>- Single Bedroom Dwelling</p>	Density coding applicable for the consideration of additional uses shall be R60.
A66	<p>Lot 1906 on D95622</p> <p>Ponte Vecchio Boulevard, Ellenbrook</p>	'A' - Office	The Office floor space is not to exceed the floor space of the residential component of the development of Lot 1906.
A67	Lot 18 on Diagram 42637 (No.159-161) James Street, Guildford	'A' - Multiple Dwellings (discretionary after public advertising)	<p>1. Discretion to approve an application for Multiple Dwellings shall only arise with the prior completion of:</p> <p>a) the Conservation Works as specified in the Heritage Agreement dated 30 April 2015 and endorsed by the Minister for Environment and Heritage;</p> <p>b) a heritage impact assessment being undertaken for any new development to make recommendations to mitigate any detrimental effects;</p> <p>c) advertising of the proposed development;</p> <p>2. The maximum height of any building including lift overruns, air condition units, building services, or any other integral part of the building shall conform to the following requirements::</p> <p>a) A base podium to a maximum of three storeys up to a height of 10 metres above natural ground level or to match</p>

No.	Description of land	Additional use	Conditions
			<p>the top of the parapet of the Guilford Hotel facing Johnson Street, whichever is higher, with a minimum setback of 9 metres to the southern lot boundary and 5.5 metres to the western lot boundary;</p> <p>b) A second tier to a maximum of two storeys up to a maximum overall building height of 17 metres above natural ground level or to match the top of the finished belvedere (excluding any spire) as agreed by the State Heritage Office, whichever is higher from Johnson Street lot boundary and an average 5 metre setback from the northern, western and southern outer edges of the base podium; and</p> <p>c) The northern face of the base podium shall not project beyond a line that is an extension of the southern boundary of lots 1 and 2 James Street through Lot 18 to Johnson Street.</p> <p>3. The minimum setback to Johnson Street shall be nil for the base podium.</p> <p>Notwithstanding any provision contained in the Scheme and The Residential Design Codes no plot ratio is to apply to the proposed redevelopment of the site.</p> <p>4. The minimum setback to the southern side boundary shall be 9 metres.</p> <p>5. The minimum setback to the western side boundary shall be 5.5 metres.</p> <p>6. Any development application for any development of the site shall be subject to review by a Design Review Panel which is to comprise the following:</p> <ul style="list-style-type: none"> <li>- The Government Architect (as the Chair);</li> <li>- A nominee of the State Heritage Office;</li> <li>- The City of Swan's heritage consultant; and</li> <li>- A suitably qualified town planner.</li> </ul> <p>The relevant decision making authority, when dealing with an application for planning approval for the proposed land, shall have due regard to any relevant recommendation of the Design Review Panel.</p> <p>7. The maximum heights specified in Condition 2 are not capable of variation by any other provision of the Scheme.</p> <p>8. Development must achieve urban design and architecture that is exemplary with respect to heritage, adaptive re-use and multi-residential design. The design of any new development should:</p> <p>a) Provide outstanding architecture that is</p>

No.	Description of land	Additional use	Conditions
			<p>responsive to the heritage value of the site and the date and design intent of the existing Guilford Hotel building;</p> <p>b) Provide outstanding architecture that is responsive to the heritage value of the site and the date and design intent of the existing Guilford Hotel building;</p> <p>c) Demonstrate responsiveness to the existing streetscape character, scale and grain of the Guilford township;</p> <p>d) Demonstrate well considered materiality, colour, articulation and detailing;</p> <p>e) Demonstrate sensitivity to the built form and scale of the Guilford Hotel including its grain, rhythm, order and proportions of elements and openings;</p> <p>f) Ensure siting, height and built form of new buildings maintains primary vies and vistas to the Guilford Hotel, including the Belvedere, north and east facades;</p> <p>g) Demonstrate careful arrangement of building massing and height to minimise negatively impacts to the amenity of adjacent properties;</p> <p>h) Provide high quality hard and soft landscaping elements including the retention of mature trees;</p> <p>i) Where a development application proposes the removal of existing mature trees then an arborists report shall be provided justifying the removal; and</p> <p>9. Provide considered location of car parking to minimise negative impacts to the public realm.</p> <p>a) Any development is to incorporate noise attenuation measures into the development that achieves the indoor design sound levels specified in AS2021 (2015).</p> <p>b) A Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land the subject of any proposed development prior to the lodgement of an application for a building permit. The notification shall notify owners and prospective purchasers of the land that land is affected by aircraft noise.</p>
A68	Portion of Lot 9011 (formerly Lot 9010) Marshall Road Malaga	'P' – Shop	Net lettable shop floorspace area to be limited to a maximum 1,500m <sup>2</sup> .
A69	Lot 125 (No. 2071) Toodyay Road, Gidgegannup	'P' - Medical Centre 'P' - Shop (Pharmacy)	<p>1. The landowner/developer must have development approval to commence development for the additional use.</p> <p>2. A bushfire management plan being prepared to support the development</p>

No.	Description of land	Additional use	Conditions
			application in accordance with the WAPC's Guidelines for Planning in Bushfire Prone Areas to the specifications of the Local Government.
A70	Part Lots 9501 on Plan 48644, and Part Lots 9001 on CT 2943/160, Bushmead	'D' - Office	Approval is restricted to a Residential Sales Office which is defined as -  "Residential Sales Office" means a building, structure and associated car parking, used incidental to the sale of land and dwellings and is temporary in nature.
A71	Portion of Lot 71 Arthur Street, Dayton	"D" - Medical Centre	As part of the development of this site, there shall not be vehicular access or egress directly onto Arthur Street or Dayton Boulevard.
A72	Portion of Lot 151 Toodyay Road, Gidgegannup (DP30695)  Portion of Lot 152 Toodyay Road, Gidgegannup (DP3095)	'D' – Resource Recovery Centre  'D' – Waste Storage Facility	1. No hazardous material, bio-solids, manures or mulching is to be produced or stored on the site.

## Schedule 4 — Restricted uses for land in Scheme area

No.	Description of Land	Restricted use	Conditions
R1	Lot 51 on D72876 (No. 174 - 176) Great Eastern Highway Midvale	Post Office Lunch Bar	No other uses permitted except those uses considered to be incidental to the Post Office use.
R2	Lot 42 on P934 (No. 86) Great Northern Highway (cnr John Street) Midland	"P" -Local Shop;  -Car Sales Lot	
R3	Lot 8 on P2112 (No. 107) Great Northern Highway Midland	"P" -Local Shop	
R4	Lot 38 on P1236 (No. 52) Great Northern Highway (cnr Charles Street) Midland	"P" -Local Shop;  -Dry Cleaning Premises	
R5	Lot 22 on P2112 (No. 75-77) & Lot 23 on S26729 (No. 66-73) Great Northern Highway (cnr Charles Street) Midland	"P" -Local Shop	
R6	Lot 107 & 108 on D84494 (No. 155) Viveash Road, Jane Brook	"P" -Dwelling (Single House);  -Home Occupation;  -Rural Home Occupation;  "D" -Home Business;  -Public Utility;  "A" -Radio & TV Installation Private	<ol style="list-style-type: none"> <li>The minimum lot area shall be 1 ha.</li> <li>All buildings shall be located within the Building Envelope depicted on the approved Outline Development Plan for the site.</li> <li>The removal of vegetation shall be limited to the building envelope and those areas necessary for access, fencing and firebreaks.</li> </ol>
R7	Portion of Lot 107 & 108 on D84494 (No. 155) Viveash Road Jane Brook	The uses on the sites shall be restricted as follows with respect to a 13m wide buffer along Viveash Road and subject to the following.	<ol style="list-style-type: none"> <li>The subject area shall not be used for any buildings, vehicle parking or storage.</li> <li>The subject area shall be landscaped in accordance with a landscaping plan approved in writing by the Council and maintained by the owner.</li> <li>Prior to the subdivision of the land, uniform fencing approved by the Council shall be constructed along Viveash Road. Such fencing shall be maintained by the owners.</li> <li>Setback requirements under the Residential Design Codes shall be measured from the western edge of the buffer strip.</li> </ol>

No.	Description of Land	Restricted use	Conditions
R8	Lot 1 on D87544 (No. 20) Bonner Drive  Lot 2 on S34061 (No. 28) Bonner Drive  Lot 3 on S31562 (No. 2) Enterprise Crescent  Lot 4 on S32680 (No. 8) Enterprise Crescent  Lot 5 on P20832 (No. 12) Enterprise Crescent  Lot 6 on S31720 (No. 16) Enterprise Crescent  Lot 7 on P20832 (No. 22) Enterprise Crescent  Malaga	Uses which could adversely be affected by dust or grit emanating from the adjacent brickworks are not permitted except with the special approval of Council. The Council may seek advice from the Environmental Protection Authority in respect of any use proposed to ascertain whether that use will be so affected.	
R9	Lot 852 on D75520 (No. 1892) Beach Road (cnr Crocker Drive) Malaga	"P" -Industry – Cottage;  -Industry - Service;  -Recreation – Public;  -Motor Vehicle Wash;  -Warehouse  "D" -Car Park;  -Caretaker's Dwelling;  -Community Purpose;  -Consulting Rooms (except for accountants);  -Industry – Light;  -Industry – Service;  -Medical Centre;  -Recreation – Private;  -Storage:  -Telecommunications Infrastructure;  -Veterinary Centre;  -Sporting Goods Retailer;	The restricted uses which are permitted shall occupy a gross leasable floor area (GLA) of no greater than 1400m <sup>2</sup> .

No.	Description of Land	Restricted use	Conditions
		<ul style="list-style-type: none"> <li>-Chemist;</li> <li>-Stationer;</li> <li>-Newsagents;</li> <li>-Photographic Studio and Supplies;</li> <li>-Florist;</li> <li>-Dry Cleaning Agencies;</li> <li>-Hairdressers and Barbers;</li> <li>-Café;</li> <li>-Liquor Store.</li> </ul> <p>"A" -Service Station.</p>	
R10	<p>Lot 1001 on DP66027, Lot 404 on DP76880 and Lot 405 on DP76880 Bushmead Road; portion of Lot 25 on P4556 Stirling Crescent; Lot 80 on P4539 and Lot 810 on DP76251 Bushmead Road; Lot 811 on DP400749, Lot 812 on DP400749 and Lot 813 on DP400749 Tipper Court; Lot 76 on P4539 and Lot 202 on DP39720 Bushmead Road; Lot 4 on D55932 Stirling Crescent; Lot 800 on DP408214, Lot 301 on DP405273 and Lot 100 on P4553 Lakes Road; portion of Lot 117 on P4553 Lakes Road; Lot 116 on P4553 Lakes Road; portion of Lot 50 on P7475 Lakes Road; Lot 800 on DP404599 Lloyd Street; Lot 20 on DP73040 and Lot 801 on DP410111 Lakes Road; Lot 802 on DP62935 Stirling Crescent; Lot 15 on DP409937, Lot 13 on DP75343 and Lot 14 on DP75343 Lakes Road; Lot 803 on DP413194 Stirling Crescent; Lot 5 on D55931 and Lot 6 on D55931 Bushmead Road; and Lot 101 on D66237 Bushmead Road, Hazelmere.</p> <p>Lot 403 on DP55161 Bushmead Road; and Lot 405 on DP400754 Bushmead Road, Hazelmere</p> <p>Lot 81 on P4539 Bushmead Road, Hazelmere; portion of</p>	<p>The Use Classes listed in the Zoning Table against the 'General Industry' Zone and cross referenced with the symbols of 'P', 'D', and 'A'.</p>	<ol style="list-style-type: none"> <li>1. Land use and development is restricted to 'Dry Industry' activities unless the site and development is connected to reticulated sewer.</li> <li>2. A Wastewater Management Plan shall be submitted to the City of Swan with each development application. The management plan shall be prepared to the satisfaction of the Local Government and the agencies which has responsibility for policy relating to Health and other agencies as required and shall demonstrate that the proposed development and land use will comply with the waste water disposal limits as identified within the definition of 'Dry Industry'.</li> <li>3. Connection to an Aerobic Treatment Unit (ATU) or Nutrient Effluent Disposal System may be permitted where acceptable groundwater depths exist and subject to the approval by the Local Government and the agency which has responsibility for policy relating to Health.</li> <li>4. Land use and development shall connect to reticulated sewer where available.</li> <li>5. Subdivision of existing lots into smaller lot sizes, shall not be supported unless the subdivision represents a minor lot boundary realignment, or the land is connected to reticulated sewer, and/or a Detailed Area Plan is prepared in accordance with the Scheme.</li> </ol>

No.	Description of Land	Restricted use	Conditions
	<p>Lot 99 on P4553 Lakes Road Hazelmere; and portion of Lot 818 on DP410439 Lloyd Street, Hazelmere.</p> <p>Portion of Lot 3001 on DP66027 Central Avenue; Lot 1003 on DP404286 Stirling Crescent; Lot 1004 on DP404286 Bushmead Road; and Lot 29 on P4539 Bushmead Road, Hazelmere.</p>		<p>6. A Stormwater Management Plan shall be submitted to the satisfaction of the Local Government with each development application. The Management Plan shall demonstrate that runoff is contained onsite for a 1 year Annual Recurrence Interval (ARI) storm and discharge from lots is limited to a rate of 16L/s/ha through the use of onsite compensation.</p> <p>7. Any onsite stormwater compensation basin and drainage swale shall be landscaped appropriately in accordance with Water Sensitive Urban Design Guidelines and to enhance the visual and landscape amenity of the site. A Landscape Plan shall be submitted to the satisfaction of the Local Government with each development application.</p> <p>8. A site investigation and management plan/remediation and validation report (if required) shall be prepared and implemented with respect to potential soil and ground water contamination of a site, with any subdivision proposal or development application, whichever occurs first. The investigation and management plan be prepared to the satisfaction of the Local Government and where necessary approval of the agency which has responsibility for policy relating to Environment</p> <p>9. The investigation of ground water levels on a site shall also include consideration for any requirements for future fill and/or subsoil drainage for the proposed development application or subdivision proposal, to the satisfaction of the Local Government and the agency which has responsibility for policy relating to Water and Water Licensing.</p> <p>10. A Geotechnical Report may be required to be submitted with any subdivision proposal or development application, which is likely to impact upon acid sulfate soils identified as high to moderate by the agency which has responsibility for policy relating to Water, Water Licensing and Acid Sulfate Soils. Where necessary, the report shall also detail a management plan in accordance with the WA Planning Commission Acid Sulfate Soils Planning Guidelines, for approval by the agency which has responsibility for policy relating to Water, Water Licensing, Acid Sulfate Soils and other agencies as required.</p>

No.	Description of Land	Restricted use	Conditions
R11	<p>Lot 155 on P4553 and Lot 5 on Diagram 27196 Stirling Crescent, Hazelmere</p> <p>Lot 4 on Diagram 27196, Lot 153 on Plan 4553, Lot 152 on Plan 4553 and Lot 11 on Diagram 52977 Talbot Road, Hazelmere.</p> <p>Portion of Lot 801 on Dep Plan 404599 Lloyd Street;</p> <p>Portion of Lot 21 on Dep Plan 73040 Talbot Road;</p> <p>Lot 22 on Dep Plan 73040 Talbot Road;</p> <p>Lot 141 on Plan 4553 Talbot Road;</p> <p>Portion of Lot 5001 on Dep Plan 67434 Talbot Road;</p> <p>Portion of Lot 20 on Diagram 79083 Stirling Crescent;</p> <p>Lot 1 on Diagram 44255 Stirling Crescent;</p> <p>Portion of Lot 2 on Diagram 44255 Stirling Crescent;</p> <p>Lot 144 on Plan 4553 Talbot Road;</p> <p>Portion of Lot 145 on Plan 4553 Talbot Road;</p> <p>Portion of Lot 7 on Dep Plan 40987 Talbot Road; and</p> <p>Lot 147 on Plan 4553 Talbot Road, Hazelmere</p>	<p>The Use Classes listed in the Zoning Table against the 'General Industry Zone and cross referenced with the symbols of 'P', 'D', and 'A'.</p>	<ol style="list-style-type: none"> <li>1. Unless development on the site is connected to reticulated sewer— <ol style="list-style-type: none"> <li>(a) development is restricted to 'dry industry' whereby any development application must demonstrate that the quality and volume of effluent to be disposed on onsite can be successfully disposed of, without adverse environmental or health effects, using effluent disposal systems; and</li> <li>(b) development shall be restricted to the type which is predicted to generate, and/or generate waste water intended for disposal on site at a daily volume not exceeding 540 litres per 2000m<sup>2</sup> of site area.</li> </ol> </li> <li>2. A Wastewater Management Plan shall be submitted with each development application to demonstrate that Condition No. 1 can be achieved to the satisfaction of the Local Government.</li> <li>3. Connection to an Aerobic Treatment Unit (ATU) or Nutrient Effluent Disposal System may be permitted where acceptable groundwater depths exist and subject to the approval by the Local Government and Health Department of Western Australia.</li> <li>4. Land use and development should connect to reticulated sewer where available.</li> <li>5. Subdivision of existing lots into smaller lot sizes shall only be supported if the land is connected to reticulated sewer, or where the subdivision represents a minor lot boundary realignment.</li> <li>6. A Stormwater Management Plan shall be submitted to the satisfaction of the Local Government with each development application. The Management Plan shall demonstrate that runoff is contained onsite for a 1 year Annual Recurrence Interval (ARI) storm and discharge from lots is limited to a rate of 16L/s/ha through the use of onsite compensation.</li> <li>7. A Landscape plan shall be submitted with each development application to demonstrate that any onsite stormwater compensation basin and drainage swale will be landscaped appropriately in accordance with Water Sensitive Urban Design Guidelines to enhance the visual and landscape amenity of the site to the</li> </ol>

No.	Description of Land	Restricted use	Conditions
R11 cont.			<p>satisfaction of the Local Government.</p> <p>8. Prior to any subdivision or development proposal, whichever occurs first, a site investigation and remediation report (if required) shall be prepared and implemented with respect to potential soil and ground water contamination of a site to the satisfaction of the relevant approval agency on advice from the Department of Water and Environment Regulation.</p> <p>9. The investigation of ground water levels on a site shall also include consideration for any requirement for future fill and/or subsoil drainage for the proposed development application or subdivision proposal, to the satisfaction of the Local Government.</p> <p>10. An acid sulphate soils self-assessment form and, if required, an acid sulphate soils report and management plan may be required to be submitted to and approved by the Department of Water and Environment Regulation with any subdivision or development application that is likely to impact on moderate or high risk acid sulphate soils.</p> <p>11. An Environmental Management Plan shall be submitted with each development application on any land that shares a common boundary with, or partially includes a Bush Forever site. The Environmental Management Plan is to demonstrate that impacts to Bush Forever are avoided to the satisfaction of the Local Government on advice from the Department of Biodiversity, Conservation and Attractions.</p>
R12	<p>Portion of Lot 117 on Plan 4553 Lakes Road;</p> <p>Portion of Lot 118 on Plan 4553 Lakes Road;</p> <p>Lot 119 on Plan 4553 Lakes Road</p> <p>Portion of Lot 50 on Plan 7475 Lakes Road Hazelmere</p> <p>Portion of Lot 1 on Diagram 98336 Vale Road, Hazelmere</p>	<p>The Use Classes listed in the Zoning Table against the 'Light Industry Zone and cross referenced with symbols of 'P' 'D' and 'A'</p>	<p>1. Unless development on the site is connected to a reticulated sewer -</p> <ol style="list-style-type: none"> <li>a. Development is restricted to 'dry industry' whereby any development application must demonstrate that the quality and volume of effluent to be disposed of onsite can be successfully disposed of, without adverse environmental or health effects, using effluent disposal systems; and</li> <li>b. Development shall be restricted to the type which is predicted to generate, and/or generate waste water intended for disposal on site at a daily volume not exceeding 540 litres per 2000m<sup>2</sup> of site area.</li> </ol> <p>2. A Wastewater Management Plan shall be submitted with each development</p>

No.	Description of Land	Restricted use	Conditions
			application to demonstrate that Condition 1 can be achieved to the satisfaction of local government.
R13	Portion of Lot 15 Victoria Road, Malaga within 150m of its boundary within Beringarra Avenue.	Car Park "D" Caretakers Dwelling "D" Community Purpose "D" Consulting Rooms "D" Educational Establishment "D" Fast Food Outlet "D" Funeral Parlour "D" Garden Centre "D" Industry-Cottage "P" Industry-Light "D" Industry-Service "P" Medical Centre "D" Motor Vehicle Wash "P" Motor Vehicle, Boat or Caravan Sales "P" Radio and TV Installation "P" Recreation Private "D" Recreation Public "P" Showroom "P" Storage "D" Tavern "A" Telecommunications Infrastructure "D" Trade Display "P" Transport Depot "D" Veterinary Centre "D" Warehouse "P"	
R14	Lot 189 on Plan 4553 Adelaide Street;  Portion of Lot 190 on Plan 4553 Adelaide Street, Hazelmere	The Use Classes listed in the Zoning Table against the 'Light Industry Zone and cross referenced with symbols of 'P' 'D' and 'A'	<ol style="list-style-type: none"> <li>1. Land use and development is restricted to 'Dry Industry' activities unless the site and development is connect.</li> <li>2. A Wastewater Management Plan shall be submitted with each development application to demonstrate that Condition 1 can be achieved to the satisfaction of the Local Government.</li> <li>3. Connection to an Aerobic Treatment Unit (ATU) or Nutrient Effluent Disposal System may be permitted where acceptable groundwater depths exist and subject to the approved by the Local Government and the relevant Government agency which has responsibility for policy relating to Health.</li> <li>4. Land use and development shall connect to reticulated sewer where available.</li> <li>5. A Landscape Plan shall be submitted with each development application to demonstrate the following to the satisfaction of the Local Government:               <ol style="list-style-type: none"> <li>a. Onsite stormwater compensation basin and drainage swale will be landscaped appropriately in accordance with Water Sensitive Urban Design Guidelines to enhance the visual and landscape</li> </ol> </li> </ol>

No.	Description of Land	Restricted use	Conditions
			<p>amenity of the site.</p> <p>b. Interface treatment to enhance the visual and landscape amenity of the site from dwellings abutting and in the vicinity of the Adelaide Street and Stirling Crescent Intersection.</p>
R15	Lot 811 on DP 400749 Tipper Court, Hazelmere	<p>“P”</p> <ul style="list-style-type: none"> <li>– Fuel Depot</li> <li>– Motor Vehicle Repair</li> <li>– Motor Vehicle Wash</li> </ul> <p>“D”</p> <ul style="list-style-type: none"> <li>– Service Station</li> <li>– Car Park</li> <li>– Convenience Store</li> <li>– Industry – Service</li> <li>– Lunch Bar</li> <li>– Recreation – Private</li> <li>– Telecommunication Infrastructure</li> </ul> <p>“A”</p> <ul style="list-style-type: none"> <li>– Fast Food Outlet</li> <li>– Restaurant</li> </ul> <p>In addition to the above, any other Use Classes listed in the Zoning Table against the ‘General Industry Zone and cross referenced with the symbols “P” “D” and “A”</p>	<ol style="list-style-type: none"> <li>1. Discretion to approve a Development Application for ‘Convenience Store’ shall only arise when it is part of an integrated development with a ‘Service Station’.</li> <li>2. The total floor space of ‘Shop-retail’ (Convenience Store’, ‘Fast Food Outlet’ and ‘Restaurant’ combined) shall not exceed a Net Lettable Area (NLA) of 1,500sqm.</li> <li>3. Land use and development is restricted to ‘Dry Activities’ unless the site and development is connected to reticulated sewer. ‘Dry Activities’ means any use permitted by the Local Planning Scheme and where: <ol style="list-style-type: none"> <li>a. a. it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising effluent disposal systems approved by the relevant Government agency; and</li> <li>b. b. the development is of a type which is predicted to generate waste water intended for disposal on site at a daily volume not exceeding 540 litres per 2000m<sup>2</sup> of site area.</li> </ol> </li> <li>4. A Wastewater Management Plan shall be submitted with each development application to demonstrate that Condition 3 can be achieved to the satisfaction of the Local Government.</li> <li>5. Connection to an Aerobic Treatment Unit (ATU) or Nutrient Effluent Disposal System may be permitted where acceptable groundwater depths exist and subject to the approval by the Local Government and the relevant Government agency which has responsibility for policy relating to Health.</li> <li>6. Land use and development shall connect to reticulated sewer where available.</li> <li>7. Subdivision of existing lots into smaller lot sizes, shall not be supported unless the subdivision represents a minor lot boundary realignment, or the land is connected to reticulated sewer.</li> <li>8. A Stormwater Management Plan shall be submitted to the satisfaction of the Local Government with each</li> </ol>

No.	Description of Land	Restricted use	Conditions
			<p>development application. The Management Plan shall demonstrate that runoff is contained onsite for a 1 year Annual Recurrence Interval (ARI) storm and discharge from lots is limited to a rate of 16L/s/ha through the use of onsite compensation.</p> <p>9. Any onsite stormwater compensation basin and drainage swale shall be landscaped appropriately in accordance with Water Sensitive Urban Design Guidelines and to enhance the visual and landscape amenity of the site. A Landscape Plan shall be submitted to the satisfaction of the Local Government with each development application.</p> <p>10. A site investigation and management plan/remediation and validation report (if required) shall be prepared and implemented with respect to potential soil and ground water contamination of a site, with any subdivision proposal or development application, whichever occurs first. The investigation and management plan be prepared to the satisfaction of the Local Government and where necessary approval of the agency which has responsibility for policy relating to Environment.</p> <p>11. A Geotechnical Report may be required to be submitted with any subdivision proposal or development application, which is likely to impact upon acid sulfate soils identified as high to moderate by the agency which has responsibility for policy relating to Water, Water Licensing and Acid Sulfate Soils, Where necessary, the report shall also detail a management plan in accordance with the WA Planning Commission Acid Sulfate Soils Guidelines, for approval by the agency which has responsibility for policy relating to Water, Water Licensing and Acid Sulfate Soils and other agencies as required.</p>



## Schedule 5 — Special use zones in Scheme area

No.	Description of land	Special use	Conditions
1.	Lots 2983-2987 Harper Street, Caversham	<p>“P” -Manufacture and Sale of Building Products and Associated Activities including Clay Extraction</p>	
2.	<p>Lot 4-11 on D9863</p> <p>Lot 13 on D56706</p> <p>Bullsbrook Road and Great Northern Hwy, Bullsbrook</p>	<p>“D” -Amusement Parlour;</p> <ul style="list-style-type: none"> <li>- Betting Agency</li> <li>- Caravan or Trailer Yard;</li> <li>- Caretaker’s Dwelling;</li> <li>- Child Day Care Centre;</li>   <li>- Club Premises;</li> <li>- Convenience Store;</li> <li>- Fast Food Outlet;</li> <li>- Industry: Cottage;</li> <li>- Industry: Light;</li> <li>- Industry: Rural;</li> <li>- Industry: Service;</li> <li>- Lunch Bar;</li> <li>- Market;</li> <li>- Motor Repair Station;</li> <li>- Nursery;</li> <li>- Office;</li> <li>- Public Utility;</li> <li>- Recreation: Private;</li> <li>- Restaurant;</li> <li>- Roadhouse;</li> <li>- Service Station;</li> <li>- Shop;</li> <li>- Shopping Centre;</li> <li>- Spray Painting: Non-Automotive;</li> <li>- Storage Yard;</li> <li>- Transport Depot;</li> <li>- Vehicle Sales and Service;</li> <li>- Veterinary Consulting Rooms;</li> <li>- Warehouse</li> </ul> <p>“A” – Hotel;</p> <ul style="list-style-type: none"> <li>- Tavern</li> </ul>	

No.	Description of land	Special use	Conditions
3.	<p>Land generally bounded by Ellen Brook Drive to the south, the Ellen Brook to the east and the Ellenbrook Estate to the north and west, in the locality of The Vines, as delineated on the scheme maps.</p> <p><i>Note: There is land within the general area referred to above that is not included in this zone. Reference should be made to the scheme maps to determine the precise extent of the zoning.</i></p>	<p>“P” – Home Occupation;</p> <p>– Tourism &amp; Recreation Resort comprising:</p> <ul style="list-style-type: none"> <li>▪ Golf Courses;</li> <li>▪ Resort Centre Facilities including restaurants etc;</li> <li>▪ Outdoor recreation including tennis, bowls, swimming pool, horse riding;</li> <li>▪ Indoor Recreation (including squash, gym, billiards);</li> <li>▪ Hotel/motel accommodation;</li> <li>▪ Ancillary retailing including souvenirs, convenience goods;</li> <li>▪ Ancillary services such as hairdressing;</li> <li>▪ Single houses or multiple dwellings at densities depicted on the Structure Plan.</li> </ul> <p>“D” – Home Business</p> <ul style="list-style-type: none"> <li>- Grouped dwelling at densities depicted on the Structure Plan</li> <li>- Ancillary Accommodation</li> </ul>	<ol style="list-style-type: none"> <li>1. Subdivision and development within the resort area shall be subject to the provisions of <b>Part 4 of the deemed provisions</b>, including the preparation and approval of a Structure Plan.</li> <li>2. The Structure Plan shall incorporate the following design components and staging requirements: <ul style="list-style-type: none"> <li>- a Resort Centre comprising Members Facilities, Hotel/Motel and other density tourist accommodation and recreation facilities;</li> <li>- dwelling units amongst the golf course connected to the Resort Centre by footpaths, cycleways and bridle paths as well as roads and golf buggy paths;</li> <li>- a vegetated foreshore area along Ellen Brook blended with the golf course which will assist in the management of nutrients, such foreshore being provided to the satisfaction of the Environmental Protection Authority;</li> <li>- a vegetated Foreshore Protection Area along Saw Pit gully and its major tributary blended with the development which will assist in the management of nutrients and run-off from the golf course and residential components;</li> <li>- no development is to take place within 30 metres either side of Ellen Brook;</li> <li>- Bush fire management provisions.</li> </ul> </li> <li>3. The resort centre area and such other areas as depicted on the Structure Plan shall be connected to a package waste water treatment system approved by the Council and the Health Department.</li> <li>4. All the tourism, recreational and residential accommodation elements of the Resort shall be connected to a reticulated water supply system</li> <li>5. No development shall occur until a plan for the management or nutrient input to Ellen Brook has been prepared and approved by the Council and the Environmental Protection Authority.</li> </ol> <p>6A.3 With the intention of preserving the natural environment of the resort area a minimum of 60% of the area of a lot designated for development at a density of R2.5 and 40% of the area of a lot designated for development at a density of R7.5 such that the minimum area of lot per dwelling shall be 1500m<sup>2</sup></p> <p>shall be retained in its natural state subject to the following:</p> <ol style="list-style-type: none"> <li>a) The Council in writing may approve a variation to the area to be retained in a natural state;</li> <li>b) The area to be retained in a natural state on Lots 169 to 173 (inclusive) shall include the 25 metre rear building setback.</li> <li>c) The term natural state does not exclude “Parkland clearing”.</li> </ol>

No.	Description of land	Special use	Conditions
3. Cont.	<p>Land generally bounded by Ellen Brook Drive to the south, the Ellen Brook to the east and the Ellenbrook Estate to the north and west, in the locality of The Vines, as delineated on the scheme maps.</p> <p><i>Note: There is land within the general area referred to above that is not included in this zone. Reference should be made to the scheme maps to determine the precise extent of the zoning.</i></p>		<p>7. Owners of land within the resort area may form and be financial members of a tourist and recreation club with a constitution approved by the Council.</p> <p>8. The owner of the Resort Centre shall be responsible for:</p> <ul style="list-style-type: none"> <li>a) Maintenance and management of the golf course, and other recreation facilities.</li> <li>b) Maintenance of overall landscaping of road verges and other public places.</li> <li>c) Advising Council on proposals for other development in the resort area.</li> <li>d) Advising land owners of their rights and obligations under the Scheme.</li> <li>e) Preparing and enforcing rules relating to such matters as keeping of horses and other animals, fencing standards, building and outbuilding standards and maintenance.</li> </ul>
4.	<p>Land generally bounded by the approved Perth-Darwin Highway road reservation to the west and Maralla Road to the north, in the localities of Ellenbrook, as delineated on the scheme map</p> <p><i>Note: There is land within the general area referred to above that is not included in this zone. Reference should be made to the scheme maps to determine the precise extent of the zoning.</i></p>	Ellenbrook Estate	<p><b>1. Interpretation</b></p> <p>For the purpose of this Zone: "estate" means the land referred to in the Land Particulars for this Zone.</p> <p><b>2. Objectives of the Estate</b></p> <p>The purpose and intent of the Estate is expressed in the following objectives to which the Council shall have regard when dealing with any proposed Structure Plan for and any proposed development within the Estate:</p> <ul style="list-style-type: none"> <li>a) To provide for the development of a functional and cohesive community consistent with orderly and proper planning and in the interest of the amenity of the Estate;</li> <li>b) To encourage variety in the range of lot sizes and dwelling types within the Estate but consistent with a cohesive and attractive built environment;</li> <li>c) To enhance the Estate with the provision of open space and recreation networks and facilities with particular attention being given to the timely provision of appropriate community services;</li> <li>d) To make provision for school sites and other appropriate educational facilities within the Estate designed to encourage their management and use as a resource for local communities;</li> <li>e) To provide appropriate retail and commercial facilities to service the needs of residents of the Estate and with a view to the integration of retail areas with other commercial and business areas and with social services so as to maximise convenience;</li> <li>f) To provide retail and commercial centres, business parks and industrial and service areas to satisfy the need for such services within the Estate and to provide local employment opportunities;</li> <li>g) To employ strategies and designs aimed at optimising accessibility to local centres by the use of comprehensive</li> </ul>

movement networks and by other means which will facilitate connection with public transport and arterial road links to Midland, Perth and other parts of the Metropolitan Region.

### 3. Structure Plan

Subdivision and development within the Estate shall be subject to the provisions of Part 4 of the deemed provisions, including the preparation and approval of a Structure Plan, Local Structure Plans (also referred to as Development Plans in 4 below) and Detailed Area Plans.

### 4. Development Plan

An approved development plan together with all approved amendments shall apply in relation to the land within the area of the Development Plan as if it was an Amendment of the Scheme and the Scheme provisions shall be given full effect within the area accordingly. Without limiting the generality of the foregoing, within the zones designated in the Development Plan the use classes referred to in the Zoning Table shall have the same permissibility spread as set out in that table.

Notwithstanding the above, on land in the Ellenbrook Town Centre the permissibility of land uses within the precincts described in the Development Plan is as set out in Schedule 7.

In this Clause the "Ellenbrook Town Centre" means all that land shown on the map titled "Ellenbrook Town Centre" as appended to the scheme as Schedule 7.

5. As provided by item 11(1) of Schedule 7 of the *Planning and Development Act 2005*, the restrictive covenant, Document Number I687182 is extinguished in respect of those land parcels detailed below so that the land is no longer subject to the restrictive covenant:

Location	Lot Description	Area
Charlotte's Vineyard:	POS Lot 3079	3815m <sup>2</sup>
	POS Lot 3666	5911m <sup>2</sup>
	POS Lot 3668	4.6710ha
	Drainage Lot 3832	3814m <sup>2</sup>
	POS Lot 4165	3815m <sup>2</sup>
	POS Lot 4782	1.6410ha
	POS Lot 4991	1.5872ha
	Drainage Lot 5221	15603m <sup>2</sup>
Coolamon Village:	Drainage Lot 3848	2390m <sup>2</sup>
	POS Lot 4388	2390m <sup>2</sup>
	POS Lot 5190	882m <sup>2</sup>
	POS Lot 5219	2.3804ha
	POS Lot 5148	1212m <sup>2</sup>
	POS Lot 5177	1161m <sup>2</sup>
	POS Lot 2438	7.2230ha
	POS Lot 5731	11,715m <sup>2</sup>
	PAW Lot 5734	269m <sup>2</sup>
	POS Lot 5710	2,301m <sup>2</sup>
	POS Lot 5719	1,024m <sup>2</sup>
	POS Lot 3055	1.2356ha
POS Lot 2156	996m <sup>2</sup>	

			Coolamon Village Recreation Reserve Lot 9226 1.0791ha
		Town Centre:	Transit Corridor Lot 3001 1.3769ha
			POS Lot 3983 3753m <sup>2</sup>
			PAW Lot 4719 150m <sup>2</sup>
			PAW Lot 4786 498m <sup>2</sup>
			Transit Corridor Lot 3002 1.6101ha
			Parking Lot 5946 940m <sup>2</sup>
			Parking Lot 4729 1,059m <sup>2</sup>
			Police Station Lot 5521 2012m <sup>2</sup>
			Parking Lot 5531 922m <sup>2</sup>
			Parking Lot 5947 1625m <sup>2</sup>
			PAW Lot 5980 552m <sup>2</sup>
			PAW Lot 5981 561m <sup>2</sup>
			POS Lot 4731 1.2806ha
			POS Lot 3431 2.9392ha
			Recreation Reserve Lot 5519 3.4851ha
		Town Centre	Road Reserve Lot 3005 251m <sup>2</sup>
			Road Reserve Lot 3006 1084m <sup>2</sup>
			Road Reserve Lot 3007 176m <sup>2</sup>
			Road Reserve Lot 3008 329m <sup>2</sup>
			Recreation Reserve Lot 5519 3.4851ha
			Recreation Reserve Lot 6232 1977m <sup>2</sup>
			Drain Reserve Lot 6318 2516m <sup>2</sup>
			Drain Reserve Lot 8382 1.5618ha
			Recreation Reserve Lot 8801 9077m <sup>2</sup>
			Parking Lot 9147 813m <sup>2</sup>
		Woodlake Village:	POS Lot 842 1,171m <sup>2</sup>
			POS Lot 6727 386m <sup>2</sup>
		6. As provided by Item 11 (1) of Schedule 7 of the <i>Planning and Development Act 2005</i> , the restrictive covenant, Document Number 1687188 is extinguished in respect to those land parcels detailed below so that the land is no longer subject to the restrictive covenant:	
		<b>Location</b>	<b>Lot Description</b> <b>Area</b>
		Annie's Landing	Drain Reserve Lot 8815 6621m <sup>2</sup>
			Recreation Reserve Lot 8914 3.2014ha
			Recreation Reserve Lot 8915 7105m <sup>2</sup>
			PAW Lot 9136 401m <sup>2</sup>
			PAW Lot 8982 299m <sup>2</sup>
			PAW Lot 8923 300m <sup>2</sup>
			Recreation and Foreshore Protection Reserve Lot 8913 3930m <sup>2</sup>
			Drain Reserve Lot 8912 2633m <sup>2</sup>

				Recreation Reserve Lot 8911	6847m <sup>2</sup>
				Recreation Reserve Lot 8954	5558m <sup>2</sup>
				Recreation Reserve Lot 9095	6641m <sup>2</sup>
				Recreation Reserve Lot 9459	2851m <sup>2</sup>
				Recreation Reserve Lot 9461	3334m <sup>2</sup>
			District Centre	PAW Lot 8412	300m <sup>2</sup>
				Recreation Reserve Lot 8496	892m <sup>2</sup>
				PAW Lot 8486	299m <sup>2</sup>
				PAW Lot 8395	300m <sup>2</sup>
				PAW Lot 8441	357m <sup>2</sup>
				Recreation Reserve Lot 9236	2380m <sup>2</sup>
				Recreation and Wetland	
				Conservation Reserve	1236m <sup>2</sup>
			Lexia	POS Lot 7563	6457m <sup>2</sup>
			Lexia	POS Lot 7651	1.2582ha
			Lexia	Recreation Reserve Lot 8599	3467m <sup>2</sup>
				Recreation Reserve Lot 8257	947m <sup>2</sup>
				Recreation and Drainage	
				Reserve Lot 8262	9239m <sup>2</sup>
			Charlottes Vineyard	Drain Reserve Lot 5911	2.8669ha
			Malvern Springs:	POS Lot 5991	8.3780ha
				POS Lot 6018	3,261m <sup>2</sup>
				POS Lot 6100	1,806m <sup>2</sup>
				POS Lot 6224	15,377m <sup>2</sup>
				POS Lot 6319	3,387m <sup>2</sup>
				POS Lot 6503	3,844m <sup>2</sup>
				Drain Reserve Lot 6477	15,742m <sup>2</sup>
				POS Lot 7086	2.3168ha
				POS Lot 7247	2767m <sup>2</sup>
				Civic Use Lot 7248	1225m <sup>2</sup>
			Malvern Springs	POS Lot 7206	592m <sup>2</sup>
				POS Lot 7205	1172m <sup>2</sup>
				Recreation Reserve Lot 7880	6492m <sup>2</sup>
				Recreation and Wetland Conservation	
				Reserve Lot 8164	8.8863ha
				Recreation Reserve Lot 8375	5126m <sup>2</sup>
				Recreation and Wetland Conservation	
				Reserve Lot 8165	3.8175ha
				Drain Reserve Lot 8333	1078m <sup>2</sup>
				Recreation Reserve Lot 8744	4.1866ha
			District Centre	POS Lot 7199	12.1025ha
				POS Lot 7200	1.3317ha
			District Centre	PAW Lot 8412	300m <sup>2</sup>
				Recreation Reserve Lot 8496	892m <sup>2</sup>

			PAW Lot 8486	299m <sup>2</sup>
			PAW Lot 8395	300m <sup>2</sup>
			PAW Lot 8441	357m <sup>2</sup>
			Recreation Reserve Lot 9236	2380m <sup>2</sup>
			Recreation and Wetland Conservation	
			Reserve Lot 4820	1236m <sup>2</sup>
		Woburn Village	Portion POS Lot 4820	1236m <sup>2</sup>

No.	Description of land	Special use	Conditions
5.	Portion of Swan Loc 11942 (Reserve 43131) Lord Street, Caversham	<p>“P” – Aboriginal Community Accommodation and incidental associated facilities;</p> <ul style="list-style-type: none"> <li>– Home Occupation;</li> <li>– Rural Home Occupation;</li> <li>– Local Shop/Education Establishment</li> </ul> <p>“D” – Cultural use;</p> <ul style="list-style-type: none"> <li>– Home business;</li> <li>– Cottage industry;</li> <li>– Tourist activities</li> </ul>	<ol style="list-style-type: none"> <li>1. Subdivision and development of the land shall be in accordance with an Outline Development Plan approved by the Council.</li> <li>2. Tourist activities shall be limited to: <ul style="list-style-type: none"> <li>– the sale and display of traditional aboriginal arts and crafts manufactured on the land by the residents;</li> <li>– the display of aboriginal cultural material and performances by permanent residents of the community.</li> </ul> </li> <li>3. No building on the lot shall be constructed closer to any boundary of the lot than a distance as set out following: <ul style="list-style-type: none"> <li>Front - 20 metres measured from the road widening to Lord Street;</li> <li>Side - 5 metres;</li> <li>Rear - 10 metres.</li> </ul> </li> <li>4. No land shall be filled within the Special Use Zone unless the filling is in association with any development upon the land approved by the Council.</li> <li>5. No development shall be carried out and/or commenced within the area affected by the System 6 area, as shown on the approved Outline Development Plan without prior approval of the Council.</li> <li>6. Development within the System 6 area shown on the approved Outline Development Plan shall be limited to passive recreation uses, site works associated with passive recreation uses or any other minor activities applied for and approved by the Council and other relevant Government agencies. No building or structures (other than those specifically mentioned above) shall be permitted within the System 6 area.</li> <li>7. The maximum number of additional dwellings on the land shall not exceed 15, and all the existing residences shall be upgraded and rehabilitated to a standard equivalent to the new additional dwellings.</li> </ol>

<b>No.</b>	<b>Description of land</b>	<b>Special use</b>	<b>Conditions</b>
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<p>6.</p>	<p>All lots fronting Ellenbrook Road from its intersection with Warbrook Road to the intersection with the Perth – Geraldton Railway Line in the locality of Bullsbrook. As delineated on the Planning Scheme Maps.</p>	<p>“P” – Single House</p> <ul style="list-style-type: none"> <li>- Home Occupation</li> <li>- Public Utility</li> </ul> <p>“D” – Industry : Cottage</p> <p>All other uses are not permitted.</p> <p>N.B. Notwithstanding any provision in the scheme, Council’s prior approval to commence development shall be required for the development of a single house on land within this zone.</p>	<p><b>Purpose and Intent of the Zone</b></p> <p>The purpose of the zone is to ensure any development, subdivision or strata-subdivision of the land:</p> <ol style="list-style-type: none"> <li>1. Excludes land uses that may adversely affect the Western Swamp Tortoise Conservation Reserves and/or the Ellen Brook.</li> <li>2. Provides for land-uses that are compatible with, and protect the function of the adjoining Western Swamp Tortoise Conservation Reserves.</li> <li>3. Creates no adverse impacts on Ellen Brook and the Western Swamp Tortoise Reserves (including impacts in terms of nutrient loading, water quality, fire risk, and predator risk).</li> <li>4. Is compatible with surrounding rural land-uses.</li> <li>5. Subdivision, strata subdivision and development shall be in accordance with any approved Environmental Protection Policy relating to the site and/or the adjoining Tortoise Reserves.</li> </ol> <p><b>Structure Plan</b></p> <ol style="list-style-type: none"> <li>1. No subdivision, strata subdivision and/or development shall be permitted unless in accordance with an approved Structure Plan for the entire zoned area.</li> <li>2. The preparation, adoption and modification of the Structure Plan for this Zone shall be in accordance with the procedures set out in <b>Part 4 of the deemed provisions</b>.</li> <li>3. In addition to those considerations required elsewhere in the Scheme in regard to Structure Plans, any Structure Plan for the site shall describe, consider and resolve the following to the satisfaction of Council and the Environmental Protection Authority: <ul style="list-style-type: none"> <li>a) A description and assessment of the physical characteristics of the land affected, including an analysis of the geology and soil types, watercourses, wetlands, ground water, land capability, landforms and land-uses.</li> <li>b) An assessment of the landscape qualities of the site, including its topography, vegetation, skylines, vistas, streamlines and significant natural features.</li> <li>c) A description and assessment of the existing constraints and opportunities of the site.</li> <li>d) Details of the likely environmental impacts of any proposed subdivision, strata subdivision and/or development and proposed conservation measures.</li> <li>e) Demonstration that there will be an improvement in surface and ground water quality following subdivision, strata subdivision and/or development including an analysis of the existing situation as a baseline for future monitoring.</li> <li>f) Demonstration that there will be a reduction in nutrient loadings on Ellen Brook and the adjacent Western Swamp Tortoise Habitats following subdivision, strata subdivision and/or development.</li> <li>g) Demonstration that there will be a reduced risk to the Western Swamp Tortoise Habitats from fire, weed invasion, die-back, domestic animals, and predators following subdivision, strata subdivision and/or development.</li> </ul> </li> </ol>
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No.	Description of land	Special use	Conditions
6.	All lots fronting Ellenbrook Road from its intersection with Warbrook Road to the intersection with the Perth – Geraldton Railway Line in the locality of Bullsbrook. As delineated on the Planning Scheme Maps.	<p>“P” – Single House</p> <ul style="list-style-type: none"> <li>- Home Occupation</li> <li>- Public Utility</li> </ul> <p>“D” – Industry : Cottage</p> <p>All other uses are not permitted.</p> <p>N.B. Notwithstanding any provision in the scheme, Council’s prior approval to commence development shall be required for the development of a single house on land within this zone.</p>	<ul style="list-style-type: none"> <li>h) Demonstration that there will be a reduced risk to the Western Swamp Tortoise Habitats from fire, weed invasion, die-back, domestic animals, and predators following subdivision, strata subdivision and/or development.</li> <li>i) Proposed subdivision design which minimizes the number of lots with boundaries facing onto the Western Swamp Tortoise Reserves;</li> <li>j) Minimum lot size of 8 hectares and which meet the environmental quality objective of protecting the beneficial uses of the Western Swamp Tortoises Habitat as well as general planning objectives,</li> <li>k) Proposals for the provision of potable water.</li> <li>l) Details of the means proposed to protect watercourses including the use of setbacks, reserves, nutrient management and/or other special controls.</li> <li>l) Proposals for effluent disposal and drainage.</li> <li>m) Detailed mapping of minimum depths to ground water across the site.</li> <li>n) Assessment of fire risk and the preparation of a Fire Management Plan.</li> <li>o) Mechanisms for mosquito control which do not impact on the habitat of the Western Swamp Tortoise.</li> <li>p) Road design sensitive to tortoises crossing.</li> <li>q) Prevention of access by domestic animals to the Western Swamp Tortoise Habitats.</li> <li>r) A programme for revegetation and tree planting including timing and management of revegetation; size, species, location and numbers of plants proposed, plants to be of local native species.</li> <li>s) Details of buffer areas to adjoining agricultural uses to alleviate the impact of spray drift, provide vegetation to protect watercourses, achieve pollution minimisation, reduce salinity and salinity risk and the protection of significant fauna.</li> <li>t) Details of buffer zones relating to the Ellenbrook Speedway and the poultry farm site.</li> <li>u) Proposed development standards.</li> <li>v) A list of commitments by the subdividers or developers undertaking implementation of the Structure Plan including, where necessary, infrastructure cost-sharing arrangements between subdividers/developers in accordance with objectives and provisions of the zone and other conditions or criteria to be met at development, subdivision and/or strata subdivision stage</li> <li>w) A Drainage &amp; Nutrient Management and Water Quality Management Plan including documentation</li> </ul>

			of works to be undertaken (such as tree planting and watercourse protection) to maintain reduced nutrient loadings and improve water quality following subdivision, strata subdivision and/or development.
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No.	Description of land	Special use	Conditions
6.	All lots fronting Ellenbrook Road from its intersection with Warbrook Road to the intersection with the Perth – Geraldton Railway Line in the locality of Bullsbrook. As delineated on the Planning Scheme Maps.	<p>“P” – Single House</p> <ul style="list-style-type: none"> <li>- Home Occupation</li> <li>- Public Utility</li> </ul> <p>“D” – Industry : Cottage</p> <p>All other uses are not permitted.</p> <p>N.B. Notwithstanding any provision in the scheme, Council’s prior approval to commence development shall be required for the development of a single house on land within this zone.</p>	<p><b>Subdivision or Strata Subdivision Requirements</b></p> <ol style="list-style-type: none"> <li>1. In addition to other conditions and requirements of subdivision or strata subdivision, prior to any subdivision or strata subdivision of land within the zone, the subdivider shall undertake an extensive revegetation programme in accordance with the approved Structure Plan to the satisfaction of the City of Swan. An undertaking to this effect shall be incorporated into the approved Structure Plan.</li> <li>2. Any lots affected by noise from the Ellenbrook Speedway (to be established via the Structure Plan) shall have a notification placed on the Certificate of Title alerting prospective purchasers to potential impacts relating to noise and nuisance.</li> </ol> <p><b>Development Requirements</b></p> <ol style="list-style-type: none"> <li>1. No stocking of horses or any other beasts of burden shall be permitted.</li> <li>2. No more than 1 dwelling per lot shall be permitted.</li> <li>3. No development of a single house within the Zone shall be permitted within a buffer area of the existing Poultry Farm on Lot 28 (to be established via the Structure Plan) prior to cessation of the Poultry Farm use.</li> <li>4. Effluent disposal systems shall be considered in conjunction with applications for development on site. Council may require the use of Nutrient Retentive effluent disposal systems.</li> <li>5. No clearing or development is permitted within revegetation areas identified in the approved Structure Plan.</li> <li>6. Council may require additional tree planting as part of any development proposal for the purpose of landscape protection and enhancement, habitat protection or nutrient/water quality management or other purpose.</li> <li>7. All development shall comply with development standards as set out in the approved Structure Plan.</li> </ol>

No.	Description of land	Special use	Conditions
7.	Lot 1 on D9175/1  Lot 12 on D56706  Lot 2 on S7762  Lot 2 on D5887  Great Northern Hwy, Bullsbrook	Bullsbrook Industrial Park  "P" – Car Park;  – Hire Service Industrial;  – Hire Service Non-Industrial;  – Hotel;  – Industry Light; – Industry Rural;  – Industry Service; – Lunch Bar; – Office Professional; – Office Service; – Restaurant; – Service Station; – Showroom  "D" – Auction Mart;  – Betting Agency; – Caravan or Trailer Yard; – Car Sales Lot; – Car Sales Showroom; – Consulting Rooms; – Consulting Rooms Group; – Factory Tenement Building; – 'Fast Food Outlet; – Fuel Depot; – Hotel-Motel; – Medical Centre;	Subdivision and development within the Rural Service Centre should be generally in accordance with a properly prepared Outline Development Plan approved by the Council and the Western Australian Planning Commission. Preparation and consideration of the Outline Development Plan shall be in accordance with clause 36.

No.	Description of land	Special use	Conditions
7.	Lot 1 on D9175/1  Lot 12 on D56706  Lot 2 on S7762  Lot 2 on D5887  Great Northern Hwy, Bullsbrook	<ul style="list-style-type: none"> <li>- Motor Repair Station;</li> <li>- Nursery;</li> <li>- Office General;</li> <li>- Produce Store;</li> <li>- Public Utility;</li> <li>- Recreation Private;</li> <li>- Roadhouse;</li> <li>- Storage Yard;</li> <li>- Tavern Greater than 200m<sup>2</sup> GLA;</li> <li>- 'D' Use - Trade Display;</li> <li>- Vehicle Sales and Service;</li> <li>- Veterinary Consulting Rooms;</li> <li>- Veterinary Hospital</li> <li>- Warehouse</li> </ul>	
8.	Reserve 41579 & Reserve 41580 Gnangara Road, Cullacabardee	"P" – Addiction Treatment Facilities. Accommodation and Associated Activities.	<ol style="list-style-type: none"> <li>1. The average number of occupiers for the entire development, calculated over a period of 1 year and including non-patients, shall not exceed 75 persons, unless otherwise agreed to by the Water Authority and Council.</li> <li>2. Effluent disposal systems for the development being designed to the specifications and satisfaction of the Health Department and the Water Authority.</li> <li>3. Should scheme water not be able to be provided to the development, then arrangements shall be made to provide an adequate on-site potable water supply in accordance with the requirements of the Health Department, Local Authority and Water Corporation.</li> </ol>

No.	Description of land	Special use	Conditions
9.	Part of: Lot 11 on D69105 (No. 11) Lot 2 on D68630 (No. 2) Lot 1 on D15239 Lot 12 on P26468 (No. 1204) Lots 8, 9 & 10 on P10872 Toodyay Road Gidgegannup As delineated on the Planning Scheme Maps	"P" – Waste Management, Receiving, Recovery, Treatment, Processing and Disposal  – Industry - Extractive  – Radio Communications Station	Prior to determining an application for development, Council shall:  1. consult with the Department of Environment, Department of Biodiversity, Conservation and Attractions, and Main Roads WA: and  2. have regard to the interface with John Forrest National Park, surface and groundwater quality, vegetative buffers from surrounding land, existing remnant vegetation on site and fire management.  3. The use of 'Radio Communications Station' is only permissible on Lot 11 on D69105 (No.11) Toodyay Road.

No.	Description of land	Special use	Conditions
10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<p><b>1. Interpretation</b></p> <p>For the purpose of this zone: “<b>Estate</b>” means the land referred to in the Land Particulars for this Zone, “<b>proponent</b>” means an owner of land within the estate who submits a plan to the Council for approval pursuant to the provisions hereof and the term shall include the Council where the Council proposes a plan.</p> <p><b>2. Objectives of the Estate</b></p> <p>The purpose and intent of the Estate is expressed in the following objectives to which the Council shall have regard when dealing with any proposed Structure Plan and Local Structure Plan and proposed development within the estate:</p> <ol style="list-style-type: none"> <li>a) To consider and demonstrate integration within the broader district context;</li> <li>b) To develop the Estate in a manner that protects, conserves and enhances the natural environment and cultural assets and to investigate and manage impacts;</li> <li>c) To provide for the development of a functional and cohesive community consistent with orderly and proper planning and in the interest of the amenity of the Estate;</li> <li>d) To encourage variety in the range of lot sizes and dwelling types within the Estate but consistent with a cohesive and attractive built environment;</li> <li>e) To enhance the Estate with the provision of open space and recreation networks and facilities with particular attention being given to the timely provision of appropriate community services;</li> <li>f) To make provision for school sites and other appropriate educational facilities within the Estate designed to encourage their management and use as a resource for local communities;</li> <li>g) To provide appropriate retail and commercial facilities to service the needs of residents of the Estate and with a view to the integration of retail areas with other commercial and business areas and with social services so as to maximise convenience;</li> <li>h) To provide a retail and commercial centres, business parks and service areas to satisfy the need for such services within the Estate and to provide local employment opportunities; and,</li> <li>i) To employ strategies and designs aimed at optimising accessibility to the local centres by the use of comprehensive movement networks and by other means which will facilitate connection with public transport and arterial road links to Midland, Perth and other parts of the Metropolitan Region.</li> </ol> <p><b>3. Hierarchy of Plans</b></p> <p>Subdivision and development within the Estate shall be subject to the provisions of <b>Part 4 of the deemed provisions</b>, including the preparation and approval of a District Structure Plan, Local Structure Plan(s) and Detailed Area Plans. The District Structure Plan shall demonstrate integration with the district context.</p>

No.	Description of land	Special use	Conditions
10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<p><b>4. District Structure Plan</b></p> <p><b>4.1 Environmental Management Plans</b></p> <p><b>4.1.1 Strategic Acid Sulfate Soils Management Plan</b></p> <p>The developer shall submit to the Local government a Strategic acid Sulfate Soils Management Plan for approval as an additional detail of a District Structure Plan pursuant to <b>Part 4 of the deemed provisions</b>. The Local Government must notify the Department of Environment and Conservation (DEC) of the proposed plan in advertising the District Structure Plan pursuant to <b>clause 18 of the deemed provisions</b>.</p> <p>The Strategic ASS Management Plan shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>a) Field validation of ASS areas and the delineation of high and medium risk areas and broad scale determination of acid generating potential soils; and</li> <li>b) Develop a strategic plan for further investigation and associated management plan for all further stages of development.</li> </ul> <p>The Strategic ASS Management Plan required by 4.1.1 shall be implemented to the satisfaction of the Local Government and the DEC's Land and Water Quality Branch.</p> <p><b>4.1.2 Local Water Management Strategy</b></p> <p>The developer shall submit to the Local Government a Local Water Management Strategy for approval as an additional detail of a District Structure Plan pursuant to <b>Part 4 of the deemed provisions</b>, in order to ensure that surface and ground waters are managed with the aim of maintaining the natural water balance. The Local Government must notify the DEC and Department of Water of the proposed strategy in advertising the District Structure Plan pursuant to <b>clause 18 of the deemed provisions</b>.</p> <p>The Local Water Management Strategy shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>a) In the absence of a District Water Management Strategy (DWMS), the LWMS must include information addressing the following, which would normally be contained in a DWMS: <ul style="list-style-type: none"> <li>i.) Commit to best practice planning, design and construction;</li> <li>ii.) Refine land use scenario and identify major constraints;</li> <li>iii.) Identify water sources for drinking and other uses, consistent with fit-for-purpose water use strategy use;</li> <li>iv.) Refine conceptual stormwater management plan; and</li> <li>v.) Identify issues to be addressed at later stages.</li> </ul> </li> <li>b) Further refine urban water management system and quantify land required to meet design objectives;</li> <li>c) Suite of possible BMP's and design BPP's depicted in diagrams;</li> </ul>

No.	Description of land	Special use	Conditions
10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<ul style="list-style-type: none"> <li>d) Identify requirements of an Urban Water Management Plan (UWMP) and commit to compliance with stated Design Objectives via future UWMP;</li> <li>e) Incorporate best practice Water Sensitive Urban Design principles to maximise on-site water infiltration;</li> <li>f) Undertake monitoring of nutrient levels within groundwater to enable comparisons between pre-development and post-development conditions;</li> <li>g) Undertake groundwater monitoring programs to ensure that current groundwater levels are maintained;</li> <li>h) Recommend monitoring framework;</li> <li>i) Incorporate appropriate stormwater collection and disposal methods and water sensitive design principles to minimise the risk of contamination to groundwater;</li> <li>j) Incorporate connection to main sewerage system for all dwellings to reduce the potential for contamination of drinking water supplies;</li> <li>k) Where possible control stormwater quantity through a waterways system linked to a “treatment train” process;</li> <li>l) Ensure that changes to surface flow volumes are not significantly altered, and that peak surface flows are not increased;</li> <li>m) Ensure that the rate, quantity and quality of wastewater infiltrating Priority 3 UWPCA within the Estate is maintained at levels compliant with the minimum requirements for the protection of a Priority 3 Groundwater Source Protection Area;</li> <li>n) Protect in areas of open space, significant vegetation and wetlands with an appropriate buffer determined in accordance with DEC’s current policies;</li> <li>o) Consider siting and risk prevention factors for potentially polluting commercial activities;</li> <li>p) Minimise fertiliser sources and incorporate effective nutrient stripping features into drainage systems;</li> <li>q) Specify ongoing maintenance requirements and ongoing management responsibility;</li> <li>r) Specify contingency plans in the event that the criteria are temporarily not achieved, and;</li> <li>s) Identify issues to be addressed at later stages.</li> </ul> <p>The LWMS required by 4.1.2 shall be implemented to the satisfaction of the Local Government, having regard to any advice from the DEC and Department of Water.</p> <p><b>4.1.3 Noise Management Plan</b></p> <p>The developer shall submit to the Local Government a Noise Management Plan for approval as an additional detail of a District Structure Plan pursuant to <b>Part 4 of the deemed provision</b>. The Local Government must notify DEC of the proposed plan in advertising the District Structure Plan pursuant to <b>clause 18 the deemed provisions</b>.</p>

No.	Description of land	Special use	Conditions
10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<p>The Noise Management Plan shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) Noise mapping is carried out in areas within 200 metres of the Perth Darwin Highway, to determine road and rail noise amenity ratings, using direct measurement of noise levels and predicted noise levels using an accepted model, and incorporating predicted traffic volumes at a date 25 years after assessment;</li> <li>b) Current and predicted noise levels and definitions of areas to be noise mapped should be evaluated using criteria supplied by the Western Australian Planning Commission;</li> <li>c) In areas where noise mapping shows that the noise amenity for residential areas or other noise-sensitive environments is conditionally acceptable, appropriate noise attenuation measures are implemented; and</li> <li>d) In areas where noise mapping shows that the noise amenity for residential areas or other noise-sensitive environments is unacceptable, these land uses will not be situated on these sites, or other appropriate measures are taken.</li> </ul> <p>The Noise Management Plan required by 4.1.3 shall be implemented to the satisfaction of the Local Government, having regard to any advice from the DEC.</p> <p><b>4.1.4 Quantitative Risk Assessment Plan</b></p> <p>The developer shall submit to the Local Government a Quantitative Risk Assessment plan (to be implemented as part of the development) for approval as an additional detail of a District Structure Plan pursuant to <b>Part 4 of the deemed provisions</b>, in order to enable safe co-existence of urban land uses. The Local Government must notify the Department for Planning and Infrastructure of the proposed plan in advertising the District Structure Plan pursuant to <b>clause 18 of the deemed provisions</b>.</p> <p>The Western Australian Planning Commission (draft) Planning Bulletin for Gas Pipelines constitutes a Quantitative Risk Assessment.</p> <p><b>4.1.5 Bushland Management Plans</b></p> <p>The developer shall submit to the Local Government Bushland Management Plans for approval as an additional detail of a District Structure Plan pursuant to <b>Part 4 of the deemed provisions</b> in order to ensure the long term viability of the remnant vegetation. The Bushland management plans shall be consistent with the EPA's current Guidance Statement No.33 Environmental Guidance for Planning and Development and shall be prepared for regionally significant vegetation including the Bush Forever Site and threatened Ecological Community (TEC). The Local Government must notify DEC of the proposed plans in advertising the District Structure Plan pursuant to <b>clause 18 of the deemed provisions</b>.</p> <p><b>a) Bush Forever Site</b></p> <p>The Bushland Management Plan for the Bush Forever Site shall include, but is not limited to the following:</p>

- i.) Aims and long term management objectives for the area;
- ii.) Description of the area, including size, location, topography and major features;
- iii.) Aboriginal and European history of the area; including prior land uses, ownership or other relevant data;
- iv.) Biodiversity and ecological values of the area, including links to other areas;
- v.) Description of predevelopment flora and fauna – including flora and fauna that have been located in the area and identification of any threatened, endangered or priority species;
- vi.) Details of how the assessment was conducted, including details of any transects, monitoring points or sampling;
- vii.) Details of risk assessment for site including risk to flora and fauna from adjacent urban development – from people, litter, pets, road traffic, changes in hydrology, nutrients, pollutants or other facts;
- viii.) Proposed management strategies to protect flora and fauna; particularly any endangered, threatened or priority species;
- ix.) Reference Legislation and Policy relevant to the Management Plan;
- x.) Risks from fire, and to community from fire;
- xi.) Risks to community from biting insects, snakes and pathogens;
- xii.) Detailed management programs to address issues identified in risk assessments;
- xiii.) Management and maintenance programs for weed control, fire control, and rehabilitation or restoration of bushland area;
- xiv.) Description of monitoring programs to be conducted during and after development has occurred;
- xv.) How the local community will be included in the management of the area, and;
- xvi.) Responsibility for conducting and financing, monitoring, restoration management and education programs.

**b) Threatened Ecological Community (TEC)**

The Management Plan for the TEC shall include, but is not limited to the following:

- i.) Aims and long term management objectives for the area;
- ii.) Description of the area, including size, location, topography and major features;
- iii.) Aboriginal and European history of the area; including prior land uses, ownership or other relevant data;
- iv.) Biodiversity and ecological values of the area, including links to other areas;
- v.) Description of predevelopment flora and fauna including flora and fauna that have been located in the area and identification of any threatened, endangered or priority species;
- vi.) Details of how the assessment was conducted, including details of any transects, monitoring points or sampling.
- vii.) Details of risk assessment for site including risk to flora and fauna from adjacent urban development – from people, litter, pets, road traffic, changes in hydrology, nutrients, pollutants or other factors;
- viii.) Proposed management strategies to protect flora and fauna; particularly any endangered, threatened

			<p>or priority species;</p> <ul style="list-style-type: none"> <li>ix.) Reference Legislation and Policy relevant to the Management Plan;</li> <li>x.) Risks from fire, and to community from fire;</li> <li>xi.) Risks to community from biting insects, snakes and pathogens;</li> <li>xii.) Detailed management programs to address issues identified in risk assessments;</li> <li>xiii.) Management and maintenance programs for weed control, fire control, and rehabilitation or restoration of bushland area;</li> <li>xiv.) Description of monitoring programs to be conducted during and after development has occurred;</li> <li>xv.) How the local community will be included in the management of the area; and</li> <li>xvi.) Responsibility for conducting and financing, monitoring, restoration management and education programs.</li> </ul> <p>The Bushland Management Plans required by 4.1.5 shall be implemented to the satisfaction of the Local Government, the DPI's Bush Forever Office and/or DEC.</p> <p><b>5 Local Structure Plan</b></p> <p><b>5.1 Local Structure Plan Preparation</b></p> <p>A Local Structure Plan(s) shall be prepared in accordance with the provisions of <b>Part 4 of the deemed provisions</b> of the Scheme over cells within the District Structure Plan area.</p> <p>An approved Local Structure Plan together with all approved amendments shall apply in relation to the land within the area of the Local Structure Plan as if it was an Amendment of the Scheme and the Scheme provisions shall be given full effect with the area accordingly. Without limiting the generality of the foregoing, within the zones designated in the Local Structure Plan the use classes referred to in the Zoning Table shall have the same permissibility spread as set out in that table.</p> <p><b>5.2 Environmental Management Plans</b></p> <p><b>5.2.1 Acid Sulfate Soils (ASS) Site Assessment Management Plan</b></p> <p>The developer shall submit to the Local Government an ASS Site Assessment and management plan for approval as an additional detail of a Local Structure Plan pursuant to <b>Part 4 of the deemed provisions</b> in accordance with the WAPC's Planning Bulletin No.64 or its successor. The Local Government must notify the DEC's Land and Water quality Branch of the proposed plan in advertising the Local Structure Plan pursuant to <b>clause 18 of the deemed provisions</b>.</p> <p>The ASS Site Assessment and Management Plan shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>a) Detailed field assessment of ASS in proposed disturbance areas;</li> <li>b) The preparation of ASS management plans in accordance with the DEC's current guidelines, and;</li> <li>c) Preparation of a monitoring program for groundwater discharge areas as part of the Urban Water Management Plan.</li> </ul>
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The ASS Site Assessment and Management Plan required by 5.2.1 shall be implemented to the satisfaction of the Local Government and the DEC's Land and Water Quality Branch.

**5.2.2 Urban Water Management Plan**

The developer shall submit to the Local Government an Urban water management Plan (UWMP), which is consistent with the LWMS for approval as an additional detail of a Local Structure Plan pursuant to Part 4 of the deemed provisions. The Local Government must notify the DEC and Department of Water of the proposed plan in advertising the Local Structure Plan pursuant to clause 18 of the deemed provisions

The UWMP shall include, but is not limited to the following:

- a) Demonstrate compliance with Design Objectives;
- b) Site conditions – management of water dependent ecosystems & contamination/nutrient hot spots;
- c) Specific BMP's and design of water management systems;
- d) The results of detailed environmental and hydrological studies;
- e) Precise predictions and post-development modelling;
- f) Details of location and design of drainage infrastructure;
- g) Details of monitoring program to evaluate ground and surface water quality, flows and levels, including the location and design of any current and proposed monitoring stations;
- h) Descriptions and cost-benefit analysis (including whole of life costing) for any structural or non-structural controls;
- i) Precise and measurable targets and limits for ground and surface water quality, flows and levels that are to be maintained for the development area. This will be accompanied by a clear description of the roles and responsibilities agreed upon by each agency and the agencies commitment for action to be taken, and;
- j) Details of rehabilitation work to be undertaken in existing wetlands where relevant.

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10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<p>The UWMP required by 5.2.2 shall be implemented to the satisfaction of the Local Government, having regard to any advice from the DEC and Department of Water.</p> <p><b>5.2.3 Wetland Management Plan</b></p> <p>The developer shall submit to the Local Government Wetland Management Plan(s) for approval as an additional detail of a Local Structure Plan pursuant to Part 4 of the deemed provisions in order for existing waterways and wetlands and their buffers to be implemented as part of development in accordance with the water management strategies / plans. The Local Government must notify DEC and Department of Water of the proposed plan(s) in advertising the Local Structure Plan pursuant to clause 18 of the deemed provisions.</p> <p>The Wetland Management Plan(s) shall be consistent with the EPA's current Guidance Statement No.33 Environmental Guidance for Planning and Development and will include, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>a) Outline reason(s) for preparing the management plan and overall objectives;</li> <li>b) Include a description of the site and context;</li> <li>c) Summarise the issues specific to the site, i.e. Conservation, ecological linkage, recreation water quality, fire management;</li> <li>d) Preservation of the wetland's ecological values;</li> <li>e) Specify management aim and objective and identify management responsibilities;</li> <li>f) Outline the management actions to achieve the objectives i.e. Restoration, fencing, weed control;</li> <li>g) Include a diagrammatic management plan;</li> <li>h) Outline funding arrangements for management of the site and other available resources;</li> <li>i) Identify the attributes that will be monitored, the program, criteria and management response to triggers;</li> <li>j) Program for the restoration and preservation of native flora and fauna;</li> <li>k) Develop restoration sites in association with constructed waterways and wetlands, to provide habitat areas for native fauna;</li> <li>l) Incorporate buffers of public open space around significant wetlands; and</li> </ol> <p>Implement an appropriate monitoring program to detect the species of mosquitoes present, the location of potential breeding areas, the population size of mosquito species and the presence of Ross River virus and Barmah Forest virus, before, during and after development.</p> <p>The Wetland Management Plan(s) required by 5.2.3 shall be implemented to the satisfaction of the Local Government and the DEC and Department of Water.</p>

No.	Description of land	Special use	Conditions
10.	<p>Portions of Lots 308 and 309 Park Street.</p> <p>Lots 16, 310, 311, portion of Lot 15 Woolcott Avenue.</p> <p>Portions of Lots 348, 349, 350 and 351 Park Street.</p> <p>Portion of Lot 10 and Lots 17, 19, 20, 345, 346 and 347 Woolcott Avenue.</p> <p>Portions of Lots 352, 353, 354 and 355 Murray Road.</p> <p>Lot 95 and portion of Lot 0.</p> <p>Including all road and drainage reserves within the subject area.</p>	Albion	<p><b>5.2.4 Cultural Heritage Management Plan</b></p> <p>The developer shall submit to the Local Government a Cultural Heritage Management Plan for approval as an additional detail of a Local Structure Plan pursuant to <b>Part 4 of the deemed provisions</b> to be implemented as part of the development.</p> <p>The Cultural Heritage Management Plan shall ensure, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) The requirements of the Aboriginal Heritage Act 1972 are met so that the development of each cell does not affect cultural heritage and associations with the area;</li> <li>b) An application under the Aboriginal Heritage Act 1972 will be made if disturbance to the archaeological site located at Lot 351 Park Street is to occur as part of urban residential development;</li> <li>c) Commitments made during consultation with Aboriginal groups are maintained during all stages of planning;</li> <li>d) Appropriate recommendations are incorporated into development and subdivision plans which seek to maintain the cultural values of wetlands and creeks; and</li> <li>e) Prior to the commencement of site works, contractors shall undergo a briefing on Aboriginal Heritage issues to enable them to recognise materials that may constitute an Aboriginal site. During earthworks, all contractors shall be supervised by a Site Manager, who shall seek advice from the Aboriginal Affairs Department to confirm the identification of any suspected site.</li> </ul> <p>The Cultural Heritage Management Plan required by 5.2.4 shall be implemented to the satisfaction of the Local Government, having due regard for advice from the Department of Aboriginal Affairs.</p> <p><b>5.2.5 Fire Management Plan</b></p> <p>The developer shall submit to the Local Government a Fire Management Plan for approval as an additional detail of a Structure Plan pursuant to <b>Part 4 of the deemed provisions</b>, to be implemented as part of the development. The local Government must notify the Fire and Emergency Service Authority (FESA) of the proposed plan in advertising the Local Structure Plan pursuant to <b>Clause 18 of the deemed provisions</b>.</p> <p>The Fire Management Plan shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>a) Addressing key fire management issues;</li> <li>b) Provision of a detailed risk assessment for wildfires within the development area, or in adjoining areas;</li> <li>c) Strategies for fire management such as separation distances and other mechanisms that will be implemented through the planning stages;</li> <li>d) Fire management strategies and programs that will be undertaken by the developer to minimise the risk from fire to the community throughout the life of the development; and</li> <li>e) Compliance with relevant State Government policies, regulations and guidelines.</li> </ul>

The Fire Management Plan required by 4.2.5 shall be implemented to the satisfaction of the Local Government, and FESA.

## **6. Development and Subdivision**

### **6.1 Subdivision Application**

Subdivision of land shall be in accordance with the approved Local Structure Plan.

### **6.2 Environmental Management Plans**

#### **6.2.1 Construction Management Plan**

Prior to final subdivision approval, the developer shall prepare and have approved by the Local Government, and to the satisfaction of the DEC, a Construction Management Plan, for all development adjoining the Bush Forever site, TEC and wetlands covered by a Wetland Management Plan, to be implemented as part of the development. The Construction Management Plan shall address, but is not limited to:

- a) The minimisation of clearing and vegetation disturbance;
- b) The control and monitoring of dust, noise and smoke;
- c) The prevention and control of the spread of dieback; and
- d) The inclusion of environmental protection specifications in all construction related contracts.

#### **6.2.2 Contaminated Site Assessment/Contamination**

##### **Remediation Plan**

Prior to final subdivision approval, the developer shall prepare and have approved by the Local Government, to the satisfaction of the DEC, a Contaminated Site Assessment/Contamination Plan, covering the former RAAF Caversham Airbase and the egg production facility on Lot 350 Park Road, to be implemented as part of the development. The Contaminated Site

Assessment /Contamination Remediation Plan is to be in accordance with DEC Contaminated Sites Assessment Series, and is to include, but is not limited to the following:

- a) All potential sources of contamination are identified and an adequate soil (and if necessary, groundwater) sampling program is carried out to detect the extent and degree of contamination;
- b) Appropriate management measures are put in place to reduce contaminant levels to below levels that pose (or potentially pose) an unacceptable risk to human health;
- c) Prior to subdivision, all contaminant levels at the site are shown to be below levels that pose an unacceptable risk to human health, using the ANZECC B and Dutch B criteria for soil, and ANZECC Drinking Water criteria for groundwater, or other appropriate criteria as recommended by the Department of Environment; and
- d) If necessary, ongoing monitoring of contaminant levels is carried out after remediation actions have been taken.

The Contaminated Site Assessment/Contamination Remediation Plan required by 5.2.2 shall be implemented to

			<p>the satisfaction of the Local Government, and the DEC's Land and Water Quality Branch.</p> <p><b>6.2.3 Unexploded Ordnance Remediation Plan</b></p> <p>Prior to final subdivision approval the developer shall prepare and have approved by the Local Government, and to the satisfaction of the Local Government, an Unexploded Ordnance Remediation Plan, covering the former RAAF Caversham Airbase, to be implemented as part of the development. The Unexploded Ordnance Remediation Plan is to ensure, but is not limited to:</p> <p>a) Public risk from UXO is minimised;  b) All UXO is removed from the site prior to subdivision, commencement of any earthworks and endorsement of any survey documents.</p> <p>The Unexpected Ordnance Remediation Plan required by 6.2.3 shall be implemented to the satisfaction of the Local Government and the relevant authorities.</p>
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No.	Description of land	Special use	Conditions
11.	Land generally bounded by Harrow Street to the north, Drumpellier Drive to the west, Reid Highway to the south and the "Urban" extent of the Metropolitan Region Scheme boundary to the east.	West Swan	<p><b>1. Interpretation</b></p> <p>For the purpose of this zone:</p> <p>"Estate" means the land referred to in the Land Particulars for this Zone, "proponent" means an owner of land within the estate who submits a plan to the Council for approval pursuant to the provisions hereof and the term shall include the Council where the Council proposes a plan.</p> <p><b>2. Objectives of the Estate</b></p> <p>The purpose and intent of the Estate is expressed in the following objectives to which the City shall have regard when dealing with any proposed Structure Plan, Detailed Area Plan or other proposed development within the estate:</p> <p>a) To ensure that development in the estate achieves optimal integration with development in surrounding area;  b) To provide for the development of a functional and cohesive community consistent with orderly and proper planning and in the interest of the amenity of the Estate;  c) To develop the estate in a manner that protects, conserves and enhances the natural environment and cultural assets and to investigate and manage impacts upon the natural environment;  d) To encourage variety in the range of lot sizes and dwelling types within the Estate but consistent with cohesive  e) To enhance the Estate with the provision of open space and recreation networks and facilities with particular attention being given to the timely provision of appropriate community services;  f) To make provision for school sites and other appropriate education facilities within the Estate in a manner that facilitates their management and use as a resource for local communities;</p>

No.	Description of land	Special use	Conditions
11. Cont.	Land generally bounded by Harrow Street to the north, Drumpellier Drive to the west, Reid Highway to the south and the "Urban" extent of the Metropolitan Region Scheme boundary to the east.	West Swan	<p>g) To provide appropriate retail and commercial facilities to service the needs of residents of the Estate and with a view to the integration of retail areas with other commercial and business areas and with social services so as to maximise convenience;</p> <p>h) To provide a retail and commercial centres, business parks and service areas to satisfy the need for such services within the Estate and to provide local employment opportunities; and,</p> <p>i) To employ strategies and designs aimed at optimising accessibility to the local centre and future public transport node(s) by the use of comprehensive movement networks and by other means which will facilitate connection with public transport and arterial road links to Midland, Perth and other parts of the Metropolitan Region.</p> <p><b>3. Development Hierarchy</b> Subdivision and development within the Estate shall be subject to the provisions of Part 4 of the deemed provisions and shall be carried out in accordance with a state approval process as follows:</p> <p>a) District Structure Plan; b) local Structure Plan; c) Subdivision Plan; d) Detailed Area Plan as may be required.</p> <p><b>4. District Structure Plan</b> <b>4.1</b> The District Structure Plan shall demonstrate integration with the regional context to the City's satisfaction.</p> <p><b>4.2</b> The management strategies or plans referred to in sub-clauses 4.2.1 to 4.2.2 shall be:</p> <p>a) prepared by the applicant to the satisfaction of the City; b) submitted for approval together with a proposed District Structure Plan; c) deemed to form a part of the accompanying District Structure Plan upon the City's approval; and d) Implemented to the satisfaction of the City.</p> <p><b>4.2.1 Acid Sulfate Soils Management Plan</b> A strategic Acid Sulfate soils Management Plan shall be prepared in consultation with the Department of Environment and Conservation (DEC) and shall include, but not limited to:</p> <p>a) An initial identification and assessment of Acid Sulfate Soils (ASS) and Potential for Acid Sulfate Soils (PASS) located within the District Structure Plan area, together with a delineation of high, medium and low risk areas. b) A strategic plan for further investigation, assessment and management of potential acid sulfate soils for all further stages of development.</p> <p><b>4.2.2 Local Water Management Strategy</b> A Local Water Management Strategy shall be prepared in consultation with the City and the DEC and shall include, but not be limited to:</p> <p>a) Water management objectives for the District Structure Plan area; b) Mapping clearly detailing the extent of the area covered by the Local Water Management Strategy.</p>

No.	Description of land	Special use	Conditions
11. Cont.	Land generally bounded by Harrow Street to the north, Drumpellier Drive to the west, Reid Highway to the south and the "Urban" extent of the Metropolitan Region Scheme boundary to the east.	West Swan	<p><b>5. Local Structure Plan Preparation</b></p> <p><b>5.1</b> A Local Structure Plan(s) shall be prepared in accordance with the provisions of Part 4 of the deemed provisions over cells within the District Structure Plan area.</p> <p><b>5.2</b> An approved Local Structure Plan together with all approved amendments shall apply in relation to the land within the area of the Local Structure Plan as if was an amendment of the Scheme and the Structure Plan provisions shall be given full effect within the area accordingly. Without limiting the generality of the foregoing, within the land use designated in the Local Structure Plan the use classes referred to in the Zoning Table shall have the same permissibility as set out in that table.</p> <p><b>5.3</b> The management strategies or plans referred to in sub-clauses 5.3.1 to 5.3.4 shall be:</p> <ul style="list-style-type: none"> <li>a) prepared by the applicant to the satisfaction of the City where relevant to that Local Structure Plan cell;</li> <li>b) submitted for approval together with a proposed Local structure Plan;</li> <li>c) deemed to form a part of the accompanying Local Structure Plan upon the City's approval; and</li> <li>d) implemented to the satisfaction of the City.</li> </ul> <p><b>5.3.1</b> A Wetland management Plan including mosquito monitoring and control program in accordance with EPA guidelines;</p> <p><b>5.3.2</b> Cultural Heritage Management Plan to ensure that the requirements of the <i>Aboriginal Heritage Act 1972</i> are met and consultation with local aboriginal groups and the Department of Indigenous Affairs occurs so that the development does not affect cultural heritage and associations within the area;</p> <p><b>5.3.3</b> An Odour Impact study to be undertaken to ensure development design avoids any adverse impacts of odour emissions associated with existing land uses in accordance with EPA guidelines;</p> <p><b>5.3.4</b> A Quantitative Risk assessment Plan to assess potential risks associated with any variation to the agreed Dampier to Bunbury or Parmelia gas pipeline buffer in accordance with WAPC guidelines and/or approved methodologies.</p> <p><b>6. Subdivision and Development</b></p> <p><b>6.1</b> Subdivision and development of land within the Estate shall be generally in accordance with the approved Local Structure Plan for the relevant area and in particular shall comply with the permissibility of land uses under the Scheme or the Local Structure Plan, the permissible residential densities and any policy guidelines, development standards and conditions included within an approved Local Structure Plan.</p>

No.	Description of land	Special use	Conditions
11. Cont.	Land generally bounded by Harrow Street to the north, Drumpellier Drive to the west, Reid Highway to the south and the "Urban" extent of the Metropolitan Region Scheme boundary to the east.	West Swan	<p><b>6.2</b> The management programmes stipulated in this clause shall be required prior to construction commencing and shall be implemented upon approval of subdivision or development;</p> <p>a) A Contaminated Site Assessment and Soil Contamination and Remediation Plan in accordance with the DEC Contaminated Sites Assessment Series for any sites of potential sources of contamination; and</p> <p>b) An Urban Water Management plan, prepared to the satisfaction of Council and the Department of water.</p>
12.	Lots 457 & 458 Paradise Quays and Lot 462 Summerlakes Parade, Ballajura	Residential Development at R30 Code	<p>Development to be in accordance with a Detailed Area Plan (DAP) which provides for an integrated development on the site which:</p> <ul style="list-style-type: none"> <li>• addresses the interface with abutting residential lots and public open space, and</li> <li>• promotes a high quality urban design outcome with good accessibility, orientation of buildings and built form.</li> </ul>
14.	Lot 911 Midland Road, Hazelmere	As per Structure Plan prepared and approved in accordance with Part 5A of the Scheme.	<p><b>1. Subdivision and Development</b></p> <p>Subdivision and development of the subject land shall be subject to the provisions of Part 4 of the deemed provisions, including the preparation and approval of a Structure Plan.</p> <p><b>2. Local Water Management Strategy</b></p> <p>Prior to final endorsement of the Structure Plan, a Local Water Management Strategy over the subject land and adjacent land where necessary, shall be prepared in accordance with the Better Urban Water Management framework and approved to the specifications and satisfaction of the Department of Water with advice from the City of Swan to ensure that the groundwater and surface water management measures will maintain the existing environmental values of the site and Kadina Brook in particular.</p> <p><b>3. Fire Management Plan</b></p> <p>The comprehensive local structure plan, subdivision and development must be in accordance with WAPC's Planning for Bushfire Protection Guidelines, which includes but is not limited to:</p> <ol style="list-style-type: none"> <li>a) Identifying appropriate hazard separation zones and building protection zones;</li> <li>b) Construction to AS3959-2009 (noting (c) below);</li> <li>c) No residential development within the bush fire attack level (BAL) zones BAL-FZ or BAL-40; and</li> <li>d) Consideration of ember protection features incorporated in all dwelling design within the precinct.</li> </ol>

No.	Description of land	Special use	Conditions
15.	<p>Lot 2 on Diagram 60886 Stirling Crescent;</p> <p>Portion of Lot 12 on Plan 4556 Stirling Crescent;</p> <p>Lot 13 on Plan 4556, Lot 14 on Plan 4556, Lot 15 on Plan 4556 Stirling Crescent;</p> <p>Portion of Lot 16 on Plan 4556 Stirling Crescent;</p> <p>Portion of Lot 17 on Plan 4556 Stirling Crescent;</p> <p>Portion of Lot 18 on Plan 4556 Stirling Crescent, Hazelmere</p>	<p>The land uses as specified in an adopted local structure plan consistent with the Land Use Intent detailed for Precinct 2A "Helena River" within the Local Government and WAPC approved Hazelmere Enterprise Area Structure Plan Report</p>	<ol style="list-style-type: none"> <li>1. Subdivision and development shall be in accordance with a Structure Plan prepared and approved in accordance with the provisions of Part 4 of the Deemed provisions for local planning schemes at schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li> <li>2. A Structure Plan shall include all lots within this Special Use Zone and be prepared and approved prior to any additional land use, development proposal or subdivision of a lot, with the exception that the Local Government may consider granting an approval for the following land use, development or subdivision, without the prior requirement for a Structure Plan: <ul style="list-style-type: none"> <li>a) Single House and associated residential structures and activities such as a Home Business; Home Occupation; Home Office; Home Store on a lot, or</li> <li>b) minor lot boundary changes.</li> </ul> </li> <li>3. The Structure Plan is required to observe the Land Use Intent and Development Requirements as detailed within Precinct 2A "Helena River" within the Local Government and WAPC approved Hazelmere Enterprise Area Structure Plan</li> <li>4. The Structure Plan is to take into account any additional foreshore reserve requirements identified in the Helena River Foreshore Definition Study and provide a constructed road interface with the Helena River reserve.</li> <li>5. The Structure Plan is required to facilitate a vegetation buffer along the western boundary of Lot 2 Stirling Crescent. The vegetation buffer is required to provide visual screening of future development from Amherst Road.</li> </ol>
16	<p>Lot 93 on Plan 4553 Hazelmere Circus;</p> <p>Portion of Lot 83 on Plan 4539 Bushmead Road;</p> <p>Lot 651 on DP64462 Stirling Crescent;</p> <p>Lot 39 on Plan 4539 Stirling Crescent;</p> <p>Lot 58 on Plan 4539 Bushmead Road, Hazelmere</p>	<p>The land uses as specified in an adopted local structure plan consistent with the Land Use Intent detailed for Precinct 3A 'HEA Buffer Area' within the Local Government and WAPC approved Hazelmere Enterprise Area Structure Plan Report.</p>	<ol style="list-style-type: none"> <li>1. Subdivision and development shall be in accordance with a Structure Plan prepared and approved in accordance with the provisions of Part 4 of the deemed provisions.</li> <li>2. A Structure Plan shall include all lots within this Special Use Zone and be prepared and approved prior to any additional land use, development proposal or subdivision of a lot, with the exception that the Local Government may consider granting an approval for the following land use, development or subdivision, without the prior requirement for a Structure Plan - <ul style="list-style-type: none"> <li>a. Single House and associated residential structures and activities such as a Home Business; Home Occupation; Home Office; Home Store on a lot, or</li> <li>b. minor lot boundary changes</li> </ul> </li> <li>3. The Structure Plan is required to observe the Land Use Intent and Development Requirements as detailed within Precinct 3A 'HEA Buffer Area' within the Local Government and WAPC approved Hazelmere Enterprise Area Structure Plan.</li> </ol>

No.	Description of land	Special use	Conditions
17.	n/a	n/a	n/a
18.	Lot 23 and Part Lots 24 and 25 Stirling Crescent, Hazelmere	Land uses shall be guided by in an approved structure plan.	1. A structure plan prepared and approved pursuant to Part 4 of the deemed provisions shall apply to the area to guide subdivision and/or development.
19.	n/a	n/a	n/a
20.	n/a	n/a	n/a
21.	Portion Lot 338 on P4155 Morrison Road, Midvale	Consulting Rooms – “D” Fast Food Outlet – “D” Lunch Bar – “P” Medical Centre – “D” Motor Vehicle Wash – “D” Recreation – Private – “D” Restaurant – “D” Service Station – “A” Shop – “D”	1. Development to be accordance with a Detailed Area Plan approved by the City of Swan; and 2. ‘Shop’ floor space shall not exceed 1,950m <sup>2</sup> GLA

No.	Description of land	Special use	Conditions
22.	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p><b>1. Interpretation</b></p> <p>For the purpose of this zone: “Estate” means the land referred to in the Land Particulars for this Zone, “proponent” means an owner of land within the estate who submits a plan to the Council for approval pursuant to the provisions hereof and the term shall include the Council where the Council proposes a plan.</p> <p><b>2. Objectives of the Estate</b></p> <p>The purpose and intent of the estate is expressed in the following objectives to which the Council shall have regard when dealing with any proposed Local Structure Plan and proposed development within the estate:</p> <ul style="list-style-type: none"> <li>a) To consider and demonstrate integration within the broader district context;</li> <li>b) To develop the estate in a manner that recognises the natural environment and cultural assets and to investigate and manage impacts;</li> <li>c) To provide an integrated approach to traffic and transport management within the estate and within the existing and planned regional road network;</li> <li>d) To provide amenity in the public realm through the appropriate use of landscaping and vegetation, and the integration of drainage areas within road reserves and areas of public open space;</li> <li>e) To ensure the timely provision and coordinated delivery of service infrastructure, recognising the staged approach to subdivision and development of the estate; and</li> <li>f) To provide a suitable local employment base to encourage and facilitate employment self sufficiency.</li> <li>g) Recognise the regional and district level function of the estate, from both an employment and service industry perspective.</li> <li>h) Allow for staged future development of the estate that accommodates evolving land uses as the estate matures.</li> </ul> <p><b>3. Hierarchy of Plans</b></p> <p>Subdivision and development within the Estate shall be subject to the provisions of <b>Clause 28</b> of the Scheme, including the preparation and approval of Local Structure Plan(s).</p> <p><b>4. Local Structure Plan</b></p> <p><b>4.1 Local Structure Plan Preparation</b></p> <p>A Local Structure Plan(s) shall be prepared in accordance with the provisions of <b>Part 4 of the deemed provisions</b> over</p>

			the entire estate, or over any portion of the estate.
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p>An approved Local Structure Plan together with all approved amendments shall apply in relation to the land within the area of the Local Structure Plan as if it was an Amendment of the Scheme and the Scheme provisions shall be given full effect with the area accordingly. Without limiting the generality of the foregoing, within the zones designated in the Local Structure Plan the use classes referred to in the Zoning Table shall have the same permissibility spread as set out in that table.</p> <p><b>4.2 Environmental Management Plans</b> The following Environmental Management Plans shall be prepared and submitted as an additional detail of a Local Structure Plan unless otherwise determined by the Local Authority.</p> <p><b>4.2.1 Local Water Management Strategy</b> The developer shall submit to the Local Authority a Local Water Management Strategy (LWMS) for approval as an additional detail of a Local Structure Plan pursuant to Part 5A in order to ensure that surface and ground waters are managed with the aim of maintaining the natural water balance. The Local Authority must notify the DEC and Department of Water of the proposed strategy in advertising the Local Structure Plan(s) pursuant to <b>Part 4 of the deemed provisions</b>.</p> <p>The LWMS shall include, but is not limited to the following:</p> <ol style="list-style-type: none"> <li>Refinement of the District Water Management Strategy and quantification of land required to meet design objectives, recognising that this will be further refined at Urban Water Management Strategy stage;</li> <li>Consideration of the findings and recommendations of the District Water Management Strategy and provide more detailed assessment where necessary;</li> <li>A summary of the principles, objectives and requirements for total water cycle management;</li> <li>Details of existing site characteristics such as geology, hydrogeology and groundwater characteristics in more detail than the District Water Management Strategy;</li> <li>An Analysis of site constraints and opportunities (such as water dependent environments, remnant vegetation, landscape and landform), identifying the critical issues and how they are proposed to be managed;</li> </ol> <p>Demonstration of the capacity of the land to sustain the proposed land uses including any management responses required to address:</p> <ul style="list-style-type: none"> <li>- The likely extent and severity of acid sulphate soils;</li> <li>- Potential impacts on surface and groundwater quality and quantity;</li> </ul>

			<ul style="list-style-type: none"> <li>- Potential impacts on existing land uses in the vicinity;</li> <li>- Any likely engineering constraints and impacts on infrastructure; and cumulative impacts.</li> </ul>
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p>Management responses will vary depending on the characteristics of the Local Structure Plan area, and are subject to negotiation and agreement with the Local Authority and the Department of Water.</p> <p>a) A conceptual urban water management system, including:</p> <ul style="list-style-type: none"> <li>- Fit for purpose water use strategy mechanisms to conserve potable water, minimise wastewater, and re-use all forms of water, including stormwater;</li> <li>- Quantification of land required for detention of stormwater in accordance with the principles of the District Water Management Strategy;</li> <li>- Identification of land required for retention of the 1 in 1 year, 1 hour ARI storm event and treatment of all runoff contained in the drainage infrastructure network;</li> <li>- Calculation of the proportion of constructed impervious surface;</li> <li>- Map of existing groundwater levels and any proposed controlled groundwater level (with justification for this control);</li> <li>- Identify suite of possible BMP's and design BPP's depicted in diagrams;</li> <li>- Identification of indicative infrastructure and management requirements and proposed locations for water, wastewater and stormwater systems; and</li> <li>- If wastewater re-use is proposed, a wastewater re-use management plan is to be prepared as part of the LWMS.</li> </ul> <p>b) A summary of the issues to be addressed at final subdivision approval stage via an Urban Water Management Plan;</p> <p>c) A recommended monitoring framework, pre and post development; and</p> <p>d) Proposed implementation of strategy, including roles, responsibilities and funding for monitoring and maintenance.</p> <p>The LWMS required by 4.2.1 shall be implemented to the satisfaction of the Local Authority, having regard to any advice from the Department of Water.</p> <p><b>4.2.2 Wetland and Waterway Management Strategy</b></p> <p>The developer shall submit to the Local Authority a Wetland and Waterway Management Strategy for approval as an additional detail of a Local Structure Plan pursuant to <b>Part 4 of the deemed provisions</b> in order for existing waterways and</p>

			<p>wetlands and their buffers to be identified and planned for accordingly through the Local Structure Plan process and future planning stages.</p> <p>The Local Authority must notify DEC and Department of Water of the proposed strategy in advertising the Local Structure Plan pursuant to <b>Part 4 of the deemed provisions</b>.</p>
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p>The Wetland and Waterway Management Strategy shall be consistent with the EPA's current Guidance Statement No.33 Environmental Guidance for Planning and Development and will include, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>a) Outline reason(s) for preparing the management strategy and overall objectives;</li> <li>b) Include a description of the Local Structure Plan area and context;</li> <li>c) Identify any wetlands and waterways either partially or wholly contained within the Local Structure Plan area, recognising that a Local Structure Plan may be prepared over all or part of the estate;</li> <li>d) Provide a detailed description of all wetlands and waterways within the Local Structure Plan area, including any characteristics specific to a particular wetland or waterway, and include a plan or series of plans showing locations.</li> <li>e) Identify management strategies specific to each wetland and/or waterway within the Local Structure Plan area including the following: <ol style="list-style-type: none"> <li>i. Indicative buffers and setbacks for each wetland and/or waterway;</li> <li>ii. Indicative interface treatments between wetlands and/or waterways and industrial areas;</li> <li>iii. In conjunction with the LWMS, identify appropriate treatment of surface water including stormwater runoff and groundwater;</li> <li>i) Identification of risk prevention factors for potentially polluting activities and land uses;</li> </ol> </li> </ol> <p>The Wetland and Waterway Management Strategy shall be consistent with the EPA's current Guidance Statement No.33 Environmental Guidance for Planning and Development and will include, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>a) Outline reason(s) for preparing the management strategy and overall objectives;</li> <li>b) Include a description of the Local Structure Plan area and context;</li> <li>c) Identify any wetlands and waterways either partially or wholly contained within the Local Structure Plan area,</li> </ol>

			<p>recognising that a Local Structure Plan may be prepared over all or part of the estate;</p> <p>d) Provide a detailed description of all wetlands and waterways within the Local Structure Plan area, including any characteristics specific to a particular wetland or waterway, and include a plan or series of plans showing locations.</p>
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p>e) Identify management strategies specific to each wetland and/or waterway within the Local Structure Plan area including the following:</p> <ul style="list-style-type: none"> <li>i. Indicative buffers and setbacks for each wetland and/or waterway;</li> <li>ii. Indicative interface treatments between wetlands and/or waterways and industrial areas;</li> <li>iii. In conjunction with the LWMS, identify appropriate treatment of surface water including stormwater runoff and groundwater;</li> <li>iv. Identification of risk prevention factors for potentially polluting activities and land uses;</li> </ul> <p>f) Identify opportunities for enhancement of the wetlands and/or waterways as part of the land development process through appropriate planting / landscaping, and water management.</p> <p>g) Identify issues to be addressed at later stages via Wetland and Waterway Plan(s).</p> <p>The Wetland and Waterway Management Strategy required by 4.2.2 shall be implemented to the satisfaction of the Local Authority on the advice of the DEC and Department of Water.</p> <p><b>5. Development and Subdivision</b></p> <p><b>5.1 Subdivision Application</b></p> <p>Subdivision of land shall be in accordance with the approved Local Structure Plan.</p> <p><b>5.2 Management Plans</b></p> <p><b>5.2.1 Wetland Management Plans</b></p> <p>Where a proposed subdivision includes wetlands and / or waterways as identified in the Wetland and Waterway Management Strategy, the developer shall submit to the Local Authority Wetland Management Plan(s) for approval as a condition of subdivision approval in order for existing waterways and wetlands and their buffers to be implemented as part of development in accordance with the water management strategies / plans.</p>

			<p>The Wetland Management Plan(s) shall be consistent with the EPA's current Guidance Statement No.33 Environmental Guidance for Planning and Development and shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a) Reason(s) for preparing the management plan and overall objectives;</li> <li>b) A description of the site and context;</li> <li>c) Summary of the issues specific to the site, i.e. Conservation, ecological linkage, recreation water quality, fire management;</li> <li>d) Management aims and objectives and identification of management responsibilities;</li> </ul>
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<ul style="list-style-type: none"> <li>e) Management actions to achieve the objectives i.e. Restoration, fencing, weed control;</li> <li>f) A diagrammatic management plan;</li> <li>g) Summary of funding arrangements for management of the site and other available resources;</li> <li>h) Identification of the attributes that will be monitored, the program, criteria and management response to triggers;</li> <li>i) Program for the restoration and preservation of native flora and fauna;</li> <li>j) Development of restoration sites in association with constructed waterways and wetlands, to provide habitat areas for native fauna;</li> <li>k) Incorporation of buffers of public open space around significant wetlands; and</li> </ul> <p>The Wetland Management Plan(s) required by 5.2 shall be implemented to the satisfaction of the Local Authority on advice from the DEC and Department of Water.</p> <p><b>5.2.3 Urban Water Management Plan</b></p> <p>The developer shall submit to the Local Authority an Urban Water Management Plan (UWMP), which is consistent with the LWMS for approval as a condition of subdivision approval.</p> <p>The UWMP shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>a) Demonstrate compliance with Design Objectives;</li> <li>b) Site conditions – management of water dependent ecosystems &amp; contamination / nutrient hot spots;</li> <li>c) Specific BMP's and design of water management systems;</li> <li>d) The results of detailed environmental and hydrological studies;</li> <li>e) Precise predictions and post-development modelling;</li> <li>f) Details of location and design of drainage infrastructure;</li> </ul>

			<p>g) Details of monitoring program to evaluate ground and surface water quality, flows and levels, including the location and design of any current and proposed monitoring stations;</p> <p>h) Descriptions and cost-benefit analysis (including whole of life costing) for any structural or non-structural controls;</p> <p>i) Precise and measurable targets and limits for ground and surface water quality, flows and levels that are to be maintained for the development area. This will be accompanied by a clear description of the roles and responsibilities agreed upon by each agency and the agencies commitment for action to be taken, and;</p>
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No.	Description of land	Special use	Conditions
22. cont	<p>Referred to as South Bullsbrook Industrial Precinct</p> <p>Lots 1, 3, 139, 140, 141, 11, 12, 25, 151, 190, 123, 186 Great Northern Highway</p> <p>Lots 2, 149, Pt Lot 203 Butternab Road</p> <p>Lots 152, 153, 7, 189, 185, 5, 176, 177, 202 Warren Road</p> <p>Lots 150, 204, 352 Dewar Road</p> <p>Lots 6, 188, 184, 187 Stock Road</p> <p>Lot 300 Almeria Parade</p> <p>Including all road reserves within the subject area.</p>	Bullsbrook Industrial	<p>j) Details of rehabilitation works to be undertaken in existing wetlands where relevant.</p> <p>The UWMP required by 5.2.3 shall be implemented to the satisfaction of the Local Authority, on advice from the Department of Water.</p> <p><b>5.2.3 Unexploded Ordnance (UXO) Survey</b></p> <p>The developer shall submit to the Local Authority and FESA an UXO Survey as a condition of subdivision.</p> <p>The UXO survey shall be prepared in accordance with the requirements of FESA, and shall identify:</p> <p>i) Potential UXO locations;</p> <p>ii) Management plans to be implemented in the event that UXO is found to exist within the Estate.</p>
23.	Portion of Lot 501 on Plan 69205 Paradise Quays, Ballajura	<p>The objective of the zone is to provide for the coordinated development of a future retirement village estate that incorporates both Independent Living Units in addition to Low and High Care Accommodation.</p> <p>“P”– Retirement Village</p>	<p>1. Development in this Special Use Zone shall be in accordance with the requirements of the Residential Design Codes, to a maximum of R60 with a maximum building height of three (3) storeys not exceeding 12 metres above natural ground level, unless restricted by Condition 1. a-f, and Condition 2, below –</p> <p>(a) Development of land within 35m of the zone’s Northern Rear Boundary, shall not exceed –</p> <p>i. A maximum building height of two (2) storeys</p>

		<p>- Residential Aged Care Facility</p> <p>“D” - Any other uses that Council considers to be suitable in servicing the needs of a Residential Aged Care Facility and/or Retirement Village.</p>	<p>not exceeding 9 metres above natural ground level; and</p> <p>ii. A boundary setback of 6 metres from the Northern Rear Boundary. If a greater setback is required under Residential Design Codes for a wall setback or visual privacy setback, the greater setback shall apply. The setback area shall be landscaped and not used for car parking or vehicle access.</p> <p>(b) Development of land within 35m from the zone’s lower Eastern Side Boundary shall not exceed –</p> <p>i. A maximum building height of two (2) storeys not exceeding 9 metres above natural ground level; and</p> <p>ii. A boundary setback of 6 metres from the Lower Eastern Side Boundary. If a greater setback is required under Residential Design Codes for a wall setback or visual privacy setback, the greater setback shall apply. The setback area shall be landscaped and not used for car parking or vehicle access.</p> <p>(c) All buildings must be setback no closer than 6m from the zone’s primary street boundary (Paradise Quays).</p> <p>(d) All buildings must be setback no closer than 10m from the Zone’s Secondary Street Boundary with Alexander Drive that is north and south of Paradise Quays. If a greater setback is required under the Residential Design Codes for a wall setback, landscaping tree retention or visual privacy setback, the greater setback shall apply.</p> <p>(e) Development on this land is to provide passive surveillance to the abutting Emu Swamp reserve; and</p> <p>(f) Development is to be in accordance with an approved Bushfire Management Plan.</p> <p>2. A Landscape Management Plan must be prepared and</p>
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			<p>submitted with the development application. The Landscape Management Plan shall include the whole site and shall specify the vegetation planting within the 6 metre boundary set-back areas stipulated in Condition 1.a.ii and 1.b.ii.</p> <p><b>Definitions</b></p> <p>For this Special Use Zone the following definitions apply—</p> <p><b>‘residential aged care facility’</b> means premises where residential care as defined in the <i>Aged Care Act 1997</i> section 41(3) is provided.</p> <p><b>‘retirement village’</b> has the meaning given to that term in the <i>Retirement Villages Act 1992 (WA)</i> and incorporates the sense of the term as defined in Schedule 7 of this Scheme;</p> <p><b>‘retirement village estate’</b> means land intended to contain a retirement village and a residential aged care facility and which may include any other uses that Council considers to be suitable in servicing the needs of a Residential Aged Care Facility and/or Retirement Village.</p> <p><b>‘Zone’s Northern Rear Boundary’</b> means the zone’s rear boundaries located north of the Paradise Quays road reserve that shares a common boundary with Residential zoned land.</p> <p><b>‘Zone’s Lower Eastern Side Boundary’</b> means the zone’s eastern side boundary located south of the Paradise Quays road reserve that shares a common boundary with Residential land zoned ‘Special Use Zone No. 12’.</p>
No.	Description of land	Special use	Conditions
24.	<p>Lot 57 on P28643 West Parade; Lot 9000 on DP30961 West Parade; Lot 200 on DP30961 West Parade; Lot 1 on P7052 West Parade, South Guildford</p> <p>Precinct 1 - Lot 57 on P28643, portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p> <p>Precinct 2 - Lot 200 on P30961 (including whole of existing Lodge), portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p>		<ol style="list-style-type: none"> <li>1. Subdivision and development shall be in accordance with a Structure Plan prepared and approved in accordance with the provisions of Part 4 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>.</li> <li>2. Residential development shall be at a maximum density of R20, except where land is below the 20 ANEF exposure level, in which case the applicable density shall be in accordance with the Rosehill Waters Structure Plan.</li> <li>3. Notwithstanding the provisions of State Planning Policy 5.1 Land Use Planning in the Vicinity of Perth Airport, noise insulation in accordance with AS2021-2015: Acoustics - Aircraft Noise Intrusion - Building Siting and Construction is required as a minimum for residential development within the 20-25 ANEF contour.</li> <li>4. A notification is to be included on all titles and within sale contracts, to be signed and acknowledged by all purchasers, which states as follows: <p>"This land is subject to aircraft noise at any time by the 24 hour a day, 7 day a week passenger and freight</p> </li> </ol>

			<p>aircraft flight operations arriving and departing Perth Airport.</p> <p>The frequency of aircraft movements and the size of aircraft are forecast to increase indefinitely into the future.</p> <p>It is the responsibility of landowners to noise attenuate their property to ensure their property to ensure their amenity, as Perth Airport will remain curfew free."</p> <ol style="list-style-type: none"> <li>5. Signage indicating "Aircraft Noise Area" is to be erected and maintained to the east and west of the development on West Parade. Such signage is to be erected prior to the sale of any lot or the advertising of the lots for sale and is to be maintained permanently thereafter.</li> <li>6. In addition to the requirements specified for Structure Plans in Part 4 of the Regulations, the Structure Plan shall address the following: <ul style="list-style-type: none"> <li>• Provision of a Foreshore Management Plan inclusive of details of landscaping, interface treatment to the Helena River and details of implementation and maintenance at the subdivision/development stage.</li> <li>• In addition to the requirements for a Structure Plan the Traffic Management Plan should identify, amongst other items, the nature and timing of upgrades to the intersection of the Great Eastern Highway and Queens Road.</li> <li>• A Landscape Plan to identify, amongst other items, an appropriate buffer to be provided along West Parade that retains the existing vegetation and maintains the visual amenity of West Parade.</li> </ul> </li> <li>7. Notwithstanding any other provision of the Scheme, development approval is not required for any Single Dwelling/addition to an existing Single or Grouped Dwelling where the Single or Grouped Dwelling will be the only development on the lot and where it complies with the conditions 2 and 3 of this zone and where the development is not - <ol style="list-style-type: none"> <li>(i) on a lot within or abutting the Development Control Area under the <i>Swan and Canning Rivers Management Act 2006</i> or abuts or is likely to affect waters which are within the Development Control area; or</li> <li>(ii) On a lot located within a Heritage Area or is on a lot that contains a place on the Heritage List.</li> </ol> </li> </ol>
24 cont.	<p>Lot 57 on P28643 West Parade; Lot 9000 on DP30961 West Parade; Lot 200 on DP30961 West Parade; Lot 1 on P7052 West Parade, South Guildford</p> <p>Precinct 1 - Lot 57 on P28643, portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p>		<p>Specific Provisions:</p> <ol style="list-style-type: none"> <li>1. Permissibility of land uses within Precinct 1 is to be in accordance with Residential zoned land under Clause 4.3 - Zoning Table of this Scheme.</li> </ol> <p>Specific Provisions:</p> <ol style="list-style-type: none"> <li>1. Land uses within Precinct 2 shall be in accordance with 'Private Clubs and Institutions' zoned land under Clause 4.3 - Zoning Table of this Scheme.</li> <li>2. Notwithstanding the above point (1), the following uses are an 'X' (not permitted) use within Precinct 2 due to the level of exposure to aircraft noise or the underlying zoning under the Metropolitan Region Scheme:</li> </ol>

	<p>Precinct 2 - Lot 200 on P30961 (including whole of existing Lodge), portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p>		<ul style="list-style-type: none"><li>• Aged or Dependent Persons Dwellings</li><li>• Bed and Breakfast</li><li>• Caretaker's Dwelling</li><li>• Child Care Premises</li><li>• Educational Establishment</li><li>• Family Day Care</li><li>• Grouped Dwelling</li><li>• Home Business</li><li>• Home Occupation</li><li>• Home Office</li><li>• Hospital</li><li>• Multiple Dwelling</li><li>• Office</li><li>• Single House</li><li>• Winery</li></ul>
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No.	Description of land	Special use	Conditions
24 cont.	<p>Lot 57 on P28643 West Parade; Lot 9000 on DP30961 West Parade; Lot 200 on DP30961 West Parade; Lot 1 on P7052 West Parade, South Guildford</p> <p>Precinct 1 - Lot 57 on P28643, portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p> <p>Precinct 2 - Lot 200 on P30961 (including whole of existing Lodge), portion of Lot 9000 on DP30961 and portion Lot 1 on P7052 West Parade, South Guildford, as depicted in the Precinct Map.</p>		<p>3. In addition to the uses listed under Clause 4.3 - Zoning Table of this Scheme, the following Additional Use is considered to be an 'A' use within Precinct 2 of this Special Use Zone:</p> <ul style="list-style-type: none"> <li>Garden Centre</li> </ul> <p><b>Special Use Zone Precinct Map</b></p>  <p>The map shows a street grid with two precincts outlined. Precinct 1 is a large area outlined in red, and Precinct 2 is a smaller area outlined in blue. The map includes labels for 'SPECIAL USE ZONE - PRECINCT 1' and 'SPECIAL USE ZONE - PRECINCT 2'. At the bottom, it reads 'Local Planning Scheme No. 17 Scheme Amendment No. 113 Special Use Precinct Map'.</p>

No.	Description of land	Special use	Conditions
25.	<p>Lot 38 on Plan 4539 Stirling Crescent;</p> <p>Lot 59 on Plan 4539 Bushmead Road;</p> <p>Lot 1 on Diagram 73177 Bushmead Road;</p> <p>Portion of Lot 83 on Plan 4539 Bushmead Road;</p> <p>Lot 82 on Plan 4539 Bushmead Road;</p> <p>Lot 100 on Diagram 83965 and Lot 101 on Diagram 83965 Hazelmere Circus;</p> <p>Lot 95 on Plan 4553, Lot 96 on Plan 4553, Lot 97 on Plan 4553 Lakes road;</p> <p>Portion of Lot 99 on P4553 Lakes Road Hazelmere</p>	<p>The Use Classes listed in the Zoning Table against the 'Light Industrial' Zone and cross referenced with symbols of 'P' 'D' and 'A'</p> <p>Other Uses</p>	<ol style="list-style-type: none"> <li>1. Subdivision and development shall be in accordance with a Structure Plan prepared and approved in accordance with the provisions of Part 4 of the deemed provisions.</li> <li>2. Unless development on the site is connected to reticulated sewer - <ol style="list-style-type: none"> <li>a. Development is restricted to 'dry industry' whereby any development application must demonstrate that the quality and volume of effluent to be disposed of onsite can be successfully disposed of, without adverse environmental or health effects, using effluent disposal systems; and</li> <li>b. Development shall be restricted to the type which is predicted to generate, and/or generate waste water intended for disposal on site at a daily volume not exceeding 540 litres per 2000m<sup>2</sup> of site area.</li> </ol> </li> <li>3. A Wastewater Management Plan shall be submitted with each development application to demonstrate that Condition 1 can be achieved to the satisfaction of local government.</li> </ol>

No.	Description of land	Special use	Conditions
26.	Lot 5 on Diagram 48061 Elvire Street, Viveash	<p>The objective of the zone is to provide for the coordinated development of a future retirement village estate that incorporates both Independent Living Units in addition to Low and High Care Accommodation.</p> <p>“P” - Retirement Village - Residential Aged Care Facility</p> <p>“D”</p> <p>Any other uses that Council considers to be suitable in servicing the needs of a Residential Aged Care Facility and/or Retirement Village.</p>	<ol style="list-style-type: none"> <li>1. All developments in this zone shall – <ol style="list-style-type: none"> <li>a. Be a maximum building height of two (2) storeys;</li> <li>b. Be in accordance with the R-Codes provisions and requirements for R40 coded land. If a greater setback is required under Condition 1c) for a major opening, the greater setback shall apply;</li> <li>c. All major opening(s) in the second storey of buildings that face toward the zone’s northern side boundary are to be set back no closer than 6 metres from the northern side boundary. The setback area shall contain landscaping; and</li> <li>d. Vehicle access and parking must be set back no closer than 10 metres from the zone’s northern boundary.</li> </ol> </li> <li>2. Discretion to vary Condition 1 and permit development up to a maximum of R60 and a maximum building height of three (3) storeys shall only be permitted if – <ol style="list-style-type: none"> <li>a. The third storey is located to minimise visual impact from the primary street and adjoining properties, to the satisfaction of the local government;</li> <li>b. All buildings are set back no closer that 4 metres from the zone’s primary street boundary (Elvire Street);</li> <li>c. All buildings are set back no closer than 3 metres from the zone’s southern side boundary;</li> <li>d. All buildings are set back no closer than 3.5 metres from the zone’s northern side boundary. If a greater setback is required under Condition 2e) for a major opening, the greater setback shall apply;</li> <li>e. All major opening(s) in the second and third storey of buildings that face toward the zone’s northern side boundary are to be set back no closer than 6 metres from the northern side boundary. The setback area shall contain landscaping; and</li> <li>f. Vehicle access and parking must be set back no closer than 10 metres from the zone’s northern boundary.</li> </ol> </li> <li>3. All buildings must be set back no closer than 4 metres from the Regional Reserve – Parks and Recreation.</li> <li>4. A mosquito management plan, prepared in accordance with the Department of Health’s Mosquito Management Plan template, should be submitted as part of any development application, at the discretion of the local government.</li> </ol> <p><b>Definitions</b></p>

			<p>For this Special Use Zone the following definitions apply:</p> <p><b>“residential aged care facility”</b> means premises where residential care as defined in the <i>Aged Care Act 1997</i> section 41(3) is provided.</p> <p><b>“retirement village”</b> has the meaning given to that term in the <i>Retirement Villages Act 1992</i> (WA) and incorporates the sense of the term as defined in Schedule 1 of this Scheme;</p> <p><b>“retirement village estate”</b> means land intended to contain a retirement village and a residential aged care facility, and which may include any other uses that Council considers to be suitable in servicing the needs of a Residential Aged Care Facility and/or Retirement Village.</p>
27.	<p>Portion of Lot 570 on DP 409808 Eveline Road, Middle Swan located west of Blackadder Creek, as delineated on the scheme map</p>	<p>“P” - Aged or Dependent Persons  - Residential Aged Care Facility  - Independent Living Complex</p> <p>“D”  - Ancillary Accommodation  - Bed and Breakfast  - Caretaker’s Dwelling  - Child Care Premises  - Civic Use  - Community Purpose  - Consulting Rooms  - Educational Establishment  - Family Day Care  - Grouped Dwelling  - Home Business  - Home Occupation  - Home Office  - Hospital  - Multiple Dwelling  - Medical Centre  - Place of Worship  - Radio &amp; TV Installation  - Private  - Recreation - Public  - Single Bedroom Dwelling  - Single House  - Telecommunication Infrastructure</p> <p>“A”  - Home Store  - Residential Building</p> <p>“X”</p> <p>All other uses defined under Part 6 of the Scheme.</p>	<p><b>1. Objective of the Zone</b></p> <p>a) To provide for urban infill development within the Estate, with the predominant land use being aged care related land uses;</p> <p>b) To consider uses that are suitable in servicing the needs of, and/or are compatible with, aged care uses, at the discretion of Council; and</p> <p>c) To consider and demonstrate integration within the broader district context.</p> <p><b>2. Subdivision and Development</b></p> <p>a) Residential development shall comply with the R20 code.</p> <p>b) Noise insulation measures are to be in accordance with State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport.</p> <p>c) Subdivision and development of the subject land shall be in accordance with an approved Structure Plan.</p> <p>d) In addition to the requirements specified in the provisions of Part 4 of the Deemed Provisions, the Structure Plan shall address the following:</p> <p>i) Provision of a Local Water Management Strategy (LWMS) that assess and makes recommendations to ensure that ground water and surface water management measures will maintain the existing environmental values of adjoining Blackadder Creek, and in addition to the ordinary requirements of a LWMS under the Better Urban Water Management framework.</p> <p>ii) The Structure Plan is to address any additional foreshore reserve requirements identified in the Local Water Management Strategy to provide an appropriate interface with the Blackadder Creek.</p> <p>iii) Provision of a Landscape Plan that identifies which existing vegetation needs to be protected and retained where possible, details of the interface treatment to the Blackadder Creek reserve and details of implementation and maintenance at the subdivision/development stage.</p> <p>iv) The Structure Plan is to address any requirements of the Bushfire Management Plan for a two-way access</p>

			<p>route solution.</p> <p>e) The Structure Plan, subdivision and development must be in accordance with State Planning Policy 3.7 – Planning in Bushfire prone areas.</p> <p>f) Development of the site is subject to the drainage and removal of the two underground storage tanks located west of the Boiler House, accompanied by excavation validation testing and reporting.</p> <p><b>3. Definitions</b></p> <p>For this Special Use zone, the following definitions apply:</p> <p><b>“Estate”</b> means the land referred to in the Land Particulars of this Zone.</p> <p><b>”Residential Aged Care Facility”</b> means a residential facility providing personal and/or nursing care primarily to people who are frail and aged or dependent persons which as well as accommodation, includes:</p> <p>a) appropriate staffing to meet the nursing and personal care needs of residents; and.</p> <p>b) meals and cleaning services furnishings, furniture and equipment..</p> <p>This may consist of multiple component that include communal amenities and land uses for residents and staff that are incidental and ancillary to the provision of such accommodation, residential respite (short-term) care and an independent living complex, but does not include a hospital, rehabilitation or psychiatric facility.</p> <p><b>“Independent living complex”</b> means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility.</p>
28.	TBA		
29.	Portion of Lot 86 on Deposited Plan 10324, Lot 500 on Deposited Plan 634, Lot 14170 on Deposited Plan 26108 and part of Lot 55 on Deposited Plan 10324	<p>The objective of the zone is to provide for the coordinated development of a Residential Aged Care Facility and/or Independent Living Complex.</p> <p>“P” – Residential Aged Care Facility – Independent Living Complex</p> <p>“D” Any other incidental and ancillary land uses associated with and</p>	<p>1. All development and landscaping in this Special Use zone shall be in accordance with the requirements of the Residential Design Code, to a maximum of R50.</p> <p>2. Notwithstanding the Condition 1, the third storey is to be located to minimise visual impact from Kerwin Way and the adjoining properties, to the satisfaction of the local government.</p> <p>3. Development in the Special Use zone shall be in accordance with a Local Development Plan that is consistent with Condition 1 and endorsed by Council. The Local Development Plan shall address –</p> <p>a) Landscaping and visual privacy transition to adjoining land on all boundaries;</p> <p>b) Vehicle parking, access and egress arrangement, with</p>

		<p>supporting residential aged care facilities and/or independent living complexes that are accessible to both residents and the general public.</p>	<p>primary vehicle access to be provided from Diana Crescent, with supplementary alternative vehicle access from Kerwin Way and Jennings Way;</p> <p>c) Safe public pedestrian access between Kerwin Way and Rosher Oval,</p> <p>d) A Landscape Management Plan that identifies significant trees that are to be retained and additional tree planting required as per the R-Codes.</p> <p>4. The Western Power substation located on Lot 86 must –</p> <p>a) Maintain a 6m clearance from any building to ensure an adequate safety distance in case of a fire.</p> <p>b) Be accessible at all times to Western Power for operation and maintenance purposes.</p> <p>c) Not be adversely impacted by vehicle movement. Vehicles are to not obstruct access to the substation for operation and maintenance.</p> <p>Definitions –</p> <p>For this Special Use zone, the following definitions apply:</p> <p><b>Residential aged care facility</b></p> <p>A residential facility providing personal and/or nursing care primarily to people are frail and aged or dependent persons which, as well as accommodation, includes –</p> <p>a) Appropriate staffing to meet the nursing and personal care needs of residents;</p> <p>b) Meals and cleaning services;</p> <p>c) Furnishings, furniture and equipment. This may consist of multiple components that include communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, residential respite (short-term) care, and/or an independent living complex, but does not include a hospital, rehabilitation or psychiatric facility.</p> <p><b>Independent Living Complex</b></p> <p>A development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility.</p>
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## Schedule 6 – Additional requirements that apply to land in Scheme area

No.	Description of Land	Requirements
1.	All land of cultural heritage significance or within a Heritage Area.	<p><b>Conservation Incentives</b></p> <p>(1) In dealing with any application concerning or affecting a place of cultural heritage significance or a <b>Heritage Area</b>, the Council may for the purpose of conserving or enhancing the place or precinct give a special approval, benefit, allowance or incentive, including but not limited to, the granting of density bonuses and the transfer from a place of cultural heritage significance or a <b>Heritage Area</b> to another place within the district of unused development rights.</p> <p>(2) Where in the Council's opinion the granting of a conservation incentive is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the incentive, the Council shall consult the affected parties by following one or more of the provisions dealing with advertising "A" uses pursuant to <b>clause 64 of the deemed provisions</b> and shall have regard to any expressed views prior to making its decision to grant the incentive.</p> <p>(3) In granting a conservation incentive under this subclause, the Council may enter into an agreement with an owner who would benefit from the incentive which may specify the owner's obligation and contain covenants capable of being noted on relevant Certificates of Title, or otherwise capable of being protected by Caveat.</p> <p><b>Density Bonuses</b></p> <p>(1) Within a <b>Heritage Area</b>, the Council may permit on a residential lot an increase up to 50% of permitted dwelling density which otherwise would apply on that lot under the <i>Residential Design Codes</i>, where the increased development would not adversely affect the cultural heritage significance or character or amenity of the place, the streetscape or precinct, and if one or more of the following circumstances apply:</p> <ul style="list-style-type: none"> <li>a) provision is made for the preservation of significant landscape features, including significant trees or other vegetation;</li> <li>b) provision is made for the carrying out of conservation works approved by the Council on a heritage place; or</li> <li>c) a case contribution is made to fund set up by the Council for the purpose of heritage conservation.</li> </ul> <p>(2) In any case where the Council has allowed an increase in the permitted dwelling density, the standards and provisions of the higher density code applicable to that permitted dwelling density shall apply.</p> <p><b>Transfer of Development Rights</b></p> <p>(1) The Council may approve the transfer of development rights from a residential lot within a <b>Heritage Area</b> to a recipient's lot provided that:</p> <ul style="list-style-type: none"> <li>a) the recipient lot is not or does not include a place of cultural heritage significance, and is not within a <b>Heritage Area</b>;</li> <li>b) the recipient lot has an area of not less than 850 square</li> </ul>

No.	Description of Land	Requirements
		<p>metres;</p> <ul style="list-style-type: none"> <li>c) the increase is the permitted dwelling density of the recipient lot does not amount to more than 25% and in any case does not exceed two additional units;</li> <li>d) where an increased dwelling density is permitted on a recipient lot, the standards applicable to the resulting density code shall apply;</li> <li>e) the increased development density on the recipient lot will not have an adverse impact on the locality of that lot; and</li> <li>f) with the exception of the increased density under item (c), the development complies with the provisions of the Scheme and all other applicable written laws.</li> </ul> <p>Note: Heritage Area was classified as a Conservation Precinct under the previous Local Planning Scheme.</p>
2.	All land zoned or reserved under this Scheme.	<p><b>Control of Over Stocking</b></p> <ul style="list-style-type: none"> <li>(1) Where in the opinion of Council the livestock keeping is causing adverse environmental, health or amenity impacts, the Council may by written notice (giving clear reasons) require the owner of the land to: <ul style="list-style-type: none"> <li>a) Take action to temporarily or permanently reduce the amount of stock kept on the land; or</li> <li>b) remove all the stock from the land either temporarily or permanently; or</li> <li>c) rectify the adverse impacts of the livestock keeping.</li> </ul> </li> <li>(2) For the purposes of this clause, any notice to be served on the owner of the livestock is to specify: <ul style="list-style-type: none"> <li>a) the livestock the subject of the notice;</li> <li>b) full details of the action or alternative courses of action to be taken by the owner to comply with the notice; and</li> <li>c) the period, being not less than 60 days from the date of Council's determination, within which the action specified is to be completed by the owner.</li> </ul> </li> <li>(3) A person on whom notice is served under this clause may appeal under Part 14 of the <i>Planning and Development Act 2005</i> against the determination of Council.</li> </ul>
3.	All land zoned or reserved under this Scheme.	<p><b>Telecommunications Infrastructure</b></p> <ul style="list-style-type: none"> <li>(1) When considering an application for planning approval for Telecommunications Infrastructure, the Council shall have regard to any relevant planning policy adopted by the Council pursuant to clause 4 of the deemed provisions, WAPC State Planning Policy 5.2 (Telecommunications Infrastructure), any other relevant State Planning Policy and to the following objectives: <ul style="list-style-type: none"> <li>a) To encourage co-location as a means of preventing unnecessary proliferation and duplication of such infrastructure;</li> <li>b) To minimise the visual impact of such infrastructure on the</li> </ul> </li> </ul>

No.	Description of Land	Requirements
		<p>surrounding locality; and</p> <p>c) To prevent ad-hoc development of such infrastructure by requiring applicants to provide a report in accordance with the requirements of WAPC State Planning Policy 5.2 and any other relevant State Planning Policy and to demonstrate an industry-wide strategic approach to the location of such infrastructure throughout the City.</p>
4.	All land zoned or reserved under this Scheme.	<p><b>Vehicle Parking</b></p> <p>(1) Development shall comply with any on-site parking requirements set out in any adopted Precinct Structure Plan, Precinct Plan, Local Development Plan, the R-Codes, or local planning policy applicable to the development.</p>
5.	All land zoned or reserved under this Scheme.	<p><b>Commercial Vehicles</b></p> <p>(1) Subject to this clause, the parking or garaging of a commercial vehicle(s) on any land within the Scheme area requires the prior approval of the Council.</p> <p>(2) An application for the approval of the Council under this clause may be made on the form prescribed in clause 86(1) of the deemed provisions.</p> <p>(3) This clause does not apply where the proposed parking or garaging of a commercial vehicle(s):</p> <ul style="list-style-type: none"> <li>a) occurs during the period that the commercial vehicle(s) is engaged in work on the lot on which it is parked or garaged (for example, harvesting or earthmoving on the lot);</li> <li>b) is solely for the purpose of visiting the subject lot or the delivery or receiving of goods and is for a duration of no longer than 2 hours between 7am to 7pm in any 24 hour period for Residential zones and no longer than 5 hours in any 24 hour period for Rural zones;</li> <li>c) is approved under this Scheme as a transport depot.</li> <li>d) is considered to be ancillary to an approved use of the land upon which the commercial vehicle(s) is parked or garaged; or</li> <li>e) is exempted from the need to obtain approval pursuant to Schedule 9.</li> </ul> <p>(4) The maximum number of commercial vehicles which may be parked or garaged on any lot within a particular zone as part of an approval under clause (1) is set out in Schedule 10.</p> <p>(5) An approval under this clause may only be granted where an occupier of the lot upon the commercial vehicle(s) is to be parked is also:</p> <ul style="list-style-type: none"> <li>a) the owner of; or</li> <li>b) the driver of; or</li> <li>c) the proprietor of a business which owns or operates, every commercial vehicle which is to be parked or garaged there.</li> </ul> <p>(6) The requirements of clause (3) and clause (4) are not capable of variation by clause 34 of the Scheme except in the following manner:</p>

No.	Description of Land	Requirements
		<p>a) Council may vary the 'maximum number of motorised commercial vehicles' as stipulated in Column 3 of Schedule 10 by a maximum of one additional motorised commercial vehicle in each of the 'lot size' categories, provided that Council is of the opinion that the additional commercial vehicle:</p> <ul style="list-style-type: none"> <li>i. Satisfies each of the criteria outlined within clause (4);</li> <li>ii. Is sufficiently screened from view of the surrounding streets and adjacent properties; and</li> <li>iii. Does not detrimentally impact on the character, safety or amenity of the surrounding locality.</li> </ul> <p>b) Council may vary the 'maximum number of trailers designed to be attached to a motorised commercial vehicle', as stipulated in Column 4 of Schedule 10, if Council is of the opinion that additional trailers or other attachments:</p> <ul style="list-style-type: none"> <li>i. Are only used by the applicant in conjunction with an approved motorised commercial vehicle(s) that is permitted to be parked on the subject lot;</li> <li>ii. Are sufficiently screened from view of the surrounding streets and adjacent properties; and</li> <li>iii. Do not detrimentally impact on the character of the surrounding locality.</li> </ul> <p>Note: Approval will not be granted for the parking of restricted access vehicles (RAV's) unless the applicant can demonstrate approval has been granted from the relevant authority for the operation of these vehicles within the road network.</p>
6.	All land zoned or reserved under this Scheme.	<p><b>Re-use of Disused Vehicles</b></p> <p>(1) Without affecting the generality of the other provisions of this Scheme dealing with the approval of the commencement of carrying out of any development, no person shall use store or allow to remain stationary for more than thirty days any disused vehicle, on any land in the Scheme Area without the prior Development Approval of the Council.</p> <p>(2) In considering an application made pursuant to clause (1), the Council shall have regard to:</p> <ul style="list-style-type: none"> <li>a) the type, size and condition of the vehicle;</li> <li>b) the potential of the vehicle to be located and modified, as necessary, so as to be complementary with its surroundings and any associated development;</li> <li>c) the capability and suitability of the vehicle to be used for the purpose of which it is proposed to be used;</li> <li>d) the purpose of the zone in which the vehicle is proposed to be located;</li> <li>e) the provisions of clause 67 of the deemed provisions, insofar as they are applicable;</li> </ul>

No.	Description of Land	Requirements
		<p>f) any other matter which Council considers relevant whether or not of the same kind as the foregoing.</p> <p>(3) Notwithstanding the provisions of clause 34, the maximum number of disused vehicles that can be approved by the Council on any land owned or occupied as one parcel shall not exceed four (4) unless the land is an approved Salvage Yard, Transport Depot or Vehicle Wrecking Premises, as defined under the Scheme.</p> <p>(4) In addition to the requirement for Development Approval, no person shall place, park or otherwise locate, or permit or suffer the placing, parking or locating of one or more disused vehicles on any land within the Scheme Area unless a building licence has first been applied for and issued in respect thereof.</p>
7.	<p>Additional Site Requirements 1 (ASR 1)</p> <p>As delineated on the Planning Scheme Maps.</p>	<p><b>Additional Site Requirements 1</b></p> <p>(1) The purpose and intent of ASR 1 is to create a high quality rural living estate which satisfies the following objectives:</p> <ul style="list-style-type: none"> <li>a) Minimise adverse impacts on the natural environmental qualities of the area including native flora and fauna, ecological linkages within the area and to adjoining areas of regional open space, water resources, soils and landforms;</li> <li>b) Ensure development does not negatively impact on the visual landscape qualities of the area including landform, slopes, ridge-lines, rock outcrops and especially the visual prominence of the area along the Darling Scarp;</li> <li>c) Ensure adequate protection of life and property especially from bush fire;</li> <li>d) Ensure that lot size minimises adverse impacts on landscape and natural environmental qualities of the area, especially reducing the need to clear high quality remnant vegetation and provide opportunities for rural activities where land capability and suitability permits;</li> <li>e) Incorporate a safe and integrated road network with alternative means of access to Brigadoon Estate;</li> <li>f) Return the area of Swan River valley to the ownership of Council or the State Government for the purpose of public open space or regional open space respectively;</li> </ul> <p>(2) The existing mix of lot sizes as originally depicted in Subdivision Guide Plan 8A for Brigadoon are to be maintained, with any further re-subdivision of lots to achieve a minimum size of 4 hectares and to fulfil objectives (1) as set out in ASR 1 above.</p> <p>(3) Subdivision and development must achieve compliance with WAPC State Planning Policy 3.7 – Planning in bushfire prone areas (or as otherwise revised or superseded by the WAPC).</p> <p>(4) There is a general presumption against the following uses to uphold the purpose and intent of ASR 1:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Art Gallery</li> <li>d) Brewery</li> </ul>

No.	Description of Land	Requirements
		<ul style="list-style-type: none"> <li>e) Camping Area</li> <li>f) Club Premises</li> <li>g) Equestrian Facility</li> <li>h) Food and Beverage Production</li> <li>i) Garden Centre</li> <li>j) Holiday Accommodation</li> <li>k) Place of Worship</li> <li>l) Restaurant/café</li> <li>m) Rural Home Business</li> <li>n) Tourist Development</li> <li>o) Tree Farm</li> <li>p) Winery</li> </ul>
8.	<p>Additional Site Requirements 2 (ASR 2)</p> <p>As delineated on the Planning Scheme Maps.</p>	<p><b>Additional Site Requirements 2</b></p> <p>(1) The purpose and intent of ASR 2 is to create a high quality rural living estate which satisfies the following objectives:</p> <ul style="list-style-type: none"> <li>a) Minimise adverse impacts on the natural environmental qualities of the area including native flora and fauna, ecological linkages within the area and to adjoining areas of regional open space, water resources, soils and landforms;</li> <li>b) Ensure development does not negatively impact on the visual landscape qualities of the area including landform, slopes, ridge-lines, rock outcrops and especially the visual prominence of the area along the Darling Scarp;</li> <li>c) Ensure adequate protection of life and property especially from bush fire;</li> <li>d) Ensure that lot size minimises adverse impacts on landscape and natural environmental qualities of the area, especially reducing the need to clear high quality remnant vegetation and provide opportunities for rural activities where land capability and suitability permits;</li> <li>e) Incorporate a safe and integrated road network with alternative means of access to Brigadoon Estate;</li> <li>f) Return the area of Swan River valley to the ownership of Council or the State Government for the purpose of public open space or regional open space respectively;</li> </ul> <p>(2) Subdivision shall be generally in accordance with the approved Structure Plan SP-008 for this precinct. No additional lots beyond the 214 lots approved under the Structure Plan are permitted.</p> <p>(3) There is a general presumption against the following uses to uphold the purpose and intent of ASR 2:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Art Gallery</li> <li>d) Brewery</li> <li>e) Camping Area</li> <li>f) Club Premises</li> <li>g) Equestrian Facility</li> <li>h) Food and Beverage Production</li> <li>i) Garden Centre</li> <li>j) Holiday Accommodation</li> <li>k) Place of Worship</li> </ul>

No.	Description of Land	Requirements
		<ul style="list-style-type: none"> <li>l) Restaurant/café</li> <li>m) Rural Home Business</li> <li>n) Tourist Development</li> <li>o) Tree Farm</li> <li>p) Winery</li> </ul>
9.	<p>Additional Site Requirements 3 (ASR 3)</p> <p>As delineated on the Planning Scheme Maps.</p>	<p><b>Additional Site Requirements 3</b></p> <p>(1) The purpose and intent of ASR 3 is to create a high quality rural living estate which satisfies the following objectives:</p> <ul style="list-style-type: none"> <li>a) Minimise adverse impacts on the natural environmental qualities of the area including native flora and fauna, ecological linkages within the area and to adjoining areas of regional open space, water resources, soils and landforms;</li> <li>b) Ensure development does not negatively impact on the visual landscape qualities of the area including landform, slopes, ridge-lines, rock outcrops and especially the visual prominence of the area along the Darling Scarp;</li> <li>c) Ensure adequate protection of life and property especially from bush fire;</li> <li>d) Ensure that lot size minimises adverse impacts on landscape and natural environmental qualities of the area, especially reducing the need to clear high quality remnant vegetation and provide opportunities for rural activities where land capability and suitability permits;</li> <li>e) Incorporate a safe and integrated road network with alternative means of access to Brigadoon Estate;</li> <li>f) Return the area of Swan River valley to the ownership of Council or the State Government for the purpose of public open space or regional open space respectively;</li> </ul> <p>(2) The following conditions must be satisfied prior to the granting of approval for sub-division or development:</p> <ul style="list-style-type: none"> <li>a) Subdivision within this precinct shall be in accordance with a comprehensive local structure plan that is consistent with the requirements of Part 4 – Structure plans, Schedule 2 – Deemed provisions for local planning schemes of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and has been endorsed by the City of Swan and the Western Australian Planning Commission.</li> <li>b) The comprehensive local structure plan, subdivision and development must be in accordance with WAPC’s State Planning Policy 3.7 – Planning in bushfire prone areas (or as otherwise revised or superseded by the WAPC), which includes but is not limited to: <ul style="list-style-type: none"> <li>i. Identifying appropriate hazard separation zones and building protection zones;</li> <li>ii. Construction to AS3959 (noting (iii) below);</li> <li>iii. No residential development within the bush fire attack level (BAL) zones BAL-FZ or BAL-40; and</li> <li>iv. Consideration of ember protection features incorporated in all dwelling design within the precinct.</li> </ul> </li> </ul> <p>(3) The comprehensive local structure plan must be accompanied by a</p>

No.	Description of Land	Requirements
		<p>Bush Fire Hazard Assessment in accordance with WAPC's Guidelines for Planning in Bushfire Prone Areas (or as otherwise revised or superseded by the WAPC), and a land capability assessment.</p> <p>(4) Regardless of whether the land has been designated as bush fire prone, any buildings to be erected within Rural Residential 04 shall comply with the requirements of AS3969-2009.</p> <p>(5) There is a general presumption against the following uses to uphold the purpose and intent of ASR 3:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Art Gallery</li> <li>d) Brewery</li> <li>e) Camping Area</li> <li>f) Club Premises</li> <li>g) Equestrian Facility</li> <li>h) Food and Beverage Production</li> <li>i) Garden Centre</li> <li>j) Holiday Accommodation</li> <li>k) Place of Worship</li> <li>l) Restaurant/café</li> <li>m) Rural Home Business</li> <li>n) Tourist Development</li> <li>o) Tree Farm</li> <li>p) Winery</li> </ul>
10.	<p>Additional Site Requirements 4 (ASR 4)</p> <p>As delineated on the Planning Scheme Maps.</p>	<p><b>Additional Site Requirements 4</b></p> <p>(1) The purpose and intent of ASR 4 is to create a high quality rural living estate which satisfies the following objectives:</p> <ul style="list-style-type: none"> <li>a) Minimise adverse impacts on the natural environmental qualities of the area including native flora and fauna, ecological linkages within the area and to adjoining areas of regional open space, water resources, soils and landforms;</li> <li>b) Ensure development does not negatively impact on the visual landscape qualities of the area including landform, slopes, ridge-lines, rock outcrops and especially the visual prominence of the area along the Darling Scarp;</li> <li>c) Ensure adequate protection of life and property especially from bush fire;</li> <li>d) Ensure that lot size minimises adverse impacts on landscape and natural environmental qualities of the area, especially reducing the need to clear high quality remnant vegetation and provide opportunities for rural activities where land capability and suitability permits;</li> <li>e) Incorporate a safe and integrated road network with alternative means of access to Brigadoon Estate;</li> <li>f) Return the area of Swan River valley to the ownership of Council or the State Government for the purpose of public open space or regional open space respectively;</li> </ul> <p>(2) The existing mix of lot sizes as established through past subdivision</p>

No.	Description of Land	Requirements
		<p>are to be maintained, with any further re-subdivision of lots to achieve a minimum size of 4 hectares and to fulfil objectives 1 as set out in ASR 4 above, and:</p> <ul style="list-style-type: none"> <li>a) Subdivision and development must achieve compliance with WAPC State Planning Policy 3.7 – Planning in bushfire prone areas (or as otherwise revised or superseded by the WAPC);</li> <li>b) All dwellings and ancillary buildings are to be located within the building envelopes designated for each allotment shown on the plan of subdivision approved by the Commission, unless otherwise approved by Council.</li> </ul> <p>(3) There is a general presumption against the following uses to uphold the purpose and intent of ASR 4:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Art Gallery</li> <li>d) Bed and Breakfast</li> <li>e) Brewery</li> <li>f) Camping Area</li> <li>g) Club Premises</li> <li>h) Community Purposes</li> <li>i) Equestrian Facility</li> <li>j) Family Day Care</li> <li>k) Food and Beverage Production</li> <li>l) Garden Centre</li> <li>m) Grouped Dwelling</li> <li>n) Holiday Accommodation</li> <li>o) Holiday House</li> <li>p) Place of Assembly</li> <li>q) Place of Worship</li> <li>r) Restaurant/café</li> <li>s) Tourist Development</li> <li>t) Tree Farm</li> <li>u) Veterinary Centre</li> <li>v) Winery</li> </ul>
11.	<p>Additional Site Requirements 5 (ASR 5)</p> <p>As delineated on the Planning Scheme Maps.</p>	<p><b>Additional Site Requirements 5</b></p> <ul style="list-style-type: none"> <li>(1) The purpose and intent of ASR 5 is to create a high quality, rural residential estate.</li> <li>(2) Subdivision of ASR 5 shall be in accordance with the Subdivision Guide Plan as endorsed by the CEO and with the following criterion: <ul style="list-style-type: none"> <li>a) Minimum lot size shall be 1 hectare.</li> </ul> </li> <li>(3) No building on a lot shall be constructed closer to any boundary of the lot than 15 metres except that the Council may approve a lesser distance if it can be shown to be necessary or desirable for reasons of topography or other site conditions.</li> <li>(4) The keeping of livestock and poultry for commercial purposes is prohibited.</li> <li>(5) The land shall be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. In particular, lots shall not be cleared of trees except where necessary to permit strategic and general firebreaks, the construction of houses and outbuildings as approved by Council or where trees are dead or pose a hazard to safety.</li> </ul>

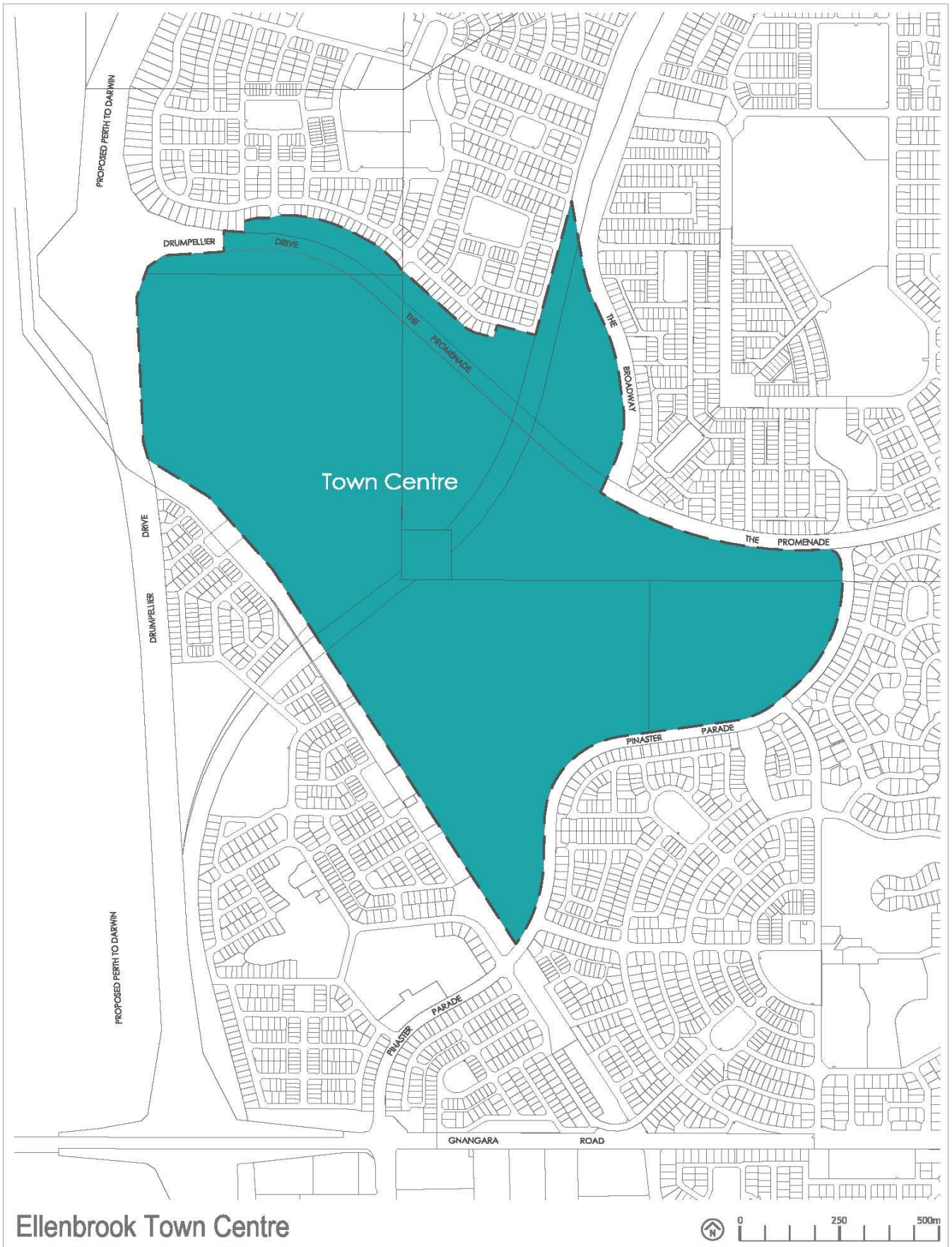
No.	Description of Land	Requirements
		<p>(6) Where in the opinion of the Council the continued presence of animals on any portion of the land in the zone is likely to contribute, or is contributing to dust pollution and soil erosion, notice may be serviced on the owner of the said land requiring the immediate removal of animals and rehabilitation of the property to the satisfaction of Council.</p> <p>(7) The Council may require an owner of a subdivision lot within the area, as a condition of development for any Building Permit issued in the zone, to commence a tree planting programme to its specification, of Australian native trees on lots it considers require tree cover improvement and require the owner to maintain these trees.</p> <p>(8) No septic tank or disposal area shall be sited closer than a minimum of 60 metres to any watercourse or stream within the zone, and/or located in a position to the satisfaction of Council's Environmental Health Services.</p> <p>(9) No direct vehicular access or egress shall be permitted on to the proposed highway reserve or Toodyay Road.</p> <p>(10) All buildings shall be constructed of materials and in colours acceptable to the Council.</p> <p>(11) There is a general presumption against the following uses to uphold the purpose and intent of ASR 5:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Ancillary Accommodation</li> <li>d) Art Gallery</li> <li>e) Bed and Breakfast</li> <li>f) Brewery</li> <li>g) Camping Area</li> <li>h) Club Premises</li> <li>i) Community Purposes</li> <li>j) Equestrian Facility</li> <li>k) Family Day Care</li> <li>l) Food and Beverage Production</li> <li>m) Garden Centre</li> <li>n) Holiday Accommodation</li> <li>o) Holiday House</li> <li>p) Home Office</li> <li>q) Industry – Cottage</li> <li>r) Place of Assembly</li> <li>s) Place of Worship</li> <li>t) Radio &amp; TV Installation Private</li> <li>u) Recreation – Private</li> <li>v) Recreation – Public</li> <li>w) Restaurant/café</li> <li>x) Tourist Development</li> <li>y) Tree Farm</li> <li>z) Veterinary Centre</li> <li>aa) Winery</li> </ul>
12.	<p>Additional Site Requirements 6 (ASR 6)</p> <p>As delineated on the</p>	<p><b>Additional Site Requirements 6</b></p> <p>(1) The purpose and intent of ASR 6 is to create a high quality, rural living estate.</p>

No.	Description of Land	Requirements
	Planning Scheme Maps.	<p>(2) Subdivision of ASR 6 shall be in accordance with a comprehensive local structure plan that is consistent with the requirements of Part 4 – Structure Plans, Schedule 2 – Deemed provisions for local planning schemes of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and has been endorsed by the City of Swan and the Western Australian Planning Commission.</p> <p>(3) Subdivision must provide for a variety of lot sizes with a minimum of 4 hectares and an average of 6 hectares over the entire precinct to provide for the preservation of local natural assets and landscape characteristics and allow for low-impact rural activity.</p> <p>(4) The subdivision design and layout must be in accordance with WAPC State Planning Policy 3.7 – Planning in bushfire prone areas (or as otherwise revised or superseded by the WAPC).</p> <p>(5) The comprehensive local structure plan must be accompanied by a Type 2 Bush Fire Hazard Assessment in accordance with WAPC/DFES Planning for Bush Fire Protection (or as otherwise revised or superseded by the WAPC).</p> <p>(6) A field investigation of Declared Rare and Priority Species that conform to the EPA ‘Guidance Statement 51 – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessments in Western Australia’ must be undertaken during the flowering season prior to the commencement of site works. If identified on the property these species are to be protected pursuant to the provisions of the Wildlife Conservation Act 1950.</p> <p>(7) Building envelopes must be located in areas of cleared land where it can be demonstrated that development will not impact on vegetation worthy of retention, particularly with respect to Declared Rare and Priority Flora.</p> <p>(8) No additional direct vehicular access or egress shall be permitted on to Toodyay Road or the future Perth-Adelaide National Highway without the prior approval of the relevant agency.</p> <p>(9) There is a general presumption against the following uses to uphold the purpose and intent of ASR 6:</p> <ul style="list-style-type: none"> <li>a) Art Gallery</li> <li>b) Brewery</li> <li>c) Place of Assembly</li> <li>d) Rural Home Business</li> </ul>
13.	Additional Site Requirements 7 (ASR 7)	<p><b>Additional Site Requirements 7</b></p> <p>(1) Subdivision of ASR 7 is to be in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>a) On Parent Lot 5 <ul style="list-style-type: none"> <li>i. A maximum of four new lots fronting Stoneville Road, and with a minimum lot size of 2ha; and</li> <li>ii. A balance lot with the existing dwelling (also fronting Stoneville Road) and a conservation area.</li> </ul> </li> <li>b) On Parent Lot 48 <ul style="list-style-type: none"> <li>i. A maximum of four new lots in the northern section with access from Stanley Road, and with a minimum</li> </ul> </li> </ul>

No.	Description of Land	Requirements
		<p style="text-align: center;">lot size of 2ha; and</p> <p style="text-align: center;">ii. A balance lot with a conservation area.</p> <p>(2) Subdivision and development must address the following:</p> <ul style="list-style-type: none"> <li>a) Subdivision design and accompanying Bushfire Management Plan achieve compliance with State Planning Policy 3.7 Planning in Bushfire Prone Areas.</li> <li>b) An Environmental Management Plan (EMP) (or equivalent) shall be required to submit with an application for subdivision and shall include, but is not limited to: <ul style="list-style-type: none"> <li>i. Land capability;</li> <li>ii. Hydrology and proposed waste and stormwater treatment and management;</li> <li>iii. Identification of key areas of vegetation and fauna habitat for retention and protection;</li> <li>iv. Fauna management;</li> <li>v. Foreshore and Buffer Management;</li> <li>vi. Site management measures (pre-construction, during construction, post construction); and</li> <li>vii. Implementation and responsibility.</li> </ul> </li> <li>c) Identification and Implementation of Conservation Covenant Areas to ensure the protection of remnant vegetation and its long term management with portions of Lot 48 Toodyay Road and Lot 5 Stoneville Road.</li> <li>d) Building envelopes shall be located in areas where it can be demonstrated that development will not impact on remnant vegetation worthy of retention, particularly with respect to Rare and Priority Flora and conservation of identified fauna and its habitat.</li> </ul> <p>(3) Applications for development approval shall be referred to the Department of Water and Environmental Regulations.</p> <p>(4) There is a general presumption against the following uses to uphold the purpose and intent of ASR 7:</p> <ul style="list-style-type: none"> <li>a) Agriculture – Extensive</li> <li>b) Agriculture – Intensive</li> <li>c) Ancillary Accommodation</li> <li>d) Art Gallery</li> <li>e) Brewery</li> <li>f) Camping Area</li> <li>g) Club Premises</li> <li>h) Community Purpose</li> <li>i) Equestrian Facility</li> <li>j) Food and Beverage Production</li> <li>k) Garden Centre</li> <li>l) Grouped Dwelling</li> <li>m) Holiday Accommodation</li> <li>n) Place of Worship</li> <li>o) Radio &amp; TV Installation Private</li> <li>p) Recreation – Private</li> <li>q) Recreation – Public</li> <li>r) Restaurant/café</li> <li>s) Rural Home Business</li> <li>t) Tourist Development</li> </ul>

No.	Description of Land	Requirements
		<ul style="list-style-type: none"> <li>u) Tree Farm</li> <li>v) Veterinary Centre</li> <li>w) Winery</li> </ul>

## Schedule 7A — Ellenbrook Town Centre Map



Ellenbrook Town Centre

## Schedule 7B — Ellenbrook Town Centre Zoning Table

Land Use	Precincts described in the Development Plan					
<i>Permissibility of Land Uses within the Precincts described in the Development Plan referred to in sub-paragraph 4 of Special Use zone No. 4 (Ellenbrook Estate) in Schedule 5 of the Scheme.</i>	Retail	Cultural/ Civic	Education	Commercial/ Enterprise	Mixed Use	Recreation
Car Park	D	D	D	D	D	D
Car Sales Lot	D	X	X	P	D	X
Car Sales Showroom	D	X	X	P	D	X
Car Wash Station	D	X	X	P	D	X
Cinema / Theatre	P	P	X	X	D	X
Civic Building	D	P	X	X	D	P
Consulting Rooms	D	D	X	P	D	X
Consulting Rooms : Group	D	D	X	P	D	X
Convenience Store	P	D	X	P	D	D
Cultural Use	D	P	D	D	D	P
Dwelling : Aged or Dependent Persons	X	X	X	X	P	X
Dwelling : Attached House Grouped (2 only) multiple	X	X	X	X	P	X
Dwelling : Attached House (more than 2)	X	X	X	X	P	X
Dwelling : Grouped (more than 2)	X	X	X	X	P	X
Dwelling : Multiple	D	D	X	D	P	X
Dwelling : Single House	X	X	X	X	P	X
Education Establishment	D	D	P	D	P	X
Exhibition Centre	D	P	X	X	D	X
Factory Tenement Building	X	X	X	P	X	X
Fast Food Outlet	P	D	X	P	D	X
Funeral Parlour	D	X	X	P	D	X
Garden Centre	D	X	X	P	D	X
Hospital	D	P	X	X	D	X
Industry : Cottage	X	X	X	P	D	X
Industry : Light	X	X	X	P	D	X
Industry : Service	X	X	X	P	P	X
Medical Centre	P	X	X	P	D	X
Motor Vehicle Repair	D	X	X	P	D	X
Office	D	X	X	P	D	X
Restaurant	P	D	X	X	D	D
Service Station	D	X	X	D	D	X
Shop	P	D	X	D	D	D
Showroom	D	X	X	P	D	X
Tavern	P	D	X	X	D	X

Land Use	Precincts described in the Development Plan					
<i>Permissibility of Land Uses within the Precincts described in the Development Plan referred to in sub-paragraph 4 of Special Use zone No. 4 (Ellenbrook Estate) in Schedule 5 of the Scheme.</i>	Retail	Cultural/ Civic	Education	Commercial/ Enterprise	Mixed Use	Recreation
Veterinary Centre	D	X	X	P	D	X
Warehouse	D	X	X	P	D	X
Any other use not listed above	D	D	D	D	D	D

## Schedule 7C — Ellenbrook Town Centre Land Use Terms Applicable to Schedules 3, 4, 5, 7A and 7B Only

The following definitions apply only to land use terms where they appear in Schedules 3, 4, 5, 7A and 7B where the land use definition does not otherwise appear in Part 6 – Terms referred to in Scheme. The definitions below have effect only in relation to the land described in the Schedules and do not have general application or effect within the Scheme.

- In Schedules 3, 4, 5, 7A and 7B only:

**“auction mart”** means any land or building on or in which goods are exposed or offered for sale by auction, but does not include a place used for the sale by auction of fresh food, vegetables or livestock;

**“boarding house”** means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:

- a) premises the subject of a Hotel, Limited Hotel or Tavern Licence granted under the provisions of the *Liquor Control Act 1988* (as amended);
- b) premises used as a boarding school approved under the *School Education Act 1999* (as amended);
- c) a single, attached, grouped or multiple dwelling unit;
- d) any building that is the subject of a strata title issued under the provisions of the *Strata Titles Act 1966* (as amended);

**“car sales lot”** means any land or building used for the display and sale of motor vehicles whether new or second-hand but does not include a workshop;

**“caravan or trailer yard”** means any land or building used for:

- a) the hire and/or sale of caravans, car trailers, non-motorised horse floats and mobile homes; and
- b) the hire and/or sale of tents, camping gear and other items of a similar nature, where such use is incidental to the use falling within a) above;

**“civic building”** means a building designed, used, or intended to be used by Government Departments, statutory bodies representing the Crown, or the Council alone or in combination with other bodies, as offices or for administrative or other like purposes;

**“Concrete Batching Plant”** means premises on which concrete is batched for concrete products manufactured on site for use at places other than the subject site, and includes storage of associated products and ancillary office use. *(The use and definition applies to Schedules 3, 4, 5, 7A and 7B only)*

**“construction yard”** means any land or buildings used for the storage of building material, pipes or similar items related to any trade, and may include manufacture, assembly or dismantling processes where incidental to such use;

**“consulting rooms – group”** means a building (other than a hospital) used in the practice of the profession of more than two practitioners, dentists, physiotherapists, chiropractors, masseurs, or persons ordinarily associated with a medical practitioner in the prevention or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices;

**“cultural use”** means any use aimed at the improvement or refinement of people by entertainment and/or education but shall not include an education establishment;

**“factory tenement building”** means a building or structure, or a group of buildings or structures on one lot, in which are carried on 2 or more separate industries not owned

or managed by the same person, or in which provision is made for the carrying on of 2 or more separate industries not owned or managed by the same person;

**“hire service (industrial)”** means any land or building used for the offering for hire or rent of bulky items including machines and mechanical equipment;

**“hire service (non-industrial)”** means any land or building used for the offering for hire or rent of goods of a non-bulky nature which do not include large mechanical devices or equipment;

**“holiday cottages”** means two or more detached dwellings on one lot or adjoining lots in one ownership let for holiday purposes, none of which is occupied by the tenant for a period of more than four calendar months in any year;

**“horticultural pursuit”** means the use of land for any purpose set out hereunder and the use of buildings normally associated therewith:

- a) the intensive growing of vegetables, fruit, cereals or food crops for commercial purposes;
- b) the growing of trees, shrubs, plants or flowers for replanting, excluding the use of Turf Farm;
- c) the sale of produce grown solely on the lot or on adjoining or nearby lot forming part of the same landholding used for horticultural pursuits;

**“kiosk”** means the use of land or buildings which is incidental to the predominant use and which complements that use for the purpose of the display and sale of souvenirs and/or refreshments to patrons of the predominant use;

**“local shop”** means the use of land and buildings wherein the only goods or services offered for sale are foodstuffs, toiletries, stationary or goods or services of a similar domestic nature, intended for day to day consumption or use by persons living or working in the locality of the shop and which may include a delicatessen, greengrocery, general smallgoods, butcher’s shop, newsagency, hairdressers, chemist, but not a supermarket, and any other shop which in the opinion of Council serves the day to day shopping needs of the immediate locality;

**“milk depot”** means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;

**“museum”** means any land or building used for the storing and exhibiting of objects illustrative of antiquities, natural history, art, nature and curiosities;

**“nursery”** means land and buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden décor;

**“office – professional” or “professional office”** means a building used for the purpose of conducting the professional work of an accountant, architect, artist, author, barrister, consular official, engineer, land surveyor, quantity surveyor, solicitor, teacher (other than a dancing teacher or a music teacher), or a town planner or a person having in the opinion of the Council, an occupation of a similar nature, and professional person has a corresponding interpretation;

**“office – service” or “service office”** means a building wherein is carried on a predominantly administrative type of business but which is dependent on direct access to the public and without limiting the generality of the foregoing includes an estate agency, insurance office, travel agency, bank, building society, post office, and any

other public orientated Government agency and a public transport office, but excluding the garaging or servicing of vehicles and excluding a general office;

**“produce store”** means any land or building wherein fodders, fertilizers and grain are displayed and offered for sale;

**“public amusement”** means the use of land and buildings as a theatre, a cinema, a night club, a dance hall, skating rink, swimming pool, or gymnasium, or for games or otherwise for the entertainment of the public with or without charge;

**“public assembly”** means any special place of assembly and without limiting the generality of the definition includes grounds for athletics, all sports grounds with spectator provision, race courses, trotting tracks, stadiums or showgrounds, but does not include club premises;

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

**“retail establishment”** means any building where goods are of a bulky or non-bulky character, not normally purchased on a daily basis, are kept for display or sale by retail or wholesale and the area for display and sale is not less than 400 square metres;

**“Retirement Village”** means development containing accommodation for aged persons with associated ancillary administration and communal facilities.

**“Rural Home Occupation”** means an occupation carried on in a dwelling or land around a dwelling by a resident of the dwelling or in a domestic outbuilding on the land by a resident of the dwelling which:

- a) entails the conduct of a business, office or workshop only;
- b) is carried out on a lot which has a minimum area of one hectare;
- c) does not occupy an area greater than 150 square metres, providing that no more than 25 square metres is within the dwelling on the property, no more than 100 square metres is within another approved building and no more than 100 square metres is used for outside storage;
- d) does not entail the sale of goods, other than goods of an arts or craft nature which are manufactured in the occupation;
- e) does not entail the hire of goods of any nature;
- f) does not entail hairdressing, services involving skin penetration, the preparation of food, vehicle services or repairs, or the storage of disused materials or vehicles, but may include a child family care centre;
- g) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- h) does not entail employment of more than one person not a member of the occupier’s household;
- i) does not display more than one sign and that sign not exceeding 0.6 square metres in area;
- j) does not impose a load on any utility greater than normally required for domestic use;
- k) does not entail the presence, parking or garaging of a commercial vehicle contrary to the provisions of this Scheme;

l) will not adversely affect the amenity of the neighbourhood in any way including:

- the appearance of any buildings, works or materials used;
- the parking of motor vehicles;
- the transporting of materials or goods to or from the dwelling;
- the hours of operation;
- electrical interference;
- the storage of chemicals, gases or other hazardous materials; or
- emissions from the site including noise;

**“Salvage Yard”** means land used for the storage or sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats;

**“Sawmill”** means a mill or premises where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein;

**“shopping centre”** means a group of shops, service offices and general offices and related activities, the group being in excess of 5,000 square metres gross leasable area, developed as an integrated unit together with the required on-site parking facilities;

**“spray painting – non-automotive”** means the use of any land or building for painting or coating by spray process of items other than motor vehicles;

**“Stable”** means any land, building or structure used for the housing, keeping and feeding of horses, asses and mules;

**“Storage Yard”** means any land used for the storage of goods;

**“vehicle sales and service”** means any land or buildings used for the sale and servicing of motor vehicles and includes showrooms and workshop;

**“veterinary consulting rooms”** means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which no patient remains on the premises overnight;

**“veterinary hospital”** means any land or building used for, or in connection with the treatment of sick animals and pets and includes accommodation of sick animals and pets. A crematorium for the disposal of animal carcasses or remains may be included with the written consent of the Council;

**“waste disposal facility”** means premises used -

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

**“waste storage facility”** means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

**“waste transfer station”** means premises operated for the purpose of receiving, sorting and processing of dry bulk household waste materials, woodchips and garden waste for sale on-site or re-use, recycling or disposal off-site;

**“woodyard”** means any land on which wood is stored, sawn, or cut for use as domestic firewood and on which no wood or timber is stored, sawn or cut for any other purpose.

## Schedule 8A – Midland Strategic Regional Centre

MIDLAND STRATEGIC REGIONAL CENTRE						
Land Use	Precincts					
	Morrison Road West		Morrison Road East	Midland Oval	Midland West End	Midland Gate
	Residential	Mixed Use Retail/Commercial	Residential	Mixed Use Residential/Commercial	Mixed Use Retail/Commercial	Retail/Regional Shopping
Aged or Dependent Persons Dwelling	P	P	P	A	D	X
Agriculture - Extensive	X	X	X	X	X	X
Agriculture - Intensive	X	X	X	X	X	X
Agroforestry	X	X	X	X	X	X
Amusement Parlour	X	X	X	X	X	D
Ancillary Accommodation	X	X	X	D	D	X
Animal Establishment	X	X	X	X	X	X
Animal Husbandry - Intensive	X	X	X	X	X	X
Bed and Breakfast	D	P	D	P	P	X
Betting Agency	X	X	X	A	P	P
Cabin or Chalet	X	X	X	X	X	X
Camping Area	X	X	X	X	X	X
Car Park	X	X	X	A	A	A
Caravan Park	X	X	X	X	X	X
Caretaker's Dwelling	X	D	X	D	D	X
Child Care Premises	A	P	A	P	P	P
Cinema/Theatre	X	X	X	D	D	P
Civic Use	X	D	X	P	P	D
Club Premises	X	X	X	A	A	X
Community Purpose	X	A	X	D	A	P
Consulting Rooms	D	D	D	D	D	D
Convenience Store	X	A	X	D	D	D
Corrective Institution	X	X	X	X	X	X
Educational Establishment	D	D	D	D	D	D
Equestrian Facility	X	X	X	X	X	X
Exhibition Centre	X	D	X	D	D	A
Family Day Care	D	P	P	D	D	D

Fast Food Outlet	X	D	X	D	P	P
Food and Beverage Production	X	X	X	X	X	A
Fuel Depot	X	X	X	X	X	X
Funeral Parlour	X	X	X	X	X	X
Garden Centre	X	X	X	X	X	D
Grouped Dwelling	P	X	P	X	X	X
Home Business	D	D	D	D	D	D
Home Occupation	A	P	A	P	P	P
Home Office	D	P	D	P	P	P
Home store	X	A	X	D	A	A
Hospital	X	A	X	A	A	A
Hotel	A	X	X	D	D	A
Industry-Cottage	X	X	X	X	X	X
Industry-Extractive	X	X	X	X	X	X
Industry-General	X	X	X	X	X	X
Industry-Light	X	X	X	X	X	X
Industry-Mining	X	X	X	X	X	X
Industry-Noxious	X	X	X	X	X	X
Industry-Rural	X	X	X	X	X	X
Industry-Service	X	X	X	X	X	D
Lunch Bar	X	D	X	D	D	P
Marine Filling Station	X	X	X	X	X	X
Market	X [see note (a)]	X [see note (a)]	X [see note (a)]	X [see note (a)]	A [see note (a)]	D [see note (a)]
Medical Centre	X	A	X	D	D	D
Motel	X	X	X	X	D	X
Motor Vehicle Repair	X	X	X	X	X	X
Motor Vehicle Wash	X	D	X	D	D	D
Motor Vehicle, Boat or Caravan Sales	X	X	X	D	X	D
Multiple Dwelling	P [see note (b)]	P [see note (b)]	P [see note (b)]	P [see note (b)]	P [see note (b)]	A [see note (b)]
Night Club	X	X	X	A	A	X
Office	X	P	X	P	Ground Floor: D Upper Floors: P	P
Place of Assembly	X	A	X	D	D	P
Place of Worship	X	A	X	D	D	D

Radio & TV Installation Private	A	D	A	D	D	D
Reception Centre	X	D	X	D	D	D
Recreation-Private	A	D	X	D	D	D
Recreation-Public	X	A	X	D	D	D
Residential Building	A	A (see note b & c)	A	A (see note b & c)	A (see note b & c)	X
Restaurant	A	D (see note d)	X	P (see note d)	P (see note d)	P (see note d)
Restricted Premises	X	X	X	A	A	A
Roadhouse	X	X	X	X	X	X
Rural Pursuit	X	X	X	X	X	X
Service Station	X	X	X	D	X	D
Shop	X	D (see note c)	D	A (see note c)	P (see note c)	P (see note c)
Short Term Residential	D	D (see note c)	D	A (see note c)	A (see note c)	A (see note c)
Showroom	X	X	X	A	A	D
Single Bedroom Dwelling	X	P (see note c)	P	P (see note c)	P (see note c)	P (see note c)
Single House	X	X	D	X	X	X
Small Bar	X	X	X	D	D	D
Storage	X	X	X	X	X	X
Tavern	X	X	X	D	D	D
Telecommunications Infrastructure	X	X	X	A	A	A
Tourist Facilities	X	X	X	D	D	D
Trade Display	X	X	X	X	X	X
Transport Depot	X	X	X	X	X	X
Vehicle Wrecking	X	X	X	X	X	X
Veterinary Centre	X	X	X	A	X	X
Warehouse	X	X	X	X	X	X
Winery	X	X	X	X	X	X

Note:

- a) Provided that 'Market' may be permitted on public land by the Local Government
- b) Ground floor land use shall be non-residential at the street frontage for buildings along areas identified in the Active Edge map.
- c) Ground floor of development may contain residential uses within 'Commercial and Residential Front Door' street frontages as defined by the Active Edge map.
- d) Shops and Restaurants shall only be allowed in conjunction with commercial and/or residential uses within the 'Commercial and Residential Front Door' street frontages as defined by the Active Edge map.

A (i): Interpretation of the Land Use Permissibility Table for the Midland Strategic Regional Centre

The permissibility of any uses is determined by cross-reference between the list of use classes on the left-hand side of the Land Use Permissibility Table for the Midland Strategic Regional Centre and the list of precincts at the top of the Table.

Schedule 8C – shows the Midland Strategic Regional Centre Precincts

Where a specific use is mentioned in the Land Use Permissibility Table for the Midland Strategic Regional Centre, it is deemed to be excluded from the general terms used to describe any other use.

A (ii) The symbols used in the cross reference in the Land Use Permissibility Table for the Strategic Regional Centre have the following meanings:

‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Structure Plan;

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

‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 9.4 of the Scheme; and

‘X’ means a use that is not permitted.

A (iii) Where a person proposes to carry out on land any use that is not specifically mentioned in the Land Use Permissibility Table for the Strategic Regional Centre and cannot reasonably be determined as falling within the type, class or genus of activity of any other listed use class, the local government may:

- determine the use to be consistent with the general objectives of the Strategic Metropolitan Centre and/or the intent of the particular Precinct and thereafter follow the advertising procedures as set out by [clause 64 of the deemed provisions](#), in considering an application for planning approval; or
- determine that the use is not consistent with the general objectives of the Strategic Metropolitan Centre and/or the intent of the particular Precinct and is therefore not permitted.

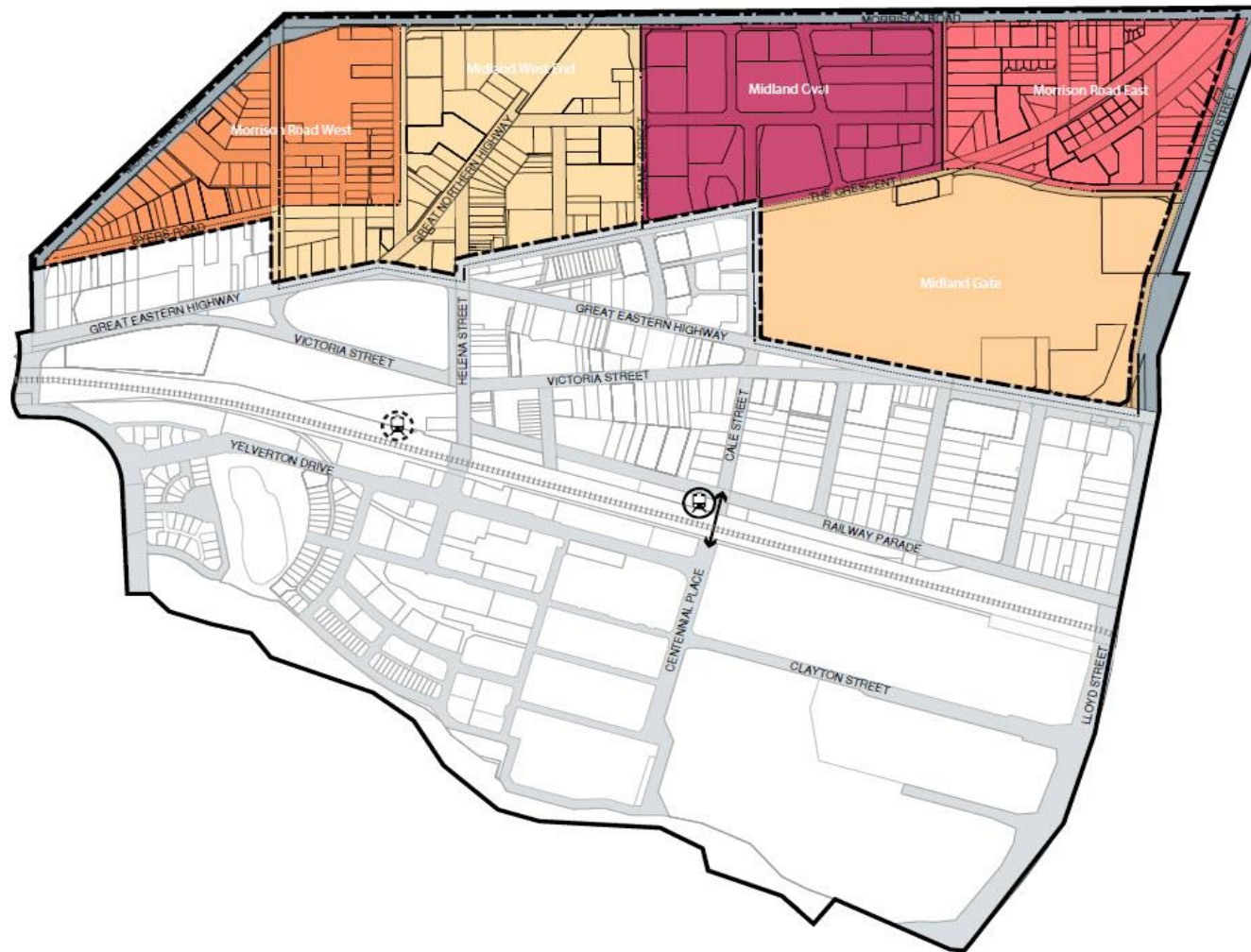
## Schedule 8B – Midland Strategic Regional Centre Land Use Applicable to Schedules 8A and 8C Only

### Land Use definitions applicable to Schedule 8 – Midland Strategic Regional Centre only

As well as the land use definitions contained in Part 6 – Terms referred to in Scheme, the following additional land use definitions apply to the Midland Strategic Regional Centre as set out in Schedule 8C:

**“Short Term Residential”**: means a building or buildings, which include self-contained units, for temporary accommodation of less than 3 months.

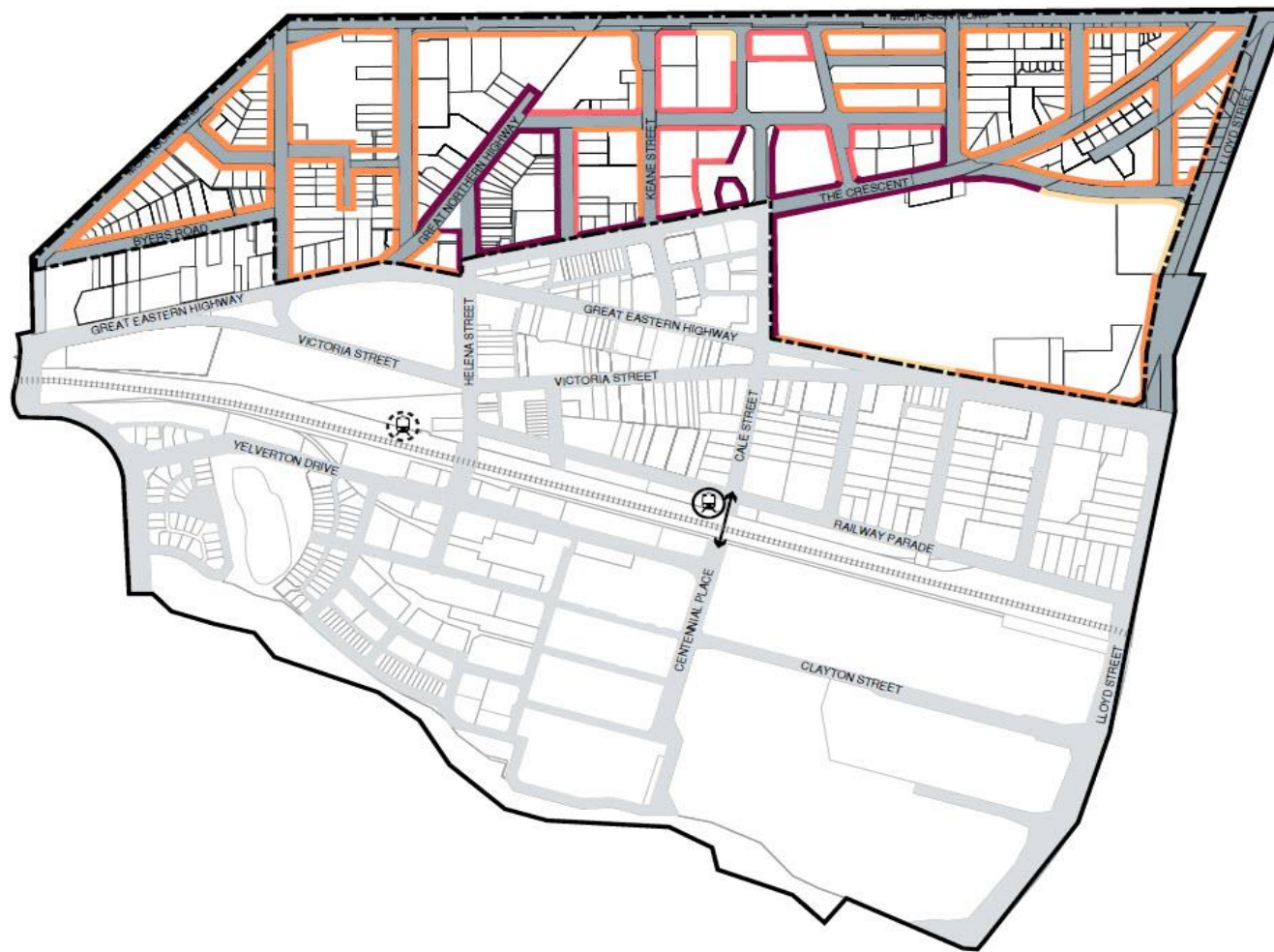
## Schedule 8C – Midland Strategic Regional Centre Maps



**LEGEND**

- Midland Oval Precinct
- Morrison Road East Precinct
- Morrison Road West Precinct
- Midland Gate Precinct
- Midland West End Precinct
- Roads
- Existing Train Station
- Proposed Train Station
- Proposed Crossing
- Midland Activity Centre Boundary
- Structure Plan Boundary
- Precinct Boundary
- Railway

Map - Precincts



**LEGEND**

- Main Street Edge**  
 Ground floor shall be non-residential land uses at the street frontage for buildings (in accordance with the Land Use Permissibility Table).
  
- Semi Active Edge**  
 Ground floor shall be non-residential land uses at the street frontage for buildings (in accordance with the Land Use Permissibility Table).
  
- Commercial & Residential Front Door**  
 Ground floor may contain residential uses on the ground floor (in accordance with the Land Use Permissibility Table - Note c). Shops and Restaurants shall only be allowed in conjunction with commercial and/or residential uses (in accordance with the Land Use Permissibility Table).
  
- Service Edges**  
 Ground floor shall be non-residential land uses at the street frontage for buildings (in accordance with the Land Use Permissibility Table).
  
- Existing Train Station
  
- Proposed Train Station
  
- Proposed Crossing
  
- Midland Activity Centre Boundary
  
- Structure Plan Boundary
  
- Railway

Map - Active Edges

## Schedule 9A — Exempted Development (Works)

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
Driveways	All zones (excluding Residential)	Where the driveway meets all of the following criteria: <ul style="list-style-type: none"> <li>• does not require excavation or filling along the alignment of the driveway of greater than 300mm vertically;</li> <li>• does not incorporate a bridge greater than 5 metres in length;</li> <li>• is no wider than 6 metres;</li> </ul>
	Residential	Where the driveway meets all of the following criteria: <ul style="list-style-type: none"> <li>• does not require excavation or filling along the alignment of the driveway of greater than 300mm vertically;</li> <li>• does not incorporate a bridge greater than 5 metres in length;</li> <li>• is no wider than 6 metres;</li> <li>• Where the driveway/s associated with a single house, grouped or multiple dwelling development, or residential subdivision including survey strata subdivision, does not establish more than one crossover onto an abutting dedicated road.</li> </ul>
Fences	Rural; Rural Residential; Rural Smallholdings; Resource.	Where the fence meets all of the following criteria: <ul style="list-style-type: none"> <li>• is located within a 14 metre visual truncation on a corner lot and is no higher than 1.2 metres;</li> <li>• is located within a 3 metre visual truncation to a vehicular accessway and is no higher than 1.2 metres;</li> <li>• is no higher than 1.8 metres in all other cases;</li> <li>• is constructed of post and wire or post and rail;</li> <li>• is not located within a heritage area and is not on a lot that contains a place on the Heritage List.</li> </ul>
	All Local Reserves	Where the fence meets all of the following criteria: <ul style="list-style-type: none"> <li>• is located greater than 6 metres from a street boundary;</li> <li>• is no higher than 1.8 metres.</li> </ul>
	All zones except: Rural; Rural Residential; Rural Smallholdings; Resource.	Where the fence is not located within a Heritage Area or on a lot that contains a place on the Heritage List and meets any of the following criteria: <ul style="list-style-type: none"> <li>• is a front fence and meets the acceptable development provisions of the Residential design Codes, including:               <ul style="list-style-type: none"> <li>○ front fences within the primary street setback area being visually permeable 1.2 metres above natural ground level; and</li> <li>○ fences being truncated to no higher than 0.75 metres within 1.5 metres of where the fence adjoins a vehicle access point, where the driveway meets a public street and where 2 streets intersect;</li> </ul> </li> <li>• is located on a common boundary, is located greater than 4.5 metres from a primary street boundary and is no greater than 2.4 metres in height;</li> <li>• is located on a secondary street boundary and is not greater than 1.8 metres in height.</li> </ul>

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
		<p>Or:</p> <p>Where the fence is located in a heritage Area or on a lot that contains a place on the Heritage List and is no more than 2.0 metres in height and meets at least one of the following criteria:</p> <ul style="list-style-type: none"> <li>• is located on a rear property boundary, not adjoining a secondary street or any public land;</li> <li>• is located on a side property boundary, not adjoining a secondary street or any public land, and extends no closer than 4.5 metres to the front property boundary.</li> </ul> <p>Or:</p> <p>Where the fence is located within a Heritage Area or on a lot that contains a place on the Heritage List and is located on a side property boundary, not adjoining a secondary street or any public land, and extends closer than 4.5 metres to the front property boundary and is no greater than 1.0 metres in height.</p>
<b>Maintenance and removal of non-native vegetation</b>	All zones	Where the property on which the vegetation is situated is not on a lot that contains a place on the Heritage List.
<b>Outdoor lighting and supporting poles</b>	Commercial; Service Commercial; Private Clubs, Institutions and Places of Worship; Industry Development; General Industry; Light Industry; Centre;  Residential; Urban Development; Rural; Rural Residential; Resource; Mixed Use;	<p>Where lighting meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is not set more than 5 metres above ground level;</li> <li>• floodlighting is directed only into the land on which it is located.</li> </ul> <p>Where the lighting meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is not set more than 2.5 metres above ground level;</li> <li>• is fixed to a building on the property;</li> <li>• floodlighting is directed only into the land on which it is located.</li> </ul>

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
	Special Use.	
<b>Retaining Wall</b>	All zones except: Rural; Rural Residential; Rural Smallholdings; Resource.	Where the retaining wall meets all of the following criteria: <ul style="list-style-type: none"> <li>• has a maximum height of 1 metre above adjoining lower level;</li> <li>• is not located within a Flood Prone Area;</li> <li>• is not located within a heritage Area and is not on a lot that contains a place on the Heritage List;</li> <li>• is located on a boundary other than the primary street boundary.</li> </ul>
<b>Rural shed or building or addition thereto including railway carriages and shade structures</b>	Rural.	Where the building meets all of the following criteria: <ul style="list-style-type: none"> <li>• the combined area of sheds (and other outbuildings) on the land would not exceed 300m<sup>2</sup>;</li> <li>• the height does not exceed 5 metres;</li> <li>• external surfaces are clad with non-reflective materials;</li> <li>• the shed or other building is set back from the boundaries in accordance with the standard setback specified for that zone. Where no setback is specified in this table it shall be exempt if it meets the required setbacks for a Rural zone;</li> <li>• is not located within a Flood Prone Area;</li> <li>• is not located in a Heritage Area and is not located on a lot that contains a place on the Heritage List.</li> </ul>
	Rural Residential; Rural Smallholdings; Resource.	Where the building meets all of the following criteria: <ul style="list-style-type: none"> <li>• the combined area of sheds (and other outbuildings), on the land would not exceed 200m<sup>2</sup>;</li> <li>• the height does not exceed 5 metres;</li> <li>• external surfaces are clad with non-reflective materials;</li> <li>• the shed or other building is located within an approved Building Envelope, or where no Building envelope exists, is set back from the property boundaries in accordance with the standard setback for that zone. Where no setback is specified in this table it shall be exempt if it meets the required setbacks for a General Rural zone;</li> <li>• is not located within a Flood Prone Area;</li> <li>• is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List.</li> </ul>
<b>Satellite Dish</b>	All zones	Where the development is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and meets the following criteria: <ul style="list-style-type: none"> <li>• a ground mounted dish has a maximum diameter of 3.0m and height not exceeding 3.0m and is located in the rear set-back of the property; or</li> <li>• a roof-mounted dish has a maximum diameter of 1.5m and is not positioned on any part of the roof facing a street;</li> </ul>

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
		<p>or</p> <ul style="list-style-type: none"> <li>a wall mounted dish has a maximum diameter of 1.2m and is not positioned on any part of a wall facing a street.</li> <li>Or:</li> <li>Where the development is located within a Heritage Area or on a lot that contains a place on the Heritage List and meets any of the following criteria: <ul style="list-style-type: none"> <li>has a diameter not exceeding 0.8m;</li> <li>is located on the roof of a building that does not face an adjoining street or public land.</li> </ul> </li> </ul>
<b>Shade Structure</b>	Commercial; Service Commercial; Industry Development; General Industry; Light Industry.	<p>Where the structure meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>complies with the standard setback specified for that zone for the development existing on the site, or where no setbacks are prescribed the structure shall not be closer than 9m to the front boundary, 3m to the side boundary and 6m to the rear boundary;</li> <li>is no greater than 5m in height;</li> <li>is incidental to an existing commercial or industrial building on the site;</li> <li>is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List.</li> </ul>
<p><b>Single Dwelling/Addition to an existing Single or Grouped Dwelling where the Single or Grouped Dwelling will be the only development on the lot.</b></p> <p><b>Residential Outbuilding or addition thereto, including Incidental Domestic Structures.</b></p>	Urban Development; Residential; Centre; Mixed Use; All Special Use Zones.	<p>In all cases where the development is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List except where the development:</p> <ul style="list-style-type: none"> <li>Requires approval under <b>Part 7 of the deemed provisions</b> (except where the development is located within Special Use Area No. 24 and is compliant with conditions 2 and 3 of this zone); or</li> <li>Is on a lot within or abutting the Development Control Area under the <i>Swan and Canning Rivers Management Act 2006</i> or abuts or is likely to affect waters which are within the Development Control Area; or</li> <li>Is a new single house that is within a drainage contribution area designated by the City of Swan.</li> </ul> <p>Or</p> <p>Where the development is located within a Heritage Area or on a lot that contains a place on the Heritage List and meets the following criteria:</p> <ul style="list-style-type: none"> <li>Comprises an air conditioning unit or hot water system that is located on a part of a roof of a building that does not face any adjoining street or public land.</li> </ul>
<p><b>Single Dwelling/Addition to an existing Single or Grouped Dwelling where the Single or Grouped Dwelling will be the only development on the lot.</b></p>	Rural; Rural Residential; Resource;	<p>Where the development meets all of the following criteria –</p> <ul style="list-style-type: none"> <li>it is proposed to be located within an approved Building Envelope, or where no Building Envelope exists, is set back from the property boundaries in accordance with the standard setback for that zone. Where no setback is specified in this table it shall be exempt if it meets the required setbacks for a Rural zone;</li> </ul>

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
<b>Residential Outbuilding or addition thereto, including Incidental Domestic Structures.</b>	Rural Smallholdings.	<ul style="list-style-type: none"> <li>• does not require approval under Part 7 of the deemed provisions;</li> <li>• is not located within a Heritage Area and is not located on a lot that contains a place on the Heritage List; and</li> <li>• is not on a lot within or abutting the Swan River Trust Management Area or abuts or is likely to affect waters which are in that Management Area.</li> </ul>
<b>Solar Collectors incidental to buildings</b>	All zones	<p>Where the development meets all of the following criteria –</p> <ul style="list-style-type: none"> <li>• is installed on the roof or other part of buildings;</li> <li>• a maximum projection no greater than 1.5 metres from the highest point of the building to which it is attached to;</li> <li>• is incidental to an approved land use;</li> <li>• satisfies the deemed-to-comply requirements of the R-Codes, if the R-Codes apply to the development;</li> <li>• is not located in a place— <ul style="list-style-type: none"> <li>○ entered in the Register of Heritage Places under the Heritage Act 2018;</li> <li>○ the subject of an order under the Heritage Act 2018;</li> <li>○ the subject of a heritage agreement entered into under the Heritage Act 2018;</li> <li>○ is not located within a Heritage Area designated by this Scheme and is not on a lot that contains a place on the Heritage List prepared in accordance with this Scheme,</li> </ul> </li> </ul> <p>Or:</p> <p>Where the development is located within a Heritage Area designated by this Scheme or a lot that contains a place on the Heritage List prepared in accordance with this Scheme and meets all of the following criteria –</p> <ul style="list-style-type: none"> <li>• is installed flush-mounted on the roof or other part of buildings that does not face any adjoining street or public land;</li> <li>• satisfies the deemed-to-comply requirements of the R-Codes, if the R-Codes apply to the development;</li> <li>• is not located in a place— <ul style="list-style-type: none"> <li>○ entered in the Register of Heritage Places under the Heritage Act 2018;</li> <li>○ the subject of an order under the Heritage Act 2018, and;</li> <li>○ the subject of a heritage agreement entered into under the Heritage Act 2018.</li> </ul> </li> </ul>
<b>The erection or installation of, or alterations or additions to, any of the following on the same lot as a single house or a grouped dwelling –</b> <ul style="list-style-type: none"> <li>(a) an ancillary dwelling;</li> <li>(b) an outbuilding;</li> <li>(c) an external fixture;</li> </ul>	Rural; Rural Residential; Rural Smallholdings; Resource.	<p>Where the development meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• It is proposed to be located within an approved Building Envelope, or where no Building Envelope exists, is set back from the property boundaries in accordance with the standard setback for that zone. Where no setback is specified in this table it shall be exempt if it meets the required setbacks for a Rural zone;</li> <li>• The works are not located in a heritage-protected place.</li> <li>• Is on a lot within or abutting the Swan River Trust Management Area or abuts or is likely to affect waters which are in that Management Area.</li> </ul>

COLUMN 1 WORKS	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
(d) a boundary wall or fence (e) a patio; (f) a pergola; (g) a verandah; (h) a deck; (i) a garage; (j) a carport.		
<b>Internal building alterations</b>	All zones	Where the internal alterations/rearrangement of the building will not increase the total floor area of the building.
<b>Water Storage Tank</b>	All rural zones	Where it is located within an approved Building Envelope, or where no Building Envelope exists, is set back no less than 15m from any lot boundary and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List.

## Schedule 9B — Exempted Development (Use)

COLUMN 1 USE	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
<b>Family Day Care</b>	Centre; Residential; Mixed Use; Urban Development; Rural; Rural Residential; Resource; Rural Smallholdings; Private Clubs, Institutions and Places of Worship; All Special Use Zones.	Where the development meets all of the following criteria: <ul style="list-style-type: none"> <li>is not located within a Heritage area and is not on a lot that contains a place on the Heritage List.</li> </ul> Or: Where the development is located within a Heritage Area or on a lot that contains a place on the Heritage List and meets all of the following criteria: <ul style="list-style-type: none"> <li>does not involve any change to the external appearance of the building;</li> <li>does not involve any construction;</li> <li>does not involve the care of more than 4 children, exclusive of the occupants' children.</li> </ul>
<b>Keeping of Livestock</b>	Rural;	No conditions.
	Rural Residential; Resource; Rural Smallholdings.	Where the number of livestock kept on the lot is equal to or less than the base (dry) stocking rate that applies to the land (as defined in the Agriculture Western Australia document titled "Stocking Rate Guidelines for Rural Smallholdings – Swan Coastal Plain and Darling Scarp").
<b>Parking of Commercial Vehicles</b>	Rural; Rural Residential; Resource; Rural Smallholdings.	Where: <ul style="list-style-type: none"> <li>The subject lot has a total area of equal to or greater than 10,000m<sup>2</sup> (1.0 hectares); and</li> <li>The subject vehicle is rated a gross vehicle mass of less than or equal to 6.5 tonnes.</li> </ul>
<b>Radio and TV Installation – Private (except satellite dishes)</b>	Rural; Rural Residential; Resource; Rural Smallholdings.	Where the development meets all of the following criteria: <ul style="list-style-type: none"> <li>is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List;</li> <li>consist of an aerial, antenna or mast not exceeding 12 metres in height above natural ground level;</li> <li>is located within an approved building envelope or where no building envelope exists is setback from the property boundaries in accordance with the standard setback specified for that zone. Where no setback is specified it shall be exempt if it meets the required setbacks for the Rural zone.</li> </ul>

COLUMN 1 USE	COLUMN 2 ZONES	COLUMN 3 CONDITIONS
		<p>Or</p> <ul style="list-style-type: none"> <li>• where the development is located within a Heritage Area or on a lot that contains a place on the Heritage List and meets the following criteria;</li> <li>• comprises an antenna of no higher than 1.5 metres;</li> <li>• is located on the roof of a building that does not face any adjoining street or public land.</li> </ul>
	<p>Centre; Urban Development; Residential; Special Use; Mixed Use.</p>	<p>Where the development meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List;</li> <li>• complies with the Acceptable Development provisions of the Residential Design Codes (where applicable).</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• where the development is located within a Heritage Area is on a lot that contains a place on the Heritage List and meets all of the following criteria:</li> <li>• comprises an antenna of no higher than 1.5 metres;</li> <li>• is located on the roof a building that does not face adjoining street or public land.</li> </ul>
<p><b>Temporary Sale of Foods or Other Goods</b></p>	<p>All zones and all Local Reserves</p>	<p>Where the non-food merchandise is sold at a fete, show, swap-meet or the like held for no more than 3 days on the same lot in any 12 month period.</p> <ul style="list-style-type: none"> <li>• Where the sale of food meets one of the following criteria:</li> <li>• the food is sold by traders at weekend markets;</li> <li>• the temporary food premises is subject to an Itinerant Food Vendors Licence; Trader's Licence; or Stallholder's Licence under any Local Law adopted by Council from time to time.</li> </ul>

## Schedule 9C — Exempted Advertisements

EXEMPTED DEVELOPMENT	APPLICABLE ZONE / RESERVE	CONDITIONS APPLYING TO THE EXEMPTED DEVELOPMENT
<b>Advertisements (excepting balloons, bunting and flags)</b>	All zones	<p>Where the advertisement is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and meets at least one of the following criteria:</p> <ul style="list-style-type: none"> <li>• is erected for no more than 6 months in any 12 month period during the construction of a building and/or sale of a property and advertises the sale, lease or rent of the land/building or provides the construction company details and is located on the lot for sale or where construction is taking place, and does not exceed 3sqm in area;</li> <li>• is inside a building and cannot be seen outside the building;</li> <li>• is a portable sign with a surface area of not more than 1.0sqm per each side, with a maximum of one portable sign for each lot;</li> <li>• any sign approved under a local law.</li> </ul> <p>Or:</p> <p>Where the advertisement is located within a Heritage Area or on a lot that contains a place on the Heritage List and is the only advertisement on the lot and meets at least one of the following criteria:</p> <ul style="list-style-type: none"> <li>• is erected for no more than 6 months in any 12 month period during the construction of a building and/or sale of a property and advertises the sale, lease or rent of the land/building or provides the construction company details and is located on the lot for sale or where construction is taking place, and does not exceed 3sqm in area;</li> <li>• is inside a building and cannot be seen outside the building;</li> <li>• any sign approved under a local law.</li> </ul>
	Urban Development;  Residential;  Mixed Use;  Centre;  Special Use.	<p>Where there is only one advertisement on the lot and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and it meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is flush mounted or painted on the wall of a building, fence or wall;</li> <li>• is not illuminated;</li> <li>• is no more than 0.2m<sup>2</sup> in area;</li> <li>• does not contain moving parts;</li> <li>• solely displays the details of a business operating from the lot.</li> </ul>

EXEMPTED DEVELOPMENT	APPLICABLE ZONE / RESERVE	CONDITIONS APPLYING TO THE EXEMPTED DEVELOPMENT
<b>Advertisements (excepting balloons, bunting and flags) (Cont.)</b>	Commercial; Service Commercial; Private Clubs, Institutions and Places of Worship; Industry Development; General Industry; Light Industry;	<p>Where the advertisement is not a pylon sign and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is flush mounted or painted on the wall of a building so that no part of the advertisement is more than 5 metres above ground level;</li> <li>• the combined area of all signs, hoardings and advertising devices on the lot does not exceed 20m<sup>2</sup>;</li> <li>• the sign predominantly displays the name or nature of the business existing on site;</li> </ul> <p>Where the advertisement is a pylon sign and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• there is no more than one pylon sign per lot;</li> <li>• has a surface area of no more than 6m<sup>2</sup> per side;</li> <li>• the sign and its supporting pylon have a combined height of no more than 6m;</li> <li>• has a clearance under it of at least 2.4m;</li> <li>• the sign predominantly displays the name or nature of the business existing on site.</li> </ul> <p>Where the advertisement is a portable sign with a surface area not more than 1.5m<sup>2</sup> per each side and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List.</p>
	Centre	<p>Where the advertisement is not a pylon sign and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• is flush mounted or painted on the wall of a building at a height of no greater than 5 metres above ground level;</li> <li>• the combined area of all such advertisements on the lot does not exceed 10m<sup>2</sup>;</li> <li>• the sign predominantly displays the name or nature of the business existing on site;</li> </ul> <p>Where the advertisement is a portable sign with a surface area not more than 1.5m<sup>2</sup> per each side and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List.</p>

EXEMPTED DEVELOPMENT	APPLICABLE ZONE / RESERVE	CONDITIONS APPLYING TO THE EXEMPTED DEVELOPMENT
	Rural; Rural Residential; Rural Smallholdings; Resource.	Where there is only one sign on site and is not located within a Heritage Area and is not on a lot that contains a place on the Heritage List and it meets all of the following criteria: <ul style="list-style-type: none"> <li>• is fixed to or painted on an existing building, fence or wall;</li> <li>• is not illuminated;</li> <li>• is no more than 1m<sup>2</sup> in area;</li> <li>• the sign displays the name of the owner, the name of the property or the predominant nature of business conducted from the property or all of these details.</li> </ul>
<b>Advertisements (excepting balloons, bunting and flags) (Cont.)</b>	All Local Reserves	Where the advertisement is not located within a Heritage Area and is not on a reserve that contains a place on the Heritage List and is fixed to or painted on: <ul style="list-style-type: none"> <li>• bus shelters or bus seats;</li> <li>• rubbish bins in public places;</li> <li>• recreation / sporting and community facilities if the signs are visible only from within such facilities.</li> </ul>

EXEMPTED DEVELOPMENT	APPLICABLE ZONE / RESERVE	CONDITIONS APPLYING TO THE EXEMPTED DEVELOPMENT
<b>Balloons and Bunting</b>	Commercial; Service Commercial; Mixed Use; Private Clubs, Institutions and Places of Worship; Industry Development; General Industry; Light Industry; Centre.	Where the lot is not located within a heritage Area and is not on a lot that contains a place on the Heritage List and there is only one balloon on the lot and it meets the following criteria: <ul style="list-style-type: none"> <li>• is displayed for no more than 4 consecutive weeks and for no more than 3 months in any 12 month period;</li> <li>• has dimensions no greater than 9 metres in height and 8 metres in width;</li> <li>• the maximum height above ground level to the top of the balloon does not exceed 18 metres;</li> <li>• is not illuminated.</li> </ul>

## Schedule 10 — Parking of Commercial Vehicle(s) Provisions

The following provisions stipulate the maximum number of commercial vehicles that Council may consider in any development application for planning approval under [provision 5 of Schedule 6](#). The parking of any commercial vehicle on any Rural or Residential zoned lot is subject to planning approval.

Zone	Lot Size	Maximum Number of Motorised Commercial Vehicles	Maximum Number of Trailers Designed to be Attached to a Motorised Commercial Vehicle
All Residential and Rural zones	Lot size of less than 750m <sup>2</sup>	No commercial vehicles are permitted to be parked on any lot.	No trailers are permitted to be parked on any lot.
Residential Urban Development Special Use	Lot size of greater than 750m <sup>2</sup>	A maximum of one commercial vehicle will be permitted to be parked on any lot.	No trailers are permitted to be parked on any lot.
Rural Residential Rural Resource Rural Smallholdings	Lot size of between 750m <sup>2</sup> and 30,000m <sup>2</sup> (3.0 hectares)	A maximum of one commercial vehicle will be permitted to be parked on any lot.	A maximum of one trailer will be permitted on any lot.
Rural Residential Rural Resource Rural Smallholdings	Lot size of greater than 30,000m <sup>2</sup> (3.0 hectares)	A maximum of two commercial vehicles will be permitted to be parked on any lot.	A maximum of two trailers will be permitted on any lot.
Rural Resource	Lot size of greater than 60,000m <sup>2</sup> (6.0 hectares)	A maximum of five commercial vehicles will be permitted to be parked on any lot.	A maximum of five trailers will be permitted on any lot.
Commercial - Industrial zones Centre zones Other zones	Not Applicable	Commercial Vehicle Parking will only be permitted where it is considered to be ancillary to an approved land use on the subject lots.	

## Schedule 11 – Development Contribution Areas

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN	
DCA 1	<b>Brabham (Albion)</b> - The Development Contribution Area (DCA) comprises all the land referred to as Brabham (Albion) identified by scheme maps as DCA1	Relationship to other planning instruments	The development contribution plan generally conforms to the following endorsed plans: <ul style="list-style-type: none"> <li>• The Swan Urban Growth Corridor Sub-Regional Structure Plan.</li> <li>• The Urban Growth Corridor- Sub Regional Planning Community Facilities Analysis,2008 (CFA).</li> <li>• The Albion District Structure Plan (including associated Appendices).</li> <li>• The Capital Expenditure Plan for the Urban Growth Corridor.</li> <li>• Urban Growth Corridor Facilities Justifications Report (UGCFJ)</li> </ul>
		Infrastructure and Administrative Items to be funded:	<p><b>Standard Infrastructure</b></p> <p><i>Transport</i></p> <p>Construction and/or upgrade of the following existing and future roads which are required to service the Development Contribution Area:</p> <ul style="list-style-type: none"> <li>• Construction of Henley Brook Avenue (i.e. single carriageway and full earthworks) between Park Street and Harrow Road and land resumption necessary to accommodate the proposed design of the DCP Road on Lot 9000 on DP55665 Park Street Brabham.</li> <li>• Upgrade/Construction of Lord Street through the Bushforever Site 200 immediately north of Harrow Street with the cost apportioned between the Brabham (Albion) and Dayton (West Swan East) DCA's based on their respective ultimate infrastructure demand.</li> <li>• Land resumptions necessary to accommodate the proposed designs for all DCP roads and intersection treatments listed, where not already provided in existing reserves.</li> <li>• Intersection treatments at:               <ul style="list-style-type: none"> <li>○ Henley Brook Avenue and Youle Dean Road;</li> <li>○ Henley Brook Avenue and Woollcott Avenue – South;</li> </ul> </li> </ul> <p><i>Transport – Cont.</i></p>

			<ul style="list-style-type: none"> <li>○ Henley Brook Avenue and Woollcott Avenue – North;</li> <li>○ Henley Brook Avenue and Future Neighbourhood Connector B – North;</li> <li>○ Henley Brook Avenue and Future Neighbourhood Connector B – South; and</li> <li>○ Henley Brook Avenue and Park Street.</li> <li>● 50% of the cost of constructing a pathway connecting Youle Dean Road with the Swan Valley Bike Path at West Swan Road.</li> </ul> <p><i>Land for Public Open Space and Community Facilities</i></p> <p>Acquire land for three (3) separate active spaces co-located with primary school sites and a local community centre at the general locations identified by the Albion District Structure Plan.</p> <p><b>Community Infrastructure</b></p> <p><i>Sub Regional Community Infrastructure</i></p> <p>Land for and construction of community facilities identified by the (CFA) and refined by the UGCFJ. Specifically:</p> <ul style="list-style-type: none"> <li>● Construction of a District Active Open Space in Dayton (West Swan East) to provide playing fields, hard courts, a multi-purpose District Active Open Space Community Building and associated supporting amenity identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> <li>● Acquisition of Land in Brabham (Albion) to support provision of a District Community Centre as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> <li>● Construction of a District Community Centre in Brabham (Albion) as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> </ul> <p><i>Local Community Infrastructure</i></p>
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			<p>Land for and construction of community facilities identified by the CFA and the Albion (Brabham) District Structure Plan and refined by the UGCFJ. Specifically:</p> <ul style="list-style-type: none"> <li>• Construction of playing fields, hard courts and supporting infrastructure to provide Neighbourhood Active Open Spaces at three sites generally identified in the Albion District Structure Plan and the relevant Local Structure Plans.</li> <li>• Construction of Local Community Buildings co-located with the Neighbourhood Active Open Spaces to provide a multi-purpose facility as identified by the UGCFJ.</li> <li>• Acquisition of land for three (3) separate active spaces and Local Community Buildings co-located with primary school sites at the general locations identified by the Albion District Structure Plan and the relevant Local Structure Plans.</li> </ul> <p><b>Administrative Items</b></p> <p>Administrative Items permitted by definition under Clause 28(3) and identified in more detail in the Development Contribution Plan Report, including:</p> <ul style="list-style-type: none"> <li>• Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</li> <li>• Cost to review estimates including the costs for appropriately qualified independent persons.</li> <li>• Costs to update the cost apportionment schedules, register of cost contributions, and infrastructure agreements.</li> </ul>
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		<p>Method for calculating contributions</p>	<p>The amount of an owner's Cost Contribution will be determined by the proportional share of Infrastructure Demand that the proposed development generates in accordance with the Cost Apportionment Schedule.</p> <ol style="list-style-type: none"> <li>a. The DCP Report and Cost Apportionment Schedule shall define units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>b. The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand.</li> <li>c. The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure.</li> <li>d. The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined:</li> </ol> <p><b>C = [ID x CR] x I</b></p> <p>Where</p> <p><b>C</b> = Cost Contribution (for a chosen network, e.g. Transport)</p> <p><b>ID</b> = Infrastructure Demand, calculated using the <i>Cost Apportionment Schedule</i></p> <p><b>CR</b> = Contribution Rate as set out in the <i>Cost Apportionment Schedule</i>; and</p> <p><b>I</b> = Indexation factor set out in the <i>Cost Apportionment Schedule</i> to take into account inflation and other matters relevant to the capital cost of infrastructure.</p>
		<p>Priority and timing:</p>	<p>The priority and timing of each infrastructure network shall be informed by the 'Capital Expenditure Plan for the Urban Growth Corridor' and be described in the 'Infrastructure Cost Schedules' which shall outline the costs and timing assumptions necessary to determine infrastructure contribution rates and inform the Cost Apportionment Schedules.</p>
		<p>Period of Operation</p>	<p>This Development Contribution Plan (DCP) shall retain its force and effect until the completion of</p>

			<p>the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of ten years from the date of gazettal of this amendment, after which the DCP will be reviewed if necessary, amended or replaced.</p>
		Review Process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than 5 years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN	
DCA 2	<b>Dayton (West Swan East) -</b> The Development Contribution Area (DCA) comprises all the land referred to as Dayton (West Swan East) identified by scheme maps as DCA 2	Relationship to other planning instruments	The Development Contribution Plan generally conforms to the following endorsed plans: <ul style="list-style-type: none"> <li>• The Swan Urban Growth Corridor Sub-Regional Structure Plan.</li> <li>• The Urban Growth Corridor- Sub Regional Planning Community Facilities Analysis,2008 (CFA).</li> <li>• The West Swan East District Structure Plan (Including associated Appendices).</li> <li>• The Capital Expenditure Plan for the Urban Growth Corridor.</li> <li>• Urban Growth Corridor Facility Justifications Report (UGCFJ).</li> </ul>
		Infrastructure and Administrative Items to be funded:	<p><b>Standard Infrastructure</b></p> <p><i>Natural Gas</i></p> <p>Additions to the natural gas mains required to service the Development Contribution Area. Specifically:</p> <ul style="list-style-type: none"> <li>• The construction of a Pressure Reduction Station along Marshall Road.</li> </ul> <p><i>Transport</i></p> <p>Construction and/or upgrade of the following existing and future roads which are required to service the Development Contribution Area:</p> <ul style="list-style-type: none"> <li>• Upgrade/construction of Marshall Road between Lord Street and the future Henley Brook Avenue.</li> <li>• Construction of Henley Brook Avenue between Reid Highway and Harrow Road.</li> <li>• Upgrade/Construction of Lord Street from the northern extent of the 'Bushforever Site 200' through to Harrow Street with the cost apportioned between the Braham (Albion) and Dayton (West Swan East) DCAs based on their respective ultimate infrastructure demand.</li> <li>• Upgrade/Construction of Lord Street from Harrow Street through to Marshall Road East and the intersection with St Leonards Boulevard deviation.</li> <li>• Upgrade/Construction of Arthur Street between Cranleigh Street and the Reid Highway.</li> </ul>

			<p><i>Transport - continue</i></p> <ul style="list-style-type: none"> <li>• Upgrade/Construction of Cranleigh Street between Lord Street and Arthur Street.</li> <li>• Land resumptions necessary to accommodate the proposed designs for all DCP roads and intersection treatments listed, where not already provided in existing reserves.</li> <li>• Intersection Treatments at: <ul style="list-style-type: none"> <li>○ Henley Brook Avenue and Marshall Road Extension;</li> <li>○ Henley Brook Avenue and Harrow Street;</li> <li>○ Henley Brook Avenue and Victoria Road;</li> <li>○ Arthur Street and St. Leonards Boulevard;</li> <li>○ Marshall Rd Extension and Future Link (South);</li> <li>○ Lord Street and Harrow Street;</li> <li>○ Marshall Road and Arthur Street;</li> <li>○ Marshall Road (East) and Lord Street;</li> <li>○ Arthur Street and Cranleigh Street</li> <li>○ Lord Street and Cranleigh Street;</li> <li>○ Marshall Road and Future Link (North);</li> <li>○ Arthur Street and Victoria Road;</li> <li>○ Marshall Road (West) and Lord Street.</li> </ul> </li> <li>• 50% of the cost of constructing a pathway providing connection to the Swan Valley Bike Path at West Swan Road from Malvern Street.</li> <li>• 50% of the cost of constructing a pathway adjacent to Coast Road providing connection to the Swan Valley Bike Path at West Swan Road from Henley Brook Avenue.</li> </ul> <p><i>Land for Public Open Space and Community Facilities</i></p> <p>Acquire land for Public Open Space, District Open Space precinct and Local Community centre at the general locations and quantity identified by the West Swan East District Structure Plan.</p> <p><b>Community Infrastructure</b></p> <p><i>Sub Regional Community Infrastructure</i></p> <p>Land for and construction of community facilities identified by the CFA and refined by the UGCFJ. Specifically:</p> <ul style="list-style-type: none"> <li>• Construction of a District Active Open Space in Dayton (West Swan East) to provide</li> </ul>
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			<p>playing fields, hard courts, a multi-purpose District Active Open Space Community Building and associated supporting amenity identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</p> <ul style="list-style-type: none"> <li>• Acquisition of Land in Brabham (Albion) to support provision of a district community centre as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> <li>• Construction of a district community centre in Brabham (Albion) as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> </ul> <p><i>Local Community Infrastructure</i></p> <p>Land for and construction of community facilities identified by the CFA and the West Swan East (Dayton) District Structure Plan and refined by the UGCFJ. Specifically:</p> <ul style="list-style-type: none"> <li>• Construction of playing fields, hard courts and associated supporting infrastructure to provide a Neighbourhood Active Open Space site co-located with the District Open Space (DOS)</li> <li>• Construction of fifteen (15) Local Passive Public Open Spaces.</li> <li>• Construction of a local community centre to provide a multi-purpose facility as identified by the UGCFJ, West Swan East District Structure Plan and Dayton Local Structure Plan 1</li> </ul> <p><b>Administrative Items</b></p> <p>Administrative items permitted by definition under Clause 28(3) and identified in more detail in the Developers Contribution Plan Report, including:</p> <ul style="list-style-type: none"> <li>• Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design</li> </ul>
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			<p>and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</p> <ul style="list-style-type: none"> <li>• Cost to review estimates including the costs for appropriately qualified independent persons.</li> <li>• Costs to update the cost apportionment schedules, register of cost contributions, and infrastructure agreements.</li> </ul>
		<p>Method for calculating contributions</p>	<p>The amount of an owner's Cost Contribution will be determined by the proportional share of Infrastructure Demand that the proposed development generates in accordance with the Cost apportionment Schedule.</p> <ol style="list-style-type: none"> <li>The DCP Report and Cost Apportionment Schedule shall define units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand</li> <li>The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure</li> <li>The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined: <p><b>C = [ID x CR] x I</b></p> <p>Where</p> <p><b>C</b> = Cost Contribution (for a chosen network, e.g. Transport)</p> <p><b>ID</b> = Infrastructure Demand, calculated using the <i>Cost Apportionment Schedule</i></p> <p><b>CR</b> = Contribution Rate as set out in the <i>Cost Apportionment Schedule</i>; and</p> <p><b>I</b> = Indexation factor set out in the <i>Cost Apportionment Schedule</i> to take into account inflation and other matters relevant to the capital cost of infrastructure.</p> </li> </ol>

		Priority and timing:	The priority and timing of each infrastructure network shall be informed by the 'Capital Expenditure Plan for the Urban Growth Corridor' and be described in the 'Infrastructure Cost Schedules' which shall outline the costs and timing assumptions necessary to determine infrastructure contribution rates and inform the Cost Apportionment Schedules.
		Period of Operation	This Development Contribution Plan shall retain its force and effect until the completion of the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of ten years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended or replaced.
		Review process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than 5 years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN	
DCA 3	<p><b>Caversham -</b> The Development Contribution Area (DCA) comprises all the land referred to as Caversham and identified by scheme maps as DCA 3</p>	<p>Relationship to other planning instruments</p>	<p>The development contribution plan generally conforms to, the following endorsed plans:</p> <ul style="list-style-type: none"> <li>• The Swan Urban Growth Corridor Sub-Regional Structure Plan.</li> <li>• The Urban Growth Corridor- Sub Regional Planning Community Facilities Analysis,2008 (CFA).</li> <li>• The Caversham North Structure Plan (Including associated Appendices).</li> <li>• The Caversham Structure Plan (including associated Appendices).</li> <li>• The Capital Expenditure Plan for the Urban Growth Corridor.</li> <li>• Urban Growth Corridor Facilities Justifications Report (UGCFJ)</li> </ul>
		<p>Infrastructure and Administrative Items to be funded:</p>	<p><b>Standard Infrastructure</b></p> <p><i>Transport</i></p> <p>Construction and/or upgrade of the following existing and future roads which are required to service the Development Contribution Area:</p> <ul style="list-style-type: none"> <li>• Upgrade/construction of Suffolk Street between Lord Street and West Swan Road.</li> <li>• Upgrade of Arthur Street between Reid Highway and West Swan Road.</li> <li>• Upgrade/Construction of Waldeck Street between Suffolk Street and Benara Road.</li> <li>• Relocation of Overhead High Voltage Electrical Services on Suffolk Street, west of Arthur Street.</li> <li>• Construction of Lord Street between Reid Highway and Benara Road: earthworks for the ultimate dual carriageway and construction of the first stage road works (single carriageway).</li> <li>• Intersection Treatments at: <ul style="list-style-type: none"> <li>○ Arthur Street and Suffolk Street;</li> <li>○ Lord Street and Suffolk Street;</li> <li>○ Reid Highway and Lord Street;</li> <li>○ Lord Street and Benara Road;</li> <li>○ West Swan Road and Suffolk Street;</li> <li>○ Benara Road and Waldeck Street;</li> <li>○ Suffolk Street and Waldeck Street;</li> </ul> </li> </ul>

			<ul style="list-style-type: none"> <li>○ Benara Road and West Swan Road; and,</li> <li>○ West Swan Road and Arthur Street.</li> </ul> <ul style="list-style-type: none"> <li>● Land resumptions necessary to accommodate the proposed designs for all DCP roads and intersection treatments as previously listed, where not already provided in existing reserves.</li> </ul> <p><b>Community Infrastructure</b></p> <p><i>Sub Regional Community Infrastructure</i></p> <p>Land for and construction of community facilities identified by the CFA and refined by the UGCFJ. Specifically:</p> <ul style="list-style-type: none"> <li>● Construction of a District Active Open Space in Dayton (West Swan East) to provide playing fields, hard courts, a multi-purpose District Active Open Space Community Building and associated supporting amenity identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> <li>● Acquisition of Land in Brabham (Albion) to support provision of a district community centre as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> <li>● Construction of a district community centre in Brabham (Albion) as identified by the UGCFJ with the cost apportioned between the Brabham (Albion), Dayton (West Swan East) and Caversham Development Contribution Areas and future West Swan West cell based on their respective estimated ultimate infrastructure demand.</li> </ul> <p><i>Local Community Infrastructure</i></p> <p>Construction of Community Infrastructure identified by the Urban Growth Corridor Facility Justifications Report (UGCFJ) and the Caversham Local Structure Plan. Specifically:</p> <ul style="list-style-type: none"> <li>● Construction of playing fields, hard courts and supporting infrastructure to provide Neighbourhood Active Open Space at a site generally identified in the Caversham Local Structure Plan.</li> </ul>
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			<ul style="list-style-type: none"> <li>• Construction of a local community building co-located with the Neighbourhood Active Open Spaces to provide a multi-purpose facility as identified by the UGCFJ.</li> </ul> <p><b>Administrative Items</b></p> <p>Administrative items permitted by definition under Clause 28(3) and identified in more detail in the Development Contributions Plan report, including:</p> <ul style="list-style-type: none"> <li>• Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</li> <li>• Cost to review estimates including the costs for appropriately qualified independent persons.</li> <li>• Costs to update the cost apportionment schedules, register of cost contributions, and infrastructure agreements.</li> </ul>
		<p>Method for calculating contributions</p>	<p>The amount of an owner's Cost Contribution will be determined by the proportional share of Infrastructure Demand that the proposed development generates in accordance with the Cost apportionment Schedule.</p> <ol style="list-style-type: none"> <li>The DCP Report and Cost Apportionment Schedule shall define units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand</li> <li>The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure</li> <li>The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined:</li> </ol> <p><b>C = [ID x CR] x I</b></p> <p>Where</p> <p><b>C = Cost Contribution (for a chosen network,</b></p>

			<p>e.g. Transport).</p> <p><b>ID</b> = Infrastructure Demand, calculated using the <i>Cost Apportionment Schedule</i>.</p> <p><b>CR</b> = Contribution Rate as set out in the <i>Cost Apportionment Schedule</i>. and</p> <p><b>I</b> = Indexation factor set out in the <i>Cost Apportionment Schedule</i> to take into account inflation and other matters relevant to the capital cost of infrastructure.</p>
		Priority and timing:	<p>The priority and timing of each infrastructure network shall be informed by the 'Capital Expenditure Plan for the Urban Growth Corridor' and be described in the 'Infrastructure Cost Schedules' which shall outline the costs and timing assumptions necessary to determine infrastructure contribution rates and inform the Cost Apportionment Schedules.</p>
		Period of Operation	<p>This Development Contribution Plan (DCP) shall retain its force and effect until the completion of the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of ten years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended or replaced.</p>
		Review process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than 5 years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN							
DCA 4	<b>South Bullsbrook Industrial</b> - The Development Contribution Area (DCA) comprises all the land referred to as South Bullsbrook Industrial identified by the scheme maps as DCA 4	Relationship to other planning instruments	<p>The Development Contribution Plan has generally been informed by:</p> <ul style="list-style-type: none"> <li>Bullsbrook Townsite Land Use Master Plan (District Structure Plan) and appendices</li> <li>Bullsbrook Townsite Land Use Master Plan Precinct Traffic Contributions Report (Transcore October 2019)</li> <li>Local Structure Plans and associated appendices</li> </ul>						
		Infrastructure and Administrative items to be funded	<p><b>Transport Infrastructure items</b>  <u>Sub-Regional Transport</u>            Construction and/or upgrade of the following existing and future roads, crossings and intersections which are required to service growth in South Bullsbrook Industrial (DCA 4) with the cost apportioned to each precinct based on its respective ultimate infrastructure demand relative to ultimate overall demand, unless otherwise noted. The remainder of the cost for these items shall be met by the local government:</p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed:               <table border="1" data-bbox="836 1144 1428 1989"> <tr> <td data-bbox="836 1144 1034 1361">S-TRF01 to S-TRF11 and S-ACQ09 to S-ACQ24</td> <td data-bbox="1034 1144 1428 1361">Stock Road between the Great Northern Highway and Perth-Geraldton Rail line.</td> </tr> <tr> <td data-bbox="836 1361 1034 1579">S-TRF12 to S-TRF15 and S-ACQ25 to S-SCQ29</td> <td data-bbox="1034 1361 1428 1579">Stock West Road between the Perth-Geraldton Rail line and the Primary Regional Roads designation.</td> </tr> </table> </li> <li>Crossing treatments upgraded and/or constructed for a:               <table border="1" data-bbox="836 1675 1428 1989"> <tr> <td data-bbox="836 1675 1034 1832">S-BR01 and SACQ-BR01</td> <td data-bbox="1034 1675 1428 1832">Railway crossing along Stock Road / Stock West Road to bridge the Perth-Geraldton Rail Line</td> </tr> <tr> <td data-bbox="836 1832 1034 1989">S-BR02 and SACQ-BR02</td> <td data-bbox="1034 1832 1428 1989">Traffic bridge along Stock Road to cross the Ellen Brook</td> </tr> </table> </li> <li>Intersection treatments upgraded and/or constructed:</li> </ul>	S-TRF01 to S-TRF11 and S-ACQ09 to S-ACQ24	Stock Road between the Great Northern Highway and Perth-Geraldton Rail line.	S-TRF12 to S-TRF15 and S-ACQ25 to S-SCQ29	Stock West Road between the Perth-Geraldton Rail line and the Primary Regional Roads designation.	S-BR01 and SACQ-BR01	Railway crossing along Stock Road / Stock West Road to bridge the Perth-Geraldton Rail Line
S-TRF01 to S-TRF11 and S-ACQ09 to S-ACQ24	Stock Road between the Great Northern Highway and Perth-Geraldton Rail line.								
S-TRF12 to S-TRF15 and S-ACQ25 to S-SCQ29	Stock West Road between the Perth-Geraldton Rail line and the Primary Regional Roads designation.								
S-BR01 and SACQ-BR01	Railway crossing along Stock Road / Stock West Road to bridge the Perth-Geraldton Rail Line								
S-BR02 and SACQ-BR02	Traffic bridge along Stock Road to cross the Ellen Brook								

			S-INT01 and SACQ-INT01	Great Northern Highway and Stock Road
			S-INT07 and SACQ-INT07	Great Northern Highway and Main Entrance ('Link 1') and 'Road K', with the costs apportioned to Precinct 3 based on its ultimate infrastructure demand relative to ultimate overall demand. Precincts 1 and 2 are not liable for DCP contributions toward this Sub-Regional Transport item.
			S-INT12 and SACQ-INT12	Great Northern Highway and Lage Road and Dewar Road, with the costs apportioned to Precinct 3 based on its ultimate infrastructure demand relative to ultimate overall demand. Precincts 1 and 2 are not liable for DCP contributions toward this Sub-Regional Transport item.
			ACQ-INT02	Stock Road and 'Road A'  This item is for land acquisition only. Construction of the intersection is a local (precinct) item.
			ACQ-INT03	Stock Road and 'Road B'  This item is for land acquisition only. Construction of the intersection is a local (precinct) item.
			ACQ-INT04	Stock Road and 'Road C'  This item is for land acquisition only. Construction of the intersection is a local (precinct) item.
			ACQ-INT05	Stock Road and 'Road E'  This item is for land acquisition only. Construction of the intersection is a local (precinct) item.
			<ul style="list-style-type: none"> <li>Land resumptions necessary to accommodate the proposed designs for all Sub-Regional Level Transport Infrastructure previously listed, where not already provided in existing road reserves or otherwise specifically stated as an exclusion in its description.</li> </ul>	

			<ul style="list-style-type: none"> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Sub-Regional Level Transport Infrastructure previously listed.</li> </ul> <p><u>District Transport</u> Nil.</p> <p><u>Local (Precinct) Transport</u> Construction and/or upgrade of the following existing and future roads, crossings and intersections which are required to service growth within a Precinct(s) with the costs apportioned within nominated Precinct(s):</p> <p><u>Eastern Precinct 1 (LSP 1):</u></p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed:</li> </ul> <table border="1"> <tr> <td>TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B</td> <td>Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand</td> </tr> <tr> <td>TRF32 to TRF36 and ACQ-TRF32 to ACQ-TRF36</td> <td>'Road A' between Stock Road and Warren Road</td> </tr> <tr> <td>TRF37 to TRF40 and ACQ-TRF37 to ACQ-TRF40</td> <td>'Road B' between Stock Road and Warren Road</td> </tr> </table> <ul style="list-style-type: none"> <li>Crossing treatments upgraded and/or constructed for a:</li> </ul> <table border="1"> <tr> <td>BR03 and ACQ-BR03</td> <td>Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand</td> </tr> </table> <ul style="list-style-type: none"> <li>Intersection treatments upgraded and/or constructed:</li> </ul> <table border="1"> <tr> <td>INT02</td> <td>Stock Road and 'Road A'. This item is for construction of the intersection. The</td> </tr> </table>	TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B	Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand	TRF32 to TRF36 and ACQ-TRF32 to ACQ-TRF36	'Road A' between Stock Road and Warren Road	TRF37 to TRF40 and ACQ-TRF37 to ACQ-TRF40	'Road B' between Stock Road and Warren Road	BR03 and ACQ-BR03	Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand	INT02	Stock Road and 'Road A'. This item is for construction of the intersection. The
TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B	Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand												
TRF32 to TRF36 and ACQ-TRF32 to ACQ-TRF36	'Road A' between Stock Road and Warren Road												
TRF37 to TRF40 and ACQ-TRF37 to ACQ-TRF40	'Road B' between Stock Road and Warren Road												
BR03 and ACQ-BR03	Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand												
INT02	Stock Road and 'Road A'. This item is for construction of the intersection. The												

				associated land acquisition is a sub-regional item.
			INT03	Stock Road and 'Road B' This item is for construction of the intersection. The associated land acquisition is a sub-regional item.
			INT11 and ACQ-INT11	Great Northern Highway and Warren Road with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand
			INT08 and ACQ-INT08	Warren Road, 'Road A' and Dewar Road extension with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand
			INT09 and ACQ-INT09	Warren Road and 'Road B'
			<ul style="list-style-type: none"> <li>Land resumptions necessary to accommodate the proposed designs for all Local (Precinct) Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Local (Precinct) Level Transport Infrastructure previously listed.</li> </ul>	
			<p><u>Western Precinct 2 (LSP 2):</u></p> <ul style="list-style-type: none"> <li>Intersection treatments upgraded and/or constructed:</li> </ul>	
			INT04	Stock Road and 'Road C' This item is for construction of the intersection. The associated land acquisition is a sub-regional item.
			INT05	Stock Road and 'Road E' This item is for construction of the intersection. The associated land acquisition is a sub-regional item.
			<ul style="list-style-type: none"> <li>Land resumptions necessary to</li> </ul>	

			<p>accommodate the proposed designs for all Local (Precinct) Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</p> <ul style="list-style-type: none"> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Local (Precinct) Level Transport Infrastructure previously listed.</li> </ul> <p><u>North-Eastern Precinct 3 (LSP 3):</u></p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed:</li> </ul> <table border="1"> <tr> <td>TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B</td> <td>Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand</td> </tr> <tr> <td>TRF57 to TRF60 and ACQ-TRF57 to ACQ-TRF60</td> <td>Dewar Road extension between Great Northern Highway and Warren Road</td> </tr> <tr> <td>TRF61 to TRF62 and ACQ-TRF61 to ACQ-TRF62</td> <td>Butternab Road between Great Northern Highway and 'Road K'</td> </tr> <tr> <td>TRF49 to TRF56 and ACQ-TRF49 to ACQ-TRF56</td> <td>'Road K' between Great Northern Highway and Warren Road</td> </tr> </table> <ul style="list-style-type: none"> <li>Crossing treatments upgraded and/or constructed for a:</li> </ul> <table border="1"> <tr> <td>BR03 and ACQ-BR03</td> <td>Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand</td> </tr> </table> <ul style="list-style-type: none"> <li>Intersection treatments upgraded and/or constructed:</li> </ul> <table border="1"> <tr> <td>INT11</td> <td>Great Northern Highway and Warren Road with the costs</td> </tr> </table>	TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B	Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand	TRF57 to TRF60 and ACQ-TRF57 to ACQ-TRF60	Dewar Road extension between Great Northern Highway and Warren Road	TRF61 to TRF62 and ACQ-TRF61 to ACQ-TRF62	Butternab Road between Great Northern Highway and 'Road K'	TRF49 to TRF56 and ACQ-TRF49 to ACQ-TRF56	'Road K' between Great Northern Highway and Warren Road	BR03 and ACQ-BR03	Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand	INT11	Great Northern Highway and Warren Road with the costs
TRF25 to TRF31 and ACQ-TRF25A to ACQ-TRF31B	Warren Road between the Great Northern Highway and 'Road K' with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand														
TRF57 to TRF60 and ACQ-TRF57 to ACQ-TRF60	Dewar Road extension between Great Northern Highway and Warren Road														
TRF61 to TRF62 and ACQ-TRF61 to ACQ-TRF62	Butternab Road between Great Northern Highway and 'Road K'														
TRF49 to TRF56 and ACQ-TRF49 to ACQ-TRF56	'Road K' between Great Northern Highway and Warren Road														
BR03 and ACQ-BR03	Traffic bridge along Warren Road to cross the Nambad Brook with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand														
INT11	Great Northern Highway and Warren Road with the costs														

			and ACQ-INT11	apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand
			INT08 and ACQ-INT08	Warren Road, 'Road A' and Dewar Road extension with the costs apportioned between Precinct 1 and 3, based on their respective ultimate infrastructure demand
			INT10 and ACQ-INT10	Warren Road and 'Road K'
			INT14 and ACQ-INT14	Butternab Road and 'Road K'
			INT12 and ACQ-INT12	Butternab Road and Great Northern Highway
			<ul style="list-style-type: none"> <li>Land resumptions necessary to accommodate the proposed designs for all Local (Precinct) Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Local (Precinct) Level Transport Infrastructure previously listed.</li> </ul>	
			<p><b>Drainage Infrastructure items</b></p> <p><u>Local (Precinct) items</u></p> <p>Construction and/or upgrade of the following drainage infrastructure which is required to service growth within a Precinct(s) with the costs apportioned within nominated Precinct(s):</p> <p><u>Eastern Precinct 1 (LSP 1):</u></p> <ul style="list-style-type: none"> <li>Arterial swales upgraded and/or constructed:</li> </ul>	
			A1.1 ACQ-A1.1 A1.2 ACQ-A1.2 A2 ACQ-A2 CaX ACQ-CaX	'Arterial Swale A' linking surface flows entering Precinct 1 from the Great Northern Highway to 'Arterial Swale B' (at 'Road A'), inclusive of 3 key arterial culverts.

			Ca1 ACQ-Ca1 Ca3 and ACQ-Ca3	
			B1 ACQ-B1 B2.1 ACQ-B2.1 B2.2 ACQ-B2.2 B3.1 ACQ-B3.1 B3.2 ACQ-B3.2 B4 ACQ-B4 Cb1 ACQ-Cb1 Cb2 ACQ-Cb2 Cb3 ACQ-Cb3 Cb4 ACQ-Cb4 Cb5 ACQ-Cb5 Cb6 ACQ-Cb6 Cb7 and ACQ-Cb7	'Arterial Swale B' linking surface flows entering Precinct 1 from Warren Road, along Warren Road (southern side), then 'Road A', then Stock Road (northern side) to exit at Stock Road, inclusive of 7 key arterial culverts
				<ul style="list-style-type: none"> <li>Basins (inclusive of Bio-Retention Areas and Flood Storage Areas and any key culverts) upgraded and/or constructed:</li> </ul>
			Bio1 ACQ-Bio1 FSA1 and ACQ-FSA1	Near the intersection of Stock Road (northern side) and 'Road A' (western side)

			<p>Bio2/3 ACQ-Bio2/3 Cc1 and ACQ-Cc1</p>	<p>Near the intersection of Stock Road (northern side) and 'Road B' (eastern side), inclusive of 1 key arterial culvert</p>
			<p>Bio4 ACQ-Bio4 FSA4 and ACQ-FSA4</p>	<p>Near the Nambad Brook foreshore on Lot 1 on Warren Road, Bullsbrook</p>
			<p>Bio5 ACQ-Bio5 FSA5 and ACQ-FSA5</p>	<p>Near the Ki It Monger Brook foreshore and Warren Road (southern side)</p>
			<ul style="list-style-type: none"> <li>Land Resumptions necessary to accommodate the proposed designs for all Local (Precinct) Level Arterial Swales and Basins (inclusive of Bio-Retention Areas and Flood Storage Areas) previously listed, where not already provided in existing reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the upgrading/construction of the proposed designs for all Local (Precinct) Level Drainage Infrastructure as previously listed.</li> </ul> <p><u>Western Precinct 2 (LSP 2):</u> Nil</p> <p><u>North-Eastern Precinct 3 (LSP 3):</u></p> <ul style="list-style-type: none"> <li>Arterial swales upgraded and/or constructed:</li> </ul>	
			<p>AS2 and ACQ-AS2</p>	<p>'Arterial Swale 2' linking surface flows entering Precinct 3 from the Great Northern Highway to 'Arterial Swale 3'</p>
			<p>AS3 and ACQ-AS3</p>	<p>'Arterial Swale 3' linking surface flows between 'Arterial Swale 2' to the Basin B2.1 and Basin B3.1 near 'Road K'</p>
			<p>AS7 and ACQ-AS7</p>	<p>'Arterial Swale 7' linking surface flows between Basin 5.1 to Basin 7.1 near 'Road K'</p>

			AS8 and ACQ-AS8	'Arterial Swale 8' linking surface flows between Basin 7.1 to Basin 8.1 near 'Road K'
			AS9 and ACQ-AS9	'Arterial Swale 9' linking surface flows between Basin 8.1 to 'Arterial Swale 10'
			AS10 and ACQ-AS10	'Arterial Swale 10' linking surface flows between 'Arterial Swale 9' to Basin B9.1 and the Nambad Brook
			AS15 and ACQ-AS15	'Arterial Swale 15' linking surface flows between Basin 13.1, the Dewar Road extension and Basin 15.1 to 'Arterial Swale 18
			AS16/17 and ACQ-AS16/17	'Arterial Swale 16/17' linking surface flows entering Precinct 3 from the Great Northern Highway to Basin 16.1, Basin 17.1 and into Precinct 1
			AS18 and ACQ-AS18	'Arterial Swale 18' linking surface flows between 'Arterial Swale 15', Basin 14.1, Basin 15.1 and the Nambad Brook.
			AS19 and ACQ-AS19	'Arterial Swale 19' linking surface flows along Warren Road (northern side) between Basin 18.1 and Basin 19.1
			AS20 and ACQ-AS20	'Arterial Swale 20' linking surface flows along Warren Road (northern side) between Basin 19.1 and Basin 20.1
			<ul style="list-style-type: none"> <li>Basins (inclusive of Bio-Retention Areas and Flood Storage Areas) upgraded and/or constructed:</li> </ul>	
			B2.1 and ACQ-B2.1	Basin 2.1 near 'Road K' and the Ki It Monger Brook foreshore (southern side) linking 'Arterial Swale 3' and Basin 3.1
			B3.1 and ACQ-B3.1	Basin 3.1 near 'Road K' linking to 'Arterial Swale 3' and Basin 2.1
			B4.1	Basin 4.1 near 'Road K' and north of Butternab Road

			and ACQ-B4.1	
			B5.1 and ACQ-B5.1	Basin 5.1 near 'Road K' south of Butternab Road linking 'Arterial Swale 7'
			B6.1 and ACQ-B6.1	Basin 6.1 near the Nambad Brook (northern side) on Lots 2 Butternab Road and Lot 11 Great Northern Highway, Bullsbrook
			B7.1 and ACQ-B7.1	Basin 7.1 near 'Road K' linking 'Arterial Swale 7' and 'Arterial Swale 8'
			B8.1 and ACQ-B8.1	Basin 8.1 near 'Road K' linking 'Arterial Swale 8' and 'Arterial Swale 9'
			B9.1 and ACQ-B9.1	Basin 9.1 near the Nambad Brook (northern side) linking 'Arterial Swale 10'
			B10.1 and ACQ-B10.1	Basin 10.1 near 'Road K', the Nambad Brook (north-western side) and Warren Road (northern side)
			B11.1 and ACQ-B11.1	Basin 11.1 near the Nambad Brook (southern side) and predominately on Lot 2 Butternab Road, Bullsbrook
			B12.1 and ACQ-B12.1	Basin 12.1 near the Nambad Brook and Dewar Road on Lot 209 Dewar Road, Bullsbrook
			B13.1 and ACQ-B13.1	Basin 13.1 near the Dewar Road extension linking 'Arterial Swale 15'
			B14.1 and ACQ-B14.1	Basin 14.1 on Lot 1 Dewar Road, Bullsbrook linking 'Arterial Swale 15' and 'Arterial Swale 18'
			B15.1 and ACQ-B15.1	Basin 15.1 near the Dewar Road extension predominately on Lot 151 Great Northern Highway, Bullsbrook

			<p>B16.1 and ACQ-B16.1</p> <p>Basin 16.1 near Warren Road (northern side) and 'Arterial Swale 16/17' (western side) linking to outflow into Precinct 1</p>
			<p>B17.1 and ACQ-B17.1</p> <p>Basin 17.1 near Warren Road (northern side) and 'Arterial Swale 16/17' (eastern side) linking to outflow into Precinct 1</p>
			<p>B18.1 and ACQ-B18.1</p> <p>Basin 18.1 near Warren Road (northern side) on Lot 153 Warren Road, Bullsbrook linking 'Arterial Swale 19'</p>
			<p>B19.1 and ACQ-B19.1</p> <p>Basin 19.1 near Warren Road (northern side) on Lot 7 Warren Road, Bullsbrook linking 'Arterial Swale 19' and 'Arterial Swale 20'</p>
			<p>B20.1 and ACQ-B20.1</p> <p>Basin 20.1 near 'Road K', the Nambad Brook (south-eastern side) and Warren Road (northern side) linking 'Arterial Swale 20'</p>
			<ul style="list-style-type: none"> <li>Land Resumptions necessary to accommodate the proposed designs for all Local (Precinct) Level Arterial Swales and Basins (inclusive of Bio-Retention Areas and Flood Storage Areas) previously listed, where not already provided in existing reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the upgrading/construction of the proposed designs for all Local (Precinct) Level Drainage Infrastructure as previously listed.</li> </ul> <p><b>Administrative items</b></p> <ul style="list-style-type: none"> <li>Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</li> <li>Cost to review estimates including the costs for appropriately qualified independent persons.</li> <li>Costs to update the cost apportionment schedules, register of cost contributions,</li> </ul>

			<p>and infrastructure.</p> <ul style="list-style-type: none"> <li>A DCP Precinct's liability for the cost of administrative items as described above shall be proportionate to the amount of work required to undertake relevant tasks as they relate to that Precinct.</li> </ul>
		<p>Method for calculating contributions</p>	<p>The amount of an owner's Cost Contribution will be determined by the proportional share of the Infrastructure Demand that the proposed development generates in accordance with the Cost Apportionment Schedule.</p> <ol style="list-style-type: none"> <li>The DCP Report and Cost Apportionment Schedule shall define units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand.</li> <li>The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure.</li> <li>The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined:  <math display="block">C = [ID \times CR] \times I</math>           Where:  <b>C</b> = Cost Contribution (for a chosen network, e.g. Transport)  <b>ID</b> = Infrastructure Demand, calculated using the Cost Apportionment Schedule  <b>CR</b> = Contribution Rate as set out in the Cost Apportionment Schedule; and  <b>I</b> = Indexation factor set out in the Cost Apportionment Schedule to take into account inflation and other matters relevant to the capital cost of infrastructure.</li> <li>The Cost Contribution for Sub-Regional Transport infrastructure shall utilise a Contribution Rate as set out in Cost Apportionment Schedule and which has been determined on the following basis:  <math display="block">CR = [TV\% \times A] / TID</math>           Where:  <b>TV%</b> = Percentage of the traffic using the Sub-regional Transport infrastructure as modelled by the Bullsbrook Townsite Land Use Master Plan Precinct Traffic Contributions report (Transcore October 2019)  <b>A</b> = Asset Cost  <b>TID</b> = Total Infrastructure Demand for a Precinct within South Bullsbrook Industrial DCA</li> </ol>

		Priority and timing	The detailed scope and cost of each infrastructure network shall be described in the Development Contribution Plan Report which shall outline the assumptions necessary to determine Infrastructure Contribution Rates and inform the Cost Apportionment Schedules.
		Period of Operation	This Development Contribution Plan shall retain its force and effect until the completion of the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of ten (10) years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended or replaced.
		Review Process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than five (5) years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>
		Annual Status Report	The City shall publish an Annual Status Report for DCA 4 in accordance with the requirements of State Planning Policy 3.6 Infrastructure Contributions (as amended).

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN	
DCA 5	<b>Ellenbrook Village 7B, Lot 9000 Railway Parade &amp; Oakover land, Upper Swan - The</b> Development Contribution Area (DCA) comprising all the land as referred to above as identified by scheme maps as DCA 5.	Relationship to other planning instruments	The development contribution plan generally conforms to the following endorsed plans: <ul style="list-style-type: none"> <li>• The North East Corridor Extension Strategy (2003)</li> <li>• The City of Swan's Long Term Financial Plan</li> </ul>
		Infrastructure items to be funded	Traffic bridge over the Ellen Brook in the vicinity of Lot 9000 Railway Parade, Upper Swan.
		Method for calculating contributions	The amount of an owner's Cost Contribution will be calculated: <p>(i) As a percentage of the total cost of the bridge correlating to the percentage of traffic volume utilising the bridge from the respective landholdings as modelled by the ARRB traffic modelling report of 2011.</p> <p>(ii) Levied pro-rata per lot created within those landholdings.</p> <p>This is expressed as follows:</p> $C = \frac{[IC \times \%TV]}{TI} \times I$ <p>Where:</p> <p><b>IC</b> is the infrastructure Cost</p> <p><b>%TV</b> = the percentage of modelled traffic volumes generated from each of the landholdings in the DCA utilising the bridge at the year 2031.</p> <p><b>TI</b> = the total number of lots to be created out of the respective individual landholdings.</p> <p><b>I</b> = the number of lots proposed to be created on the deposited plan.</p>
		Priority and Timing	The priority and timing of the construction of the bridge over the Ellen Brook shall be informed by the Project Program within the DCP Report, and be described in the 'Infrastructure Cost Schedule' which shall outline the costs and timing assumptions necessary to determine infrastructure contribution rates and inform the Cost Apportionment Schedule.
		Period of Operation	This Development Contribution Plan (DCP) shall retain its force and effect until the completion of the construction of the bridge over the Ellen Brook and shall operate for an initial period of five years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended, replaced or repealed.
Review Process	The Development Contribution Plan will be reviewed when considered appropriate, but at a		

			<p>time that is no longer than 5 years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>
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DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN			
DCA 7	<b>Bullsbrook Residential Townsite</b> - The Development Contribution Area (DCA) comprises all the land referred to as Bullsbrook Residential Townsite identified by the scheme maps as DCA 7	Relationship to other planning instruments	<p>The Development Contribution Plan has generally been informed by:</p> <ul style="list-style-type: none"> <li>Bullsbrook Townsite Land Use Master Plan (District Structure Plan) and appendices.</li> <li>Bullsbrook Townsite Land Use Master Plan Precinct Traffic Contributions Report (Transcore October 2019)</li> <li>South Bullsbrook Industrial Precinct Local Structure Plans and associated appendices</li> </ul>		
		Infrastructure and Administrative items to be funded	<p>Note:</p> <ol style="list-style-type: none"> <li>With respect to Precinct 1, only those areas identified as 'Developable Land' in the Development Contribution Plan figure titled 'Infrastructure Demand' are liable for a contribution. As such, areas identified as 'Existing Development' are not liable for a contribution.</li> <li>Unless otherwise noted, where cost apportionment is based on the ultimate infrastructure demand of Precinct 1, this only relates to the demand resulting from the 'Developable Land' in Precinct 1 as described in Note 1 above. As such it excludes any demand from areas identified as 'Existing Development'.</li> </ol> <p><b>Transport Infrastructure items</b></p> <p><u>Sub-Regional Transport</u></p> <p>Construction and/or upgrade of the following existing and future roads, crossings and intersections which are required to service growth in Bullsbrook Residential Townsite (DCA 7) with the cost apportioned to each precinct based on its respective ultimate infrastructure demand relative to ultimate overall demand, unless otherwise noted. The remainder of the cost for these items shall be met by the local government:</p> <ul style="list-style-type: none"> <li><b>Roads upgraded and/or constructed:</b></li> </ul> <table border="1" data-bbox="842 1556 1458 2047"> <tbody> <tr> <td data-bbox="842 1556 1074 1861">S-TRF01 to S-TRF11 and S-ACQ19 to S-ACQ24</td> <td data-bbox="1074 1556 1458 1861">Stock Road between the Great Northern Highway and Perth-Geraldton Rail line. For this DCA 7 the cost sharing arrangements for this portion of road excludes acquiring land that is north of existing road reserve from DCA 4 landowners</td> </tr> <tr> <td data-bbox="842 1861 1074 2047">S-TRF12 to S-TRF15 and S-ACQ28 to S-ACQ29</td> <td data-bbox="1074 1861 1458 2047">Stock West Road between the Perth-Geraldton Rail line and the Primary Regional Roads designation</td> </tr> </tbody> </table>	S-TRF01 to S-TRF11 and S-ACQ19 to S-ACQ24	Stock Road between the Great Northern Highway and Perth-Geraldton Rail line. For this DCA 7 the cost sharing arrangements for this portion of road excludes acquiring land that is north of existing road reserve from DCA 4 landowners
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S-TRF12 to S-TRF15 and S-ACQ28 to S-ACQ29	Stock West Road between the Perth-Geraldton Rail line and the Primary Regional Roads designation				

			<ul style="list-style-type: none"> <li>Crossing treatments upgraded and/or constructed for a: <table border="1"> <tr> <td>S-BR01 and SACQ-BR01</td> <td>Railway crossing along Stock Road / Stock West Road to bridge the Perth-Geraldton Rail Line</td> </tr> <tr> <td>S-BR02 and SACQ-BR02</td> <td>Traffic bridge along Stock Road to cross the Ellen Brook</td> </tr> </table> </li> <li>Intersection treatments upgraded and/or constructed at: <table border="1"> <tr> <td>S-INT01 and SACQ-INT01</td> <td>Great Northern Highway and Stock Road</td> </tr> <tr> <td>S-INT07 and SACQ-INT07</td> <td>Great Northern Highway and Main Entrance ('Link 1') and 'Road K'</td> </tr> <tr> <td>S-INT12 and SACQ-INT12</td> <td>Great Northern Highway and Lage Road and Dewar Road</td> </tr> </table> </li> <li>Land resumptions necessary to accommodate the proposed designs for all Sub-Regional Level Transport Infrastructure previously listed, where not already provided in existing road reserves or otherwise specifically stated as an exclusion in its description.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Sub-Regional Level Transport Infrastructure previously listed.</li> </ul> <p><u>District (DCA-wide) Transport</u> Nil</p> <p><u>Neighbourhood (Precinct) Transport</u> Construction and/or upgrade of the following existing and future roads, crossings and intersections which are required to service growth within a Precinct(s) with the costs apportioned within nominated Precinct(s):</p> <p><u>Northern Precinct 1</u></p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed: <table border="1"> <tr> <td>B-TRF08 to B-TRF09 and BACQ-TRF08 to BACQ-TRF09</td> <td>Chittering Road between Main Entrance ('Link 1') and Quin Road; with the costs apportioned to Precinct 1 based on its ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.</td> </tr> <tr> <td>B-TRF10A</td> <td>Chittering Road between</td> </tr> </table> </li> </ul>	S-BR01 and SACQ-BR01	Railway crossing along Stock Road / Stock West Road to bridge the Perth-Geraldton Rail Line	S-BR02 and SACQ-BR02	Traffic bridge along Stock Road to cross the Ellen Brook	S-INT01 and SACQ-INT01	Great Northern Highway and Stock Road	S-INT07 and SACQ-INT07	Great Northern Highway and Main Entrance ('Link 1') and 'Road K'	S-INT12 and SACQ-INT12	Great Northern Highway and Lage Road and Dewar Road	B-TRF08 to B-TRF09 and BACQ-TRF08 to BACQ-TRF09	Chittering Road between Main Entrance ('Link 1') and Quin Road; with the costs apportioned to Precinct 1 based on its ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.	B-TRF10A	Chittering Road between
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B-TRF08 to B-TRF09 and BACQ-TRF08 to BACQ-TRF09	Chittering Road between Main Entrance ('Link 1') and Quin Road; with the costs apportioned to Precinct 1 based on its ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.																
B-TRF10A	Chittering Road between																

			and BACQ-TRF10A	Main Entrance ('Link 1') and Maroubra Avenue with the costs apportioned to Precinct 1 and 2 - based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF37A and BACQ-TRF37A	Portion of Chittering Road ('Link 8') between Maroubra Avenue, 'Link 8' and the Chittering Road extension with the costs apportioned to Precinct 1 and 2 - based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF10B and BACQ-TRF10B	Chittering Road extension between 'Link 8' and the Great Northern Highway with the costs apportioned to Precinct 1 and 2- based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF11 and BACQ-TRF11	Maroubra Avenue between Great Northern Highway and Chittering Road with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-CULD01	Cul de Sac and closure of Chittering Road between the Great Northern Highway and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.

			<ul style="list-style-type: none"> <li>Crossing treatments upgraded and/or constructed for a: <table border="1" data-bbox="837 201 1428 481"> <tr> <td data-bbox="837 201 1069 481">B-BRI01</td> <td data-bbox="1069 201 1428 481">Traffic tie-in bridge upgrade along the Great Northern Highway tying in with Main Entrance ('Link 1') to cross the Ki-It Brook with the costs apportioned between Precinct 1 and 2, based on their respective ultimate infrastructure demand</td> </tr> </table> </li> <li>Intersection treatments upgraded and/or constructed at: <table border="1" data-bbox="837 571 1428 1590"> <tr> <td data-bbox="837 571 1069 907">B-INT02 and BACQ-INT02</td> <td data-bbox="1069 571 1428 907">Great Northern Highway and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.</td> </tr> <tr> <td data-bbox="837 907 1069 1243">B-INT18 and BACQ-INT18</td> <td data-bbox="1069 907 1428 1243">Chittering Road and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.</td> </tr> <tr> <td data-bbox="837 1243 1069 1590">B-INT26 and BACQ-INT26</td> <td data-bbox="1069 1243 1428 1590">Chittering Road extension and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.</td> </tr> </table> </li> <li>Land resumptions necessary to accommodate the proposed designs for all Neighbourhood Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Neighbourhood Level Transport Infrastructure previously listed.</li> </ul> <p><u>Central Precinct 2</u></p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed:</li> </ul>	B-BRI01	Traffic tie-in bridge upgrade along the Great Northern Highway tying in with Main Entrance ('Link 1') to cross the Ki-It Brook with the costs apportioned between Precinct 1 and 2, based on their respective ultimate infrastructure demand	B-INT02 and BACQ-INT02	Great Northern Highway and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.	B-INT18 and BACQ-INT18	Chittering Road and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.	B-INT26 and BACQ-INT26	Chittering Road extension and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
B-BRI01	Traffic tie-in bridge upgrade along the Great Northern Highway tying in with Main Entrance ('Link 1') to cross the Ki-It Brook with the costs apportioned between Precinct 1 and 2, based on their respective ultimate infrastructure demand										
B-INT02 and BACQ-INT02	Great Northern Highway and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.										
B-INT18 and BACQ-INT18	Chittering Road and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.										
B-INT26 and BACQ-INT26	Chittering Road extension and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.										

			B-TRF10A and BACQ-TRF10A	Chittering Road between Main Entrance ('Link 1') and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF37A and BACQ-TRF37A	Portion of Chittering Road ('Link 8') between Maroubra Avenue, 'Link 8' and the Chittering Road extension with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF10B and BACQ-TRF10B	Chittering Road extension between 'Link 8' and the Great Northern Highway with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF11 and BACQ-TRF11	Maroubra Avenue between Great Northern Highway and Chittering Road with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-TRF35 to B-TRF36 and BACQ-TRF35 to BACQ-TRF36	Main Entrance ('Link 1') between 'Link 3' and the Great Northern Highway
			B-TRF24B and BACQ-TRF24B	Portion of 'Link 3' between Main Entrance ('Link 1') and the southern boundary of this Precinct
			B-CULD01	Cul de Sac and closure of Chittering Road between

				<p>the Great Northern Highway and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.</p>
				<ul style="list-style-type: none"> <li>Crossing treatments upgraded and/or constructed for a:</li> </ul>
			B-BRI01	Traffic tie-in bridge upgrade along the Great Northern Highway tying in with Main Entrance ('Link 1') to cross the Ki-It Brook with the costs apportioned between Precinct 1 and 2, based on their respective ultimate infrastructure demand
				<ul style="list-style-type: none"> <li>Intersection treatments upgraded and/or constructed at:</li> </ul>
			B-INT02 and BACQ-INT02	Great Northern Highway and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-INT18 and BACQ-INT18	Chittering Road and Maroubra Avenue with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.
			B-INT23 and BACQ-INT23	Main Entrance ('Link 1') and 'Link 3'
			B-INT26 and BACQ-INT26	Chittering Road extension and 'Link 8' with the costs apportioned to Precinct 1 and 2, based on their respective ultimate infrastructure demand relative to ultimate overall demand. The remainder of the cost for this item shall be met by the local government.

			<ul style="list-style-type: none"> <li>Land resumptions necessary to accommodate the proposed designs for all Neighbourhood Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Neighbourhood Level Transport Infrastructure previously listed.</li> </ul> <p><u>Southern Precinct 3</u></p> <ul style="list-style-type: none"> <li>Roads upgraded and/or constructed:</li> </ul> <table border="1" data-bbox="837 607 1433 1099"> <tr> <td data-bbox="837 607 1074 730">B-TRF24A and BACQ-TRF24A</td> <td data-bbox="1074 607 1433 730">Portion of 'Link 3' between Burley Road extension and the northern boundary of this Precinct</td> </tr> <tr> <td data-bbox="837 730 1074 887">B-TRF26 and BACQ-TRF26</td> <td data-bbox="1074 730 1433 887">Stock Road extension between Great Northern Highway and Burley Road extension</td> </tr> <tr> <td data-bbox="837 887 1074 1099">B-TRF28 to B-TRF29 and BACQ-TRF28 to BACQ-TRF29</td> <td data-bbox="1074 887 1433 1099">Lage Road between the Great Northern Highway and Burley Road extension</td> </tr> </table> <ul style="list-style-type: none"> <li>Intersection treatments upgraded and/or constructed at:</li> </ul> <table border="1" data-bbox="837 1200 1433 1384"> <tr> <td data-bbox="837 1200 1074 1290">B-INT15 and BACQ-INT15</td> <td data-bbox="1074 1200 1433 1290">Burley Road extension and Lage Road and 'Link 9'</td> </tr> <tr> <td data-bbox="837 1290 1074 1384">B-INT17 and BACQ-INT17</td> <td data-bbox="1074 1290 1433 1384">Burley Road extension and Stock Road</td> </tr> </table> <ul style="list-style-type: none"> <li>Land resumptions necessary to accommodate the proposed designs for all Neighbourhood Level Transport Infrastructure previously listed, where not already provided in existing road reserves.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Neighbourhood Level Transport Infrastructure previously listed.</li> </ul> <p><b>Community Infrastructure items</b>  <u>District Community Infrastructure</u>  The construction and land acquisition of the following district community facilities required to service growth within the Development Contribution Area with the cost apportioned between the precincts based on their ultimate infrastructure demand:</p> <table border="1" data-bbox="837 2029 1433 2063"> <tr> <td data-bbox="837 2029 1038 2063">B-DOS01</td> <td data-bbox="1038 2029 1433 2063">Land acquisition and</td> </tr> </table>	B-TRF24A and BACQ-TRF24A	Portion of 'Link 3' between Burley Road extension and the northern boundary of this Precinct	B-TRF26 and BACQ-TRF26	Stock Road extension between Great Northern Highway and Burley Road extension	B-TRF28 to B-TRF29 and BACQ-TRF28 to BACQ-TRF29	Lage Road between the Great Northern Highway and Burley Road extension	B-INT15 and BACQ-INT15	Burley Road extension and Lage Road and 'Link 9'	B-INT17 and BACQ-INT17	Burley Road extension and Stock Road	B-DOS01	Land acquisition and
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B-DOS01	Land acquisition and														

			<table border="1"> <tr> <td data-bbox="826 134 1038 510">B-DOS01B B-DOS1BL B-DOS01C and B-DOS01CL</td> <td data-bbox="1038 134 1468 510">construction of 5.6ha of a 9ha District Active Open Space to provide playing fields, hard courts, a co-located district-level multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)</td> </tr> <tr> <td data-bbox="826 510 1038 696">B-DOS02</td> <td data-bbox="1038 510 1468 696">Construction of a multi-purpose District Community Centre co-located in Pickett Park (Precinct 1) as identified in the Bullsbrook Townsite District Structure Plan</td> </tr> </table> <p data-bbox="826 696 1468 1115">The maximum cost contribution from DCA7 via the Development Contribution Plan for district community infrastructure items will be 78 per cent of the total cost of their provision, to account for demand for the infrastructure attributable to the population of the existing catchment. The remainder of the cost shall be met by the local government. <u>Neighbourhood (Precinct) Community Infrastructure</u> The construction and land acquisition of the following neighbourhood community facilities required to service growth within a Precinct with the costs apportioned within nominated Precinct:</p> <p data-bbox="826 1115 1468 1160"><u>Central Precinct 2</u></p> <table border="1"> <tr> <td data-bbox="826 1160 1038 1406">B-NOS05 and B-NOS05L</td> <td data-bbox="1038 1160 1468 1406">Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts and supporting infrastructure and amenities at a site co-located with the District Open Space</td> </tr> </table> <p data-bbox="826 1406 1468 1451"><u>Southern Precinct 3</u></p> <table border="1"> <tr> <td data-bbox="826 1451 1038 1861">B-NOS02 and B-NOS02L</td> <td data-bbox="1038 1451 1468 1861">Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts, a co-located multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)</td> </tr> </table> <p data-bbox="826 1861 1468 1906"><b>Administrative items</b></p> <ul data-bbox="826 1906 1468 2076" style="list-style-type: none"> <li>• Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff</li> </ul>	B-DOS01B B-DOS1BL B-DOS01C and B-DOS01CL	construction of 5.6ha of a 9ha District Active Open Space to provide playing fields, hard courts, a co-located district-level multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)	B-DOS02	Construction of a multi-purpose District Community Centre co-located in Pickett Park (Precinct 1) as identified in the Bullsbrook Townsite District Structure Plan	B-NOS05 and B-NOS05L	Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts and supporting infrastructure and amenities at a site co-located with the District Open Space	B-NOS02 and B-NOS02L	Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts, a co-located multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)
B-DOS01B B-DOS1BL B-DOS01C and B-DOS01CL	construction of 5.6ha of a 9ha District Active Open Space to provide playing fields, hard courts, a co-located district-level multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)										
B-DOS02	Construction of a multi-purpose District Community Centre co-located in Pickett Park (Precinct 1) as identified in the Bullsbrook Townsite District Structure Plan										
B-NOS05 and B-NOS05L	Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts and supporting infrastructure and amenities at a site co-located with the District Open Space										
B-NOS02 and B-NOS02L	Land acquisition and construction of a 3.4ha Neighbourhood Active Open Space to provide playing fields, hard courts, a co-located multi-purpose building and supporting infrastructure and amenities at a site generally identified in the Bullsbrook Townsite District Structure Plan and the relevant Local Structure Plan(s)										

			<p>salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</p> <ul style="list-style-type: none"> <li>• Cost to review estimates including the costs for appropriately qualified independent persons.</li> <li>• Costs to update the cost apportionment schedules, register of cost contributions, and infrastructure.</li> <li>• A DCP Precinct's liability for the cost of administrative items as described above shall be proportionate to the amount of work required to undertake relevant tasks as they relate to that Precinct.</li> </ul>
		<p>Method for calculating contributions</p>	<p>The amount of an owner's Cost Contribution will be determined by the proportional share of the Infrastructure Demand that the proposed development generates in accordance with the Cost Apportionment Schedule.</p> <ol style="list-style-type: none"> <li>a. The DCP Report and Cost Apportionment Schedule shall be defined units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>b. The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand.</li> <li>c. The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure.</li> <li>d. The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined: <p style="margin-left: 20px;"><math>C = [ID \times CR] \times I</math>  Where:  C = Cost Contribution (for a chosen network, e.g.Transport)  ID = Infrastructure Demand, calculated using the Cost Apportionment Schedule  CR = Contribution Rate as set out in the Cost Apportionment Schedule; and  I = Indexation factor set out in the Cost Apportionment Schedule to take into account inflation and other matters relevant to the capital cost of infrastructure.</p> </li> <li>e. The Cost Contribution for Sub-Regional Transport infrastructure shall utilise a Contribution Rate as set out in Cost Apportionment Schedule and which has been determined on the following basis: <p style="margin-left: 20px;"><math>CR = [TV\% \times A] / TID</math>  Where:  TV% = Percentage of the traffic using the Sub-regional Transport infrastructure as</p> </li> </ol>

			<p>modelled by the Bullsbrook Townsite Land Use Master Plan Precinct Traffic Contributions report (Transcore October 2019)</p> <p>A = Asset Cost</p> <p>TID = Total Infrastructure Demand for the Bullsbrook Residential Townsite DCA</p>
		Priority and timing	The detailed scope and cost of each infrastructure network shall be described in the Development Contribution Plan Report which shall outline the assumptions necessary to determine Infrastructure Contribution Rates and inform the Cost Apportionment Schedules.
		Period of Operation	This Development Contribution Plan shall retain its force and effect until the completion of the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of ten (10) years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended or replaced.
		Review Process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than five (5) years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>
		Annual Status Report	The City shall publish an Annual Status Report for DCA 7 in accordance with the requirements of State Planning Policy 3.6 Infrastructure Contributions (as amended).

DCA No.	AREA NAME	DEVELOPMENT CONTRIBUTION PLAN															
DCA 8	<b>Henley Brook Urban Precinct</b> - The Development Contribution Area (DCA) comprises all the land referred to as Henley Brook Urban Growth Precinct identified by the scheme maps as DCA 8.	Relationship to other planning instruments	The Development Contribution Plan generally conforms to strategic planning documents outlining the intended delivery of infrastructure including: <ul style="list-style-type: none"> <li>Local Structure Plans and associated appendices.</li> <li>Henley Brook Community Infrastructure Plan and Capital Expenditure Plan.</li> <li>Local Government's Strategic Community Plan and the 10-year Financial Management Plan.</li> </ul>														
		Infrastructure and Administrative items to be funded	<p><b>Transport Infrastructure items:</b></p> <p>Construction and/or upgrade and land acquisition of the following existing and future roads and intersections which are required to service growth within the Henley Brook Urban Precinct (DCA 8) with the cost apportioned to DCA 8, unless otherwise noted -</p> <ul style="list-style-type: none"> <li>Roads upgraded and/or construction -</li> </ul> <table border="1" data-bbox="799 981 1426 2051"> <tbody> <tr> <td data-bbox="799 981 1082 1122">H-TRF01 and H-ACQTRF01</td> <td data-bbox="1082 981 1426 1122">'Losino Boulevard' between Gngangara Road and Andrea Drive.</td> </tr> <tr> <td data-bbox="799 1122 1082 1263">H-TRF02 and H-ACQTRF02</td> <td data-bbox="1082 1122 1426 1263">'Andrea Drive' between Losino Boulevard and Henley Street.</td> </tr> <tr> <td data-bbox="799 1263 1082 1464">H-TRF03A to H-TRF03D and H-ACQTRF03A to H-ACQTRF03D</td> <td data-bbox="1082 1263 1426 1464">'Henley Street' between Starflower Road and Henley Brook Avenue.</td> </tr> <tr> <td data-bbox="799 1464 1082 1606">H-TRF04 and H-ACQTRF04</td> <td data-bbox="1082 1464 1426 1606">'Partridge Street Extension' between Brooklands Drive and Park Street.</td> </tr> <tr> <td data-bbox="799 1606 1082 1807">H-TRF05A to H-TRF05B and H-ACQTRF05A to H-ACQTRF05B</td> <td data-bbox="1082 1606 1426 1807">'Brooklands Drive' between Henley Street and 'Local Road 1'.</td> </tr> <tr> <td data-bbox="799 1807 1082 2024">H-TRF06A to H-TRF06D and H-ACQTRF06A to H-ACQTRF06D</td> <td data-bbox="1082 1807 1426 2024">'Park Street' between Starflower Road and Henley Brook Avenue.</td> </tr> <tr> <td data-bbox="799 2024 1082 2051">H-TRF07A to</td> <td data-bbox="1082 2024 1426 2051">'Starflower Road'</td> </tr> </tbody> </table>	H-TRF01 and H-ACQTRF01	'Losino Boulevard' between Gngangara Road and Andrea Drive.	H-TRF02 and H-ACQTRF02	'Andrea Drive' between Losino Boulevard and Henley Street.	H-TRF03A to H-TRF03D and H-ACQTRF03A to H-ACQTRF03D	'Henley Street' between Starflower Road and Henley Brook Avenue.	H-TRF04 and H-ACQTRF04	'Partridge Street Extension' between Brooklands Drive and Park Street.	H-TRF05A to H-TRF05B and H-ACQTRF05A to H-ACQTRF05B	'Brooklands Drive' between Henley Street and 'Local Road 1'.	H-TRF06A to H-TRF06D and H-ACQTRF06A to H-ACQTRF06D	'Park Street' between Starflower Road and Henley Brook Avenue.	H-TRF07A to	'Starflower Road'
H-TRF01 and H-ACQTRF01	'Losino Boulevard' between Gngangara Road and Andrea Drive.																
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			<p>H-TRF07C and H-ACQTRF07A to H-ACQTRF07C</p>	<p>between Park Street and Gnangara Road.</p>
			<p>H-TRF08A to H-TRF08B and H-ACQTRF08A to H-ACQTRF08B</p>	<p>'Henley Brook Avenue' between Park Street and Asturian Drive.</p> <p>The maximum cost contribution that can be levied from DCA 8 for this item shall not exceed the cost of -</p> <ul style="list-style-type: none"> <li>○ Construction of earthworks for the whole road reserve;</li> <li>○ Construction one carriageway comprised of two lanes (Integrator A - Type 1 standard) and associated drainage works and shared paths, and;</li> <li>○ Land acquisition for the whole road reserve.</li> </ul> <p>The remainder of the cost shall be met by the local government.</p>
			<ul style="list-style-type: none"> <li>● Intersection treatments upgraded and/or constructed at -</li> </ul>	
			<p>H-INT01 and H-ACQINT01</p>	<p>Starflower Road and Henley Street</p>
			<p>H-INT02 and H-ACQINT02</p>	<p>Starflower Road and Fairmount Boulevard and Park Street.</p>
			<p>H-INT03 and H-ACQINT03</p>	<p>Park Street and Partridge Street and Partridge Street Extension.</p>
			<p>H-INT04 and H-ACQINT04</p>	<p>Henley Street and Andrea Drive.</p>
			<p>H-INT05 and H-ACQINT05</p>	<p>Henley Street and Brooklands Drive.</p>

			H-INT06 and H-ACQINT06	Andrea Drive and Losino Boulevard.
			H-INT07 and H-ACQINT07	Henley Street and Asturian Drive.
			H-INT10 and H-ACQINT10	Henley Brook Avenue and Henley Street.
			H-INT12 and H-ACQINT12	10.22% of the cost of upgrading the intersection treatment at Gnangara Road and Henley Brook Avenue.
			H-INT13 and H-ACQINT13	52.5% of the cost of upgrading the intersection treatment at Gnangara Road and Losino Boulevard
			<ul style="list-style-type: none"> <li>Land acquisition necessary to accommodate the proposed designs for all Transport Infrastructure previously listed, where not already provided in existing road reserves or otherwise specifically stated as an exclusion in its description.</li> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the proposed design for the upgrade/construction for all Transport Infrastructure previously listed.</li> </ul>	
			<p><b>Capped Community Infrastructure Items</b></p> <p>The following items within the 3.7ha Eastern Neighbourhood Active Open Space and the 3.4ha Central Neighbourhood Active Open Space are community infrastructure items subject to a contribution cap of no more than \$5,000 per dwelling, or unit of equivalent demand in the case of non-residential zoned land:</p>	
			H-POSF05CAP and H-CIF01CAP	Community Centre/Sporting Pavillion building; AFL and Soccer Goal posts; Cricket practice nets and pitches; Car parking; Lighting for playing fields. Other than these listed items, the balance of the infrastructure for the 3.7ha Eastern

				Neighbourhood Active Open Space - inclusive of land acquisition and construction of the park – constitutes standard community infrastructure and not subject to the cap.
			H-POSF06CAP and H-CIF02CAP	Community Centre/Sporting Pavillion building; Double BBQ; AFL and Soccer Goal posts; Cricket practice nets and pitches; Car parking; Lighting for playing fields. Other than these listed items, the balance of the infrastructure for the 3.4ha Central Neighbourhood Active Open Space - inclusive of land acquisition and construction of the park – constitutes standard community infrastructure and not subject to the cap.
			<p><b>Standard Community Infrastructure</b></p> <p>The construction and land acquisition of the following standard community infrastructure required to service growth within the Henley Brook Urban Precinct (DCA 8) with the cost apportioned to DCA 8 -</p> <ul style="list-style-type: none"> <li>Construction of the following Passive Parks in locations identified in the relevant Structure Plan -</li> </ul>	
			H-POS01 and H-ACQPOS01	'Passive Park 1' generally identified near Petrana Place and Gnangara Road.
			H-POS02 and H-POS02G and H-ACQPOS02 and H-ACQPOS02G	'Passive Park 2' generally identified near Andrea Drive and Losino Boulevard.  This item includes construction works and land acquisitions necessary to include the high-pressure gas pipeline easements within

				<p>this recreational space.</p>
			<p>H-POS03 and H-ACQPOS03</p>	<p>'Passive Park 3' generally identified near Starflower Road, north of Henley Street.</p>
			<p>H-POS04 and H-POS04G and H-ACQPOS04 and H-ACQPOS04G</p>	<p>'Passive Park 4' generally identified near Andrea Drive and Henley Street.</p> <p>This item includes construction works and land acquisitions necessary to include the high-pressure gas pipeline easements within this recreational space.</p>
			<p>H-POS07 and H-POS07G and H-ACQPOS07 and H-ACQPOS07G</p>	<p>'Passive Park 7' generally identified near Henley Street and Brooklands Drive.</p> <p>This item includes construction works and land acquisitions necessary to include the high-pressure gas pipeline easements within this recreational space.</p>
			<p>H-POS08 and H-ACQPOS08</p>	<p>'Passive Park 8' generally identified near the eastern extent of the Henley Brook Bridle Trail, north and east of Brooklands Drive.</p>
			<p>H-POS09 and H-ACQPOS09</p>	<p>'Passive Park 9' generally identified near Brooklands Drive and the future Henley Brook Avenue.</p>
			<p>H-POS10 and H-ACQPOS10</p>	<p>'Passive Park 10' generally identified near Park Street, Diane Place and the Partridge Street extension.</p>
			<p>H-POS11 and H-ACQPOS11</p>	<p>'Passive Park 11' generally identified near 'Local Road 1', Park Street and Partridge Street extension.</p>
			<p>H-POS12 and H-POS12G and H-ACQPOS12 and H-ACQPOS12G</p>	<p>'Passive Park 12' generally near 'Access Road 1' and Brooklands Drive.</p> <p>This item includes construction works and land acquisitions necessary to include the high-pressure gas</p>

				<p>pipeline easements within this recreational space.</p>
			<p>H-POS13 and H-POS13G and H-ACQPOS13 and H-ACQPOS13G</p>	<p>'Passive Park 13' located generally near 'Access Road 1' and Park Street.</p> <p>This item includes construction works and land acquisitions necessary to include the high-pressure gas pipeline easements within this recreational space.</p>
				<ul style="list-style-type: none"> <li>Land acquisition and construction of the following Active Parks in locations identified in the relevant Structure Plan:</li> </ul>
			<p>H-POS05 and H-ACQPOS05</p>	<p>The 3.7ha Eastern Neighbourhood Active Open Space at the site near Henley Street and Asturian Drive, but excluding those items identified as Capped Community Infrastructure Items.</p>
			<p>H-POS06 and H-ACQPOS06</p>	<p>The 3.4ha Central Neighbourhood Active Open Space at the site near Henley Street and Brooklands Drive, but excluding those items identified as Capped Community Infrastructure Items.</p>
				<ul style="list-style-type: none"> <li>Relocation of existing underground and overhead services where they would otherwise interfere with the upgrading/construction of the proposed designs for all Standard Community Infrastructure items as previously listed.</li> </ul> <p><b>Administration items including -</b></p> <ul style="list-style-type: none"> <li>Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court or Tribunal or arbitration, whether incurred before or after the incorporation of the DCP in Schedule 11).</li> <li>Cost to review estimates including the costs for appropriately qualified independent persons.</li> </ul>

			<ul style="list-style-type: none"> <li>Costs to update the cost apportionment schedules, register of cost contributions, and infrastructure.</li> </ul>
		Method for calculating contributions	<ol style="list-style-type: none"> <li>The contributions outlined in this plan have been based on the need for community infrastructure and/or non-community infrastructure generated by additional development in the development contribution plan. The local government's Community Infrastructure Plan identifies the community infrastructure needs that impact on the Development Contribution Plan.</li> <li>The amount of an owner's Cost Contribution will be determined by the proportional share of the Infrastructure Demand that the proposed development generates in accordance with the Cost Apportionment Schedule</li> <li>The DCP Report and Cost Apportionment Schedule shall define units of Infrastructure Demand used to calculate a Cost Contribution.</li> <li>The DCP Report shall estimate the Infrastructure Demand and both the Administrative and Infrastructure Cost for each network of Infrastructure to calculate the Infrastructure Contribution Rate expressed in \$/unit of Infrastructure Demand.</li> <li>The Cost Apportionment Schedule shall report the Infrastructure Contribution Rates for each network of Infrastructure.</li> <li>The Cost Contribution applicable to development for each network of Infrastructure will be calculated in accordance with the general method outlined - <p style="text-align: center;"><b><math>C = [ID \times CR] \times I</math></b></p> <p>Where:</p> <p><b>C</b> = Cost Contribution (for a chosen network, e.g. Transport)</p> <p><b>ID</b> = Infrastructure Demand, calculated using the Cost Apportionment Schedule</p> <p><b>CR</b> = Contribution Rate as set out in the Cost Apportionment Schedule; and</p> <p><b>I</b> = Indexation factor set out in the Cost Apportionment Schedule to take into account inflation and other matters relevant to the capital cost of infrastructure.</p> </li> </ol>
		Priority and timing	The detailed scope and cost of each infrastructure network shall be described in the Development Contribution Plan Report which shall outline the assumptions necessary to determine Infrastructure Contribution Rates and inform the

			Cost Apportionment Schedules.
		Period of Operation	This Development Contribution Plan shall retain its force and effect until the completion of the development of all en-globo landholdings within the Development Contribution Area (DCA) and shall operate for an initial period of 10 years from the date of gazettal of this amendment, after which the DCP will be reviewed and if necessary, amended or replaced.
		Review Process	<p>The Development Contribution Plan will be reviewed when considered appropriate, but at a time that is no longer than 5 years after the date of gazettal of this amendment, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule will be reviewed at least annually in accordance with Clause 28(13) of Local Planning Scheme No. 18.</p>
		Annual Status Report	The City shall publish an Annual Status Report for DCA 8 in accordance with the requirements of State Planning Policy 3.6 Infrastructure Contributions (as amended).



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 Swan at the Ordinary Meeting of Council held on the [DATE]

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**CHIEF EXECUTIVE OFFICER**

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**PRESIDENT / MAYOR**

**COUNCIL RESOLUTION TO SUPPORT / NOT SUPPORT\* SCHEME FOR APPROVAL**

Council resolved to **support / not support\*** approval of the draft Scheme of the City of Swan at the Ordinary Meeting of Council held on the [DATE]

The Common Seal of the City of Swan was hereunto affixed by authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

\_\_\_\_\_  
**PRESIDENT / MAYOR**

**\*delete whichever is not applicable**

WAPC Recommended for Approval

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

**Date:** \_\_\_\_\_

Approval Granted

\_\_\_\_\_  
**MINISTER FOR PLANNING**

**Date:** \_\_\_\_\_